

AGENDA
ESCAMBIA COUNTY PLANNING BOARD
QUASI-JUDICIAL HEARING
March 4, 2014–8:30 a.m.
Escambia County Central Office Complex
3363 West Park Place, Room 104

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

A. Z-2013-20

Applicant: Jesse W. Rigby, Agent for Bobby Gene and Sally Lynn Reynolds,
Owners

Address: 12511 Lillian Hwy

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

To: R-6, Neighborhood Commercial and Residential District,
(cumulative) High Density (25 du/acre)

B. Z-2014-03

Applicant: Bill Newlon, Agent for Black Gold of Northwest Florida, LLC, Owner

Address: Stone Blvd

From: ID-CP, Commerce Park District (cumulative)

To: ID-2, General Industrial District (noncumulative)

C. Z-2014-04

Applicant: Ronald D. Bailey, Trustee for Ronald D. Bailey
Trust

Address: 12501 Lillian Hwy

From: R-4, Multiple-Family District, (cumulative) Medium High Density (18 du/acre)
To: R-6, Neighborhood Commercial and Residential District, (cumulative) High Density (25 du/acre)

D. Z-2014-05

Applicant: T. Heath Jenkins, Agent for Rodney Sutton, Owner

Address: 6841 Kemp Rd

From: R-5, Urban Residential/Limited Office District, (cumulative) High Density (20 du/acre)

To: C-2, General Commercial and Light Manufacturing District (cumulative) (25 du/acre)

6. Adjournment.

Planning Board-Rezoning

5. A.

Meeting Date: 03/04/2014

CASE : Z-2013-20

APPLICANT: Jesse W. Rigby, Agent for Bobby Gene and Sally Lynn Reynolds,
Owners

ADDRESS: 12511 Lillian Hwy

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

FUTURE LAND USE: MU-S, Mixed-Use
Suburban

DISTRICT: 1

OVERLAY DISTRICT: N/A

BCC MEETING DATE: 04/03/2014

SUBMISSION DATA:

REQUESTED REZONING:

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

TO: R-6, Neighborhood Commercial and Residential District, (cumulative) High Density (25 du/acre)

RELEVANT AUTHORITY:

- (1) Escambia County Comprehensive Plan
- (2) Escambia County Land Development Code
- (3) Board of County Commissioners of Brevard County v. Snyder, 627 So. 2d 469 (Fla. 1993)
- (4) Resolution 96-34 (Quasi-judicial Proceedings)
- (5) Resolution 96-13 (Ex-parte Communications)

CRITERION (1)

Consistent with the Comprehensive Plan.

Whether the proposed amendment is consistent with the Comprehensive Plan.

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

CPP FLU 1.1.9 Buffering. In the LDC, Escambia County shall ensure the compatibility of adjacent land uses by requiring buffers designed to protect lower intensity uses from more intensive uses, such as residential from commercial. Buffers shall also be used to protect agricultural activities from the disruptive impacts of nonagricultural land uses and protect nonagricultural uses from normal agricultural activities.

CPP FLU 1.3.1 Future Land Use Categories. The Mixed-Use Suburban (MU-S) Future Land Use (FLU) category is intended for a mix of residential and nonresidential uses while promoting

compatible infill development and the separation of urban and suburban land uses. Range of allowable uses include: Residential, Retail and Services, Professional Office, Recreational Facilities, Public and Civic. The minimum residential density is two dwelling units per acre and the maximum residential density is ten dwelling units per acre.

CPP FLU 1.5.3 New Development and Redevelopment in Built Areas. To promote the efficient use of existing public roads, utilities and service infrastructure, the County will encourage redevelopment in underutilized properties to maximize development densities and intensities located in the Mixed Use-Suburban, Mixed Use-Urban, Commercial and Industrial Future Land Use districts categories (with the exception of residential development).

FINDINGS

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

CRITERION (2)

Consistent with The Land Development Code.

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

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

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

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

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

FINDINGS

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

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

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

CRITERION (3)

Compatible with surrounding uses.

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

FINDINGS

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

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

CRITERION (4)

Changed conditions.

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

FINDINGS

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

CRITERION (5)

Effect on natural environment.

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

FINDINGS

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

CRITERION (6)

Development patterns.

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

FINDINGS

The proposed amendment **would** result in a logical and orderly development pattern. The proposed rezoning from R-4 to R-6 would not be out of character given the six other nodes of R-6 zoning along Lillian Highway from Dog Track Road to the Lillian Bridge.

Attachments

Z-2013-20

Z-2013-20

<p style="text-align: right;">9</p> <p>1 MR. TATE: The rezoning hearing package 2 with staff's Findings-of-Fact and the legal 3 advertisement will be marked and included in 4 the record as Composite Exhibit A for all of 5 today's cases. 6 (Composite Exhibit A, Rezoning Hearing 7 Package and Legal Advertisement, was 8 identified and admitted.) 9 (The transcript continues on Page 10.) 10 * * * 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">11</p> <p>1 MS. ORAM: No to all. 2 MS. HIGHTOWER: No to all other than the 3 time it was here before. 4 MR. GOODLOE: No ex parte, but I have 5 visited the site. 6 MR. WOODWARD: No to all. 7 MR. TATE: I have had no communication 8 with anybody, but I'm very familiar with the 9 site. And also as a result of my employer's 10 property adjacent to this or across the street 11 from it, I will have to recuse myself from 12 this hearing. 13 MS. DAVIS: No to all the above. 14 MR. WINGATE: I have visited the site but 15 no communications. 16 MS. SINDEL: No to all. 17 MR. TATE: Staff will now present the maps 18 and photographs for this case. 19 (Presentation of maps and photographs.) 20 MS. CAIN: This is Z-2013-20. This is the 21 location map showing the location of the 22 subject property. This is our 500-foot zoning 23 map showing that it's currently R-4 and the 24 surrounding of R-4, across the street R-2. 25 This is the Future Land Use Map showing Mixed TAYLOR REPORTING SERVICES, INCORPORATED</p>
<p style="text-align: right;">10</p> <p>1 * * * 2 <u>CASE NO: Z-2013-20</u> 3 Applicant: Bobby and Sally Reynolds, Owners 4 Address: 12511 Lillian Highway 5 From: R-4, Multiple-Family District, 6 (cumulative) Medium High Density (18 du/acre) 7 To: R-6, Neighborhood Commercial and 8 Residential District, (cumulative) High Density (10 du/acre) 9 MR. TATE: There are two (sic) cases to be 10 heard today. The first case is Case Number 11 Z-2013-20, which requests rezoning of 12511 12 Lillian Highway from Multifamily R-4 to 13 Neighborhood and Commercial R-6, as requested 14 by Mr. and Mrs. Reynolds, the owners. 15 Members of the Board, have there been any 16 ex parte communications between you and the 17 applicant, the applicant's agent, attorney or 18 witnesses, with fellow Planning Board members 19 or anyone from the general public prior to 20 this hearing? Have you visited the subject 21 property? Please also disclose if you are a 22 relative or business associate of the 23 applicant or the applicant's agent. We'll go 24 ahead and start with Ms. Oram and work our way 25 this way. TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">12</p> <p>1 Use Suburban. This is the existing land use 2 map showing the existing uses around the 3 parcel. 4 This is an aerial photo. This is our sign 5 posting. This is looking east along Lillian 6 Highway at the subject property. Looking 7 north along Bronson. This is looking 8 northeast. Looking south along Bronson. This 9 is looking southeast. This is looking 10 southwest. This is looking west along Lillian 11 Highway. This is our 500-foot radius map from 12 Chris Jones, Property Appraiser. This is our 13 500-foot mailing list. That concludes the 14 maps and photographs. 15 MR. TATE: Thank you. If you have 16 electronic devices, would you please put those 17 to silent at this time. 18 Would the applicant or their 19 representative please come forward? 20 Mr. Reynolds, we're going to swear you in 21 at this time. 22 (Bobby Reynolds sworn.) 23 MR. TATE: Please state your full name and 24 address for the record. 25 MR. REYNOLDS: My name is Bobby Gene TAYLOR REPORTING SERVICES, INCORPORATED</p>

<p style="text-align: right;">13</p> <p>1 Reynolds, Senior. My address is 12511 Lillian 2 Highway, Pensacola, Florida, 32506. 3 MR. TATE: Have you received a copy of the 4 rezoning hearing package with staff's 5 Findings-of-Fact? 6 MR. REYNOLDS: Yes, I have. 7 MR. TATE: Do you understand that you have 8 the burden of providing by substantial 9 competent evidence that the proposed rezoning 10 is consistent with the Comprehensive Plan, 11 furthers the goals, objectives and policies of 12 the Comprehensive Plan and is not in conflict 13 with any portion of the County's Land 14 Development Code? 15 MR. REYNOLDS: As far as I know. 16 MR. TATE: Please proceed. 17 MS. CAIN: Excuse me, Mr. Chairman, if I 18 may, I did get a letter from the Reynolds 19 after the packet had already been posted to 20 the Website. I think this is where they 21 probably tried to address the criteria, so if 22 you would accept this into evidence. 23 MR. TATE: Mr. Reynolds, do you have a 24 copy of your letter with you? 25 MR. REYNOLDS: Yes, I do. TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">15</p> <p>1 office. On the west side of Bronson Field 2 there is a large parcel of property that we 3 have been told that is owned by Pensacola 4 Christian College. We don't know that for 5 ourselves, but maybe could be built a second 6 college. 7 We're asking would you please pass the 8 process for usage of our property to R-6 as we 9 feel that we meet all of the rezoning 10 criteria. 11 Thank you for your time and consideration. 12 MR. TATE: Please note that Mr. Reynolds 13 did read this into the record in its entirety 14 and we will accept it. 15 MR. WOODWARD: Exhibit B. 16 (Exhibit B, Letter from Mr. Reynolds, was 17 identified and admitted.) 18 MS. DAVIS: Mr. Chair, I would like to 19 certify a copy of that. 20 MR. REYNOLDS: There's a copy. 21 MR. TATE: Hand them to Allyson. 22 MR. WOODWARD: Mr. Chairman, what is the 23 posture of the Board on this? 24 MR. TATE: Of the letter? 25 MR. WOODWARD: No, on this application. TAYLOR REPORTING SERVICES, INCORPORATED</p>
<p style="text-align: right;">14</p> <p>1 MR. TATE: Could you read it in its 2 entirety to the Board and we'll accept it in 3 as your testimony? 4 MR. REYNOLDS: The overall purpose of this 5 letter is to use our property as R-6. We did 6 try to rezone our property to C-1, however, it 7 was voted down due to the fact that the 8 neighbors did not want our property rezoned 9 from R-4 to C-1. The intent of this request 10 now is to upgrade our property from R-4 to 11 R-6. As you are aware the area has grown on 12 the south side of Lillian Highway. My wife, 13 Sally Reynolds, has lived on the property 14 since 1955. We have together owned this 15 property, when we purchased the home and 16 property, since 1968. 17 We have seen many changes in land 18 development such as two blocks from us there 19 is a liquor store, a bar, a grocery store, 20 fast food restaurant, Hardee's, Tom Thumb 21 Store, gas stations, et cetera, et cetera. 22 Around the corner from us is the Southwest 23 Sports Complex, which includes many sports, 24 baseball, football and many other sports. 25 Next door to us is a building contractor's TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">16</p> <p>1 MR. TATE: I think we're not far enough 2 into that to really get there. 3 Mr. Reynolds, do you have anything else 4 you wish to state to the Board? 5 MR. REYNOLDS: Not at this time. I'll 6 answer questions. 7 MR. TATE: What we'll do is we'll go ahead 8 and have staff's presentation at this time. 9 (Presentation by Andrew Holmer, previously 10 sworn.) 11 MR. HOLMER: I'll go ahead and take care 12 of that. I'm Andrew Holmer, Senior Planner. 13 Rezoning Z-2013-20, 12511 Lillian Highway. 14 Regarding the first criterion, consistency 15 with the Comprehensive Plan, the proposed 16 amendment to R-6 is consistent with the intent 17 and purpose of Future Land Use Category Mixed 18 Use Suburban as stated in Comp Plan Policy FLU 19 1.3.1. This FLU category allows for a mix of 20 residential and nonresidential uses such as 21 retail services and professional offices while 22 promoting infill development. 23 The proposed amendment will utilize the 24 existing roads and infrastructure as stated in 25 Comp Plan Policy FLU 1.5.3. TAYLOR REPORTING SERVICES, INCORPORATED</p>

<p style="text-align: right;">17</p> <p>1 Criterion (2), consistency with the Land 2 Development Code. Whether the proposed 3 amendment is in conflict with any portion of 4 the code and is consistent with the stated 5 purpose and intent of the code. This is once 6 again going to R-6. 7 The proposed amendment is not consistent 8 with the intent and purpose of the Land 9 Development Code as stated in LDC 6.05.14. 10 The proposed zoning change would result in 11 spot zoning as defined in LDC Article 3. 12 Spot zoning: The rezoning of a lot or 13 parcel of land that would create an isolated 14 zoning district that may be incompatible with 15 the adjacent and nearby zoning districts and 16 uses or as spot zoning as otherwise defined by 17 Florida law. 18 While this rezoning would create a 19 somewhat isolated R-6 district, there are 20 similar mixes of zonings along Lillian Highway 21 and Dog Track Road to the Lillian bridge. 22 These nodes of R-6 provide mixed use zoning 23 compatible with the existing land uses. 24 In addition, this parcel is located along 25 an arterial roadway within one-quarter mile of TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">19</p> <p>1 adverse impact on the natural environment. 2 Criterion (6), development patterns. The 3 proposed amendment would result in a logical 4 and orderly development pattern. The proposed 5 rezoning from R-4 to R-6 would not be out of 6 character given the six other nodes of R-6 7 zoning along Lillian Highway from Dog Track 8 Road to the Lillian bridge. 9 That concludes staff's findings. 10 MR. TATE: Mr. Reynolds, do you have 11 anything that you would like to address 12 specifically to staff in regard to those 13 findings? 14 MR. REYNOLDS: No, sir. 15 MR. TATE: Thank you. At this point then 16 we'll move to public comment on this 17 particular rezoning. I know that several of 18 you have signed up, have indicated that you're 19 either for or against this rezoning case. 20 Please understand that your verbal testimony 21 today is necessary if you want to be heard at 22 the Board of County Commission meeting, not 23 just filling this form out and stating your 24 opinion. 25 Also, when you give testimony today we TAYLOR REPORTING SERVICES, INCORPORATED</p>
<p style="text-align: right;">18</p> <p>1 a collector/arterial intersection and does 2 meet the locational criteria. 3 Criterion (3), compatibility with 4 surrounding uses. The proposed amendment to 5 R-6 would be compatible with the surrounding 6 and existing uses in the area. Within the 7 500-foot radius impact area, staff observed 8 properties with zoning districts R-2 and R-4. 9 In the area staff noted 24 single-family 10 residences, nine vacant parcels, one vacant 11 office and three mobile homes. The mixed 12 residential and neighborhood commercial uses 13 allowed by the proposed R-6 zoning would be 14 compatible with the surrounding residential 15 zonings and uses. 16 Criterion (4), changed conditions. Staff 17 found no changed conditions that would impact 18 the amendment or property. 19 Criterion (5), effect on the natural 20 environment. According to the National 21 Wetland Inventory, wetlands and hydric soils 22 were not indicated on the subject property. 23 When applicable further review during the site 24 plan review process will be necessary to 25 determine if there would be any significant TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">20</p> <p>1 would ask that you would restrict your 2 testimony to either support in favor of or 3 against this rezoning by utilizing the six 4 criteria that we'll put up on the board for 5 you at this time. So you may not like this, 6 you may be in favor of it or whatever the case 7 may be, but bring your points, your thoughts 8 to one of these six criteria as you consider 9 what to say. 10 Also, we will be using the clock this 11 morning, three minutes on the clock to speak, 12 so please respect the clock. When the clock 13 goes your time is over. 14 These are in no particular order. We'll 15 call you forward and ask that you state your 16 name and address for the record and be sworn 17 in and then you may give us your testimony. 18 Kara George Oshana. 19 UNIDENTIFIED SPEAKER: I would like to 20 speak after Ms. Warren. 21 MR. TATE: When that individual speaks, 22 just wave at me. Is that you asking to wait? 23 UNIDENTIFIED SPEAKER: Yes. 24 MR. TATE: Debra Warren. We'll just swap 25 them then. TAYLOR REPORTING SERVICES, INCORPORATED</p>

<p style="text-align: right;">21</p> <p>1 (Debra J. Warren sworn.) 2 MR. TATE: Can you please state your full 3 name and address for the record? 4 MS. WARREN: Debra J. Warren, 12520 5 Lillian Highway. I have a statement I want to 6 read. It will get to Criterion Number (5), if 7 you will be patient with me as I go through 8 this. 9 My family originally moved onto Lillian 10 Highway in 1968 for the peace and quiet and I 11 moved back to this address three years ago. 12 Although we can't do anything about the area's 13 progress, we do want the -- we do not want the 14 development right directly in front of our 15 home. Just because our homes are located on a 16 highway does not make them any less of a 17 neighborhood. 18 In all of these 45 years personally I'm 19 aware of only two mobile homes that have ever 20 been on this property at any given time. I 21 also know for a fact in the past 15 years 22 there have been no mobile homes at this 23 proposed location. Further more, ECUA does 24 not provide sewer service in this area, so all 25 homes there have septic tanks, including the TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">23</p> <p>1 submitting, which was not submitted at the 2 last meeting, shows a campaign sign for Wilson 3 Robertson that the Reynolds had on their 4 property during his last election. This 5 picture reflects that there is a conflict of 6 interest with Mr. Robertson in this particular 7 rezoning request and he should excuse himself 8 from any other proceedings regarding this 9 request. 10 The Reynolds have further stated that they 11 have no plans to leave their home and want 12 this rezoning in order to supplement their 13 income, but yet they have had this property up 14 for sale for over three years now. People who 15 plan to stay put don't put their property up 16 for sale just to see what might happen. 17 I feel that this rezoning request is just 18 a ploy to help broaden their prospects in 19 order to get their property sold quicker while 20 leaving the neighbors in this area holding the 21 bag. The neighborhood shouldn't have to pay 22 the price because the Reynolds have priced 23 themselves out of the market and now they need 24 to find a way to open up bigger pockets 25 because they want to make a much bigger TAYLOR REPORTING SERVICES, INCORPORATED</p>
<p style="text-align: right;">22</p> <p>1 Reynolds' property. The two tanks -- and 2 there's only two tanks at this property -- are 3 supplied for the usage, since we've been there 4 have not been used in several years. If the 5 Reynolds' intention, which they had mention at 6 the last meeting they want four mobile homes 7 on this property, code will require them to 8 have two more septic tanks installed. 9 The Reynolds' contention is they need 10 these rentals to supplement their income and 11 that's why the fee has been waived twice in 12 this process. How are they going to afford to 13 bring the property above flood level, which I 14 have pictures to prove that it does flood 15 under certain conditions, have two existing 16 septic tanks inspected, as well as any 17 upgrading that might be required due to their 18 age, have two more septic tanks installed, 19 which will run approximately \$3,500 each, and 20 have proper hurricane strappings installed for 21 each trailer. 22 I am resupplying these pictures if someone 23 wants these pictures to show that the property 24 does flood under certain conditions, if 25 they're right. One of these pictures I'm TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">24</p> <p>1 profit. 2 In conclusion I once again beg this Board 3 to deny the request for this rezoning and 4 thank you for your time. 5 MR. TATE: Thank you. If you will give 6 your pictures to the staff. We'll want to get 7 pictures circulated before we move away. 8 Ms. Warren, could you please stand by the 9 microphone in case we have any questions about 10 the pictures? 11 MS. WARREN: Yes, sir. 12 MR. TATE: Although a lot of these have 13 been previously submitted, we handle today 14 like today's a brand new case. 15 MS. WARREN: That's why I want to provide 16 them again, yes, sir. 17 MR. TATE: Are there multiple copies or is 18 this a single copy? 19 MS. WARREN: It should be multiple copies. 20 There should be one for every member, from 21 what I understand. 22 MR. WOODWARD: Mr. Chairman, may I 23 inquire? 24 MR. TATE: Go ahead. 25 MR. WOODWARD: Ma'am, when did you take TAYLOR REPORTING SERVICES, INCORPORATED</p>

<p style="text-align: right;">25</p> <p>1 these -- did you take these pictures?</p> <p>2 MS. WARREN: I took them personally.</p> <p>3 MR. WOODWARD: When did you take them?</p> <p>4 MS. WARREN: That was approximately three</p> <p>5 years ago.</p> <p>6 MR. WOODWARD: Three years ago?</p> <p>7 MS. WARREN: Yes, sir.</p> <p>8 MR. WOODWARD: Do they accurately and</p> <p>9 fairly represent the condition of the property</p> <p>10 at that time?</p> <p>11 MS. WARREN: Yes, they do. As I said,</p> <p>12 under certain conditions --</p> <p>13 MR. WOODWARD: Let me ask these questions</p> <p>14 and then we'll ask a couple more. So these</p> <p>15 were done three years ago, they accurately</p> <p>16 represent the situation at that time?</p> <p>17 MS. WARREN: Yes.</p> <p>18 MR. WOODWARD: Did you print these</p> <p>19 yourself or did you have them processed at a</p> <p>20 third party place?</p> <p>21 MS. WARREN: A neighbor printed those out</p> <p>22 off of a disk I had.</p> <p>23 MR. WOODWARD: You took them with a</p> <p>24 digital camera?</p> <p>25 MS. WARREN: One of those disposable.</p> <p>TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">27</p> <p>1 MR. TATE: All those in favor signify by</p> <p>2 raising your right hand.</p> <p>3 (Board members vote.)</p> <p>4 MR. TATE: Thank you. The motion passes.</p> <p>5 (Motion passes unanimously.)</p> <p>6 MR. TATE: Do any other staff members have</p> <p>7 any questions about the pictures?</p> <p>8 We'll go ahead and mark these as Composite</p> <p>9 Exhibit C for today's meeting.</p> <p>10 (Composite Exhibit C, Photographs</p> <p>11 presented by Ms. Warren, was identified and</p> <p>12 admitted.)</p> <p>13 MR. TATE: Ms. Warren, thank you for your</p> <p>14 time.</p> <p>15 MS. WARREN: Thank you.</p> <p>16 MR. TATE: Please state your name and</p> <p>17 address for the record.</p> <p>18 MR. OSHANA: My name is Kara George</p> <p>19 Oshana. I live at 12850 Lillian Highway.</p> <p>20 (Kara George Oshana sworn.)</p> <p>21 MR. OSHANA: Ms. Warren just spoke and</p> <p>22 will not be able to attend the commissioners'</p> <p>23 meeting and I was wondering if I could read</p> <p>24 her statement so that I could reread the</p> <p>25 statement before the commission board?</p> <p>TAYLOR REPORTING SERVICES, INCORPORATED</p>
<p style="text-align: right;">26</p> <p>1 MR. WOODWARD: Okay. Good. With</p> <p>2 reference to this picture that's on the side</p> <p>3 by itself, which you call enclosure one, shows</p> <p>4 the standing water, when did that occur?</p> <p>5 MS. WARREN: Those were all taken the same</p> <p>6 day.</p> <p>7 MR. WOODWARD: The same time. And that</p> <p>8 was about three years ago?</p> <p>9 MS. WARREN: Yes.</p> <p>10 MR. WOODWARD: Was this under the</p> <p>11 condition of a tropical disturbance?</p> <p>12 MS. WARREN: No, sir.</p> <p>13 MR. WOODWARD: Just a regular rainstorm?</p> <p>14 MS. WARREN: That happened within two</p> <p>15 hours of a rain.</p> <p>16 MR. WOODWARD: Stay close in case someone</p> <p>17 else has some.</p> <p>18 MR. TATE: Could you pass the pictures</p> <p>19 back this way?</p> <p>20 Board members, please accept a motion</p> <p>21 whether or not to accept these into evidence.</p> <p>22 MS. SINDEL: So moved.</p> <p>23 MR. TATE: We have a motion. Do we have a</p> <p>24 second?</p> <p>25 MS. DAVIS: Second.</p> <p>TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">28</p> <p>1 MR. TATE: Mr. West, it's not his comments</p> <p>2 at this point. They are at that point part of</p> <p>3 the record already.</p> <p>4 MR. WEST: I'm sorry. Would you repeat</p> <p>5 that?</p> <p>6 MR. TATE: Ms. Warren cannot be at the</p> <p>7 Board of County Commission meeting so he has</p> <p>8 asked if he can read her comments again so</p> <p>9 that he can comment on them at the Board of</p> <p>10 County Commission meeting.</p> <p>11 MR. WEST: I mean, he can testify on his</p> <p>12 own. If he's trying to read somebody's</p> <p>13 statement, the problem with that is it can't</p> <p>14 be cross-examined here or anywhere else. It's</p> <p>15 really not an appropriate way to introduce</p> <p>16 information to the Board.</p> <p>17 MS. DAVIS: But it will still be in the</p> <p>18 record; is that right?</p> <p>19 MR. TATE: It is in the record now as</p> <p>20 Ms. Warren's personal statement.</p> <p>21 MS. DAVIS: Mr. Chairman, I object based</p> <p>22 on the representation the witness has made and</p> <p>23 that is so that it can be in the record and he</p> <p>24 can answer the Board's questions. That's the</p> <p>25 whole reason the evidence rule is the way the</p> <p>TAYLOR REPORTING SERVICES, INCORPORATED</p>

<p style="text-align: right;">29</p> <p>1 evidence rule is. It violates Rule 83. It's 2 not an exception to the hearsay rule under any 3 circumstances. 4 MR. OSHANA: So this means that -- 5 MR. TATE: Your testimony has to stand on 6 its own as just your testimony. 7 MR. OSHANA: All right. Well, I'll just 8 present what I have. I noticed that during 9 the last county election Mr. Reynolds had a 10 large campaign placard endorsing Commissioner 11 Wilson Robertson on his property facing the 12 highway. I'm unaware of any conflict of 13 interest at this time. However, I would 14 request that Commissioner Wilson Robertson 15 recuse himself from this rezoning request. 16 Thank you. 17 MR. TATE: Thank you. 18 Barbara Lenn. 19 UNIDENTIFIED SPEAKER: Mr. Chairperson, I 20 have a request as an old Vietnam Marine and my 21 hearing is bad I wish the volume of the 22 speakers is as good as you gentlemen. Is 23 there any way? 24 MR. TATE: We'll try another microphone. 25 MS. DAVIS: Can you hear us? TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">31</p> <p>1 at an inflated price and at the same time 2 they're planning to live there forever. It 3 was very devious to present untruths to a 4 governmental agency in order to benefit 5 themselves. 6 I'm also curious as to why there was a fee 7 waiver request form signed by all parties on 8 this present rezoning that was not completely 9 filled out. The applicable block pertaining 10 to, quote, appropriate statement for the fee 11 waiver request was not checked. I saw but do 12 not have a copy of it myself for the previous 13 rezoning, but it was also the same, not 14 completely filled out. 15 A commercial enterprise on this location 16 is not practical. Highway 98 is a two lane 17 road and I have been told by many 18 commissioners over 24 years that there is no 19 plans ever to widen that highway. There's no 20 walk paths, no bike ways, et cetera. 21 Ingress and egress from our driveways at 22 the time are very dangerous. Although there's 23 a double line, meaning no passing from Bauer 24 Road to the Lillian bridge, that does not 25 deter vehicles from passing sometimes on the TAYLOR REPORTING SERVICES, INCORPORATED</p>
<p style="text-align: right;">30</p> <p>1 MR. TATE: He hears us fine, yes. 2 MS. LENN: My name is Barbara Lenn and I 3 live at 12490 Lillian Highway. 4 MR. TATE: Thank you. Please be sworn in. 5 (Barbara Lenn sworn.) 6 MS. LENN: As I've already said, I live 7 across the highway from the Reynolds, I mean, 8 12490 is across the highway, slightly to the 9 east, and we've lived there for about 24 years 10 now. I realize that our neighborhood is 11 different in that it is two sides of a busy 12 state highway, but it is still our 13 neighborhood and I thought the purpose of 14 zoning was to permit orderly growth of a 15 neighborhood or area and not for the benefit 16 of a sole individual. 17 We came before you a few months ago when 18 the Reynolds requested from R-4 to C-1, and I 19 realize that at this hearing Mr. Reynolds 20 didn't restate his original reasoning and 21 plans, but I questioned at that time why he 22 had had the property for sale for so long and 23 reduced his sales price and was still stating 24 that he wanted to live there forever. A 25 person does not have their property for sale TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">32</p> <p>1 right at high speeds. Vehicles follow too 2 closely, pay no heed to turn signals when 3 entering our driveways. A commercial property 4 of any type would put more vehicles into this 5 neighborhood. 6 I believe that the commercial properties 7 Mr. Reynolds referred to are more than two 8 blocks away. There is a commercial property 9 eight-tenths of a mile to the west and that 10 has been there forever, I understand, so it 11 was grandfathered in when the rezoning was 12 implemented. 13 To the east, about three-tenths of a mile, 14 is the Bauer Road intersection. There's a 15 grocery store, liquor store, a convenience 16 store, there's acreage for sale, commercial 17 acreage for sale, that's been for sale for a 18 long time. 19 The sports complex that he referred to is 20 further down Bauer Road. I'm sure you're 21 familiar with where that is. It has no impact 22 on our immediate area, our immediate 23 neighborhood. Those are well established 24 commercial properties. Rezoning the Reynolds' 25 property would create a spot pocket in our TAYLOR REPORTING SERVICES, INCORPORATED</p>

<p style="text-align: right;">33</p> <p>1 neighborhood.</p> <p>2 MR. TATE: Time. Could you wrap it up,</p> <p>3 please?</p> <p>4 MS. LENN: This property is not a viable</p> <p>5 commercial property and the rezoning is being</p> <p>6 requested, as I have said, based on untruths</p> <p>7 in the past. I hereby ask that the request be</p> <p>8 denied.</p> <p>9 MR. TATE: Thank you.</p> <p>10 MS. LENN: Could I ask the Board just one</p> <p>11 question? Why are the rezoning signs so</p> <p>12 small, the writing on them?</p> <p>13 MR. TATE: Two questions I want to ask</p> <p>14 staff to address right now: The size of the</p> <p>15 signs and also the issue of the application on</p> <p>16 how it is or is not filled out correctly.</p> <p>17 Would you just address those two issues?</p> <p>18 MR. JONES: The size of the signs, we'll</p> <p>19 take note of that. That is the size that we</p> <p>20 have.</p> <p>21 MS. LENN: The writing is just very small.</p> <p>22 MR. JONES: On the fee waiver, the fee</p> <p>23 waiver, it was directed for us to have the</p> <p>24 fees waived. We did it. Right now, to be</p> <p>25 honest with you, that's not significant for</p> <p style="text-align: right;">TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">35</p> <p>1 Mr. Reynolds just stated that he's owned the</p> <p>2 property since 1968. When we moved there in</p> <p>3 1968, the Reynolds lived in a trailer on her</p> <p>4 mother's property. Her mother -- later they</p> <p>5 bought the property from her mother and the</p> <p>6 last trailer that was on the property was</p> <p>7 their son's. No trailers have been on the</p> <p>8 property for 15 years.</p> <p>9 Mr. Reynolds also stated at the last</p> <p>10 meeting that he planned to live there forever</p> <p>11 and ever, and yet Mrs. Reynolds told me if</p> <p>12 they could get Walmart or CVS interested they</p> <p>13 were gone, moving to Alabama. If that were to</p> <p>14 happen they would no longer be Escambia County</p> <p>15 taxpayers nor allowed to vote in Escambia</p> <p>16 County.</p> <p>17 If they had listed their property as</p> <p>18 residential it would surely have sold by now,</p> <p>19 keeping our area residential. I plead with</p> <p>20 you to deny their request.</p> <p>21 Thank you very much.</p> <p>22 MR. TATE: Thank you.</p> <p>23 Mr. Lester Senft. Did I get close?</p> <p>24 MR. SENFT: Yes, sir. You do well.</p> <p>25 MR. TATE: Could you please state your</p> <p style="text-align: right;">TAYLOR REPORTING SERVICES, INCORPORATED</p>
<p style="text-align: right;">34</p> <p>1 the rezoning case. That was a request. We</p> <p>2 were told to do it and that's why it was done.</p> <p>3 As far as the issue of the rezoning case, it's</p> <p>4 not. We do understand.</p> <p>5 MS. LENN: It seems the form should have</p> <p>6 been properly filled out.</p> <p>7 MS. DAVIS: Horace, you said you were --</p> <p>8 MR. JONES: It was requested by the</p> <p>9 Reynolds and we took it through the proper</p> <p>10 channels and it was agreed upon and the fees</p> <p>11 were waived.</p> <p>12 MS. LENN: It says here the county</p> <p>13 administrator shall only grant waivers for the</p> <p>14 following qualified applicants, and there's</p> <p>15 only two blocks to check.</p> <p>16 MR. TATE: That's outside of our hands,</p> <p>17 ma'am. We don't deal with the issue of the</p> <p>18 fees.</p> <p>19 Betty Catchot. Good morning. Could you</p> <p>20 state your name and address for the record?</p> <p>21 MS. CATCHOT: Betty Catchot, 12520 Lillian</p> <p>22 Highway.</p> <p>23 MR. TATE: Please be sworn in.</p> <p>24 (Betty Catchot sworn.)</p> <p>25 MS. CATCHOT: We moved there in 1968.</p> <p style="text-align: right;">TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">36</p> <p>1 name and address for the record?</p> <p>2 MR. SENFT: My name is Lester Senft. I</p> <p>3 live at 12860 Lillian Highway.</p> <p>4 MR. TATE: Thank you. Please be sworn in.</p> <p>5 (Lester Senft sworn.)</p> <p>6 MR. SENFT: I'm going to -- I have a</p> <p>7 little prelude into the criteria here, if you</p> <p>8 will bear with me for a second.</p> <p>9 I attended the C-1 zoning hearing and</p> <p>10 during that Board meeting it became obvious</p> <p>11 that the Board was going to not approve due to</p> <p>12 Mr. Reynolds' inability to meet the C-1</p> <p>13 criteria. So Mr. Reynolds was then counseled</p> <p>14 by one of the Board members that he only</p> <p>15 needed an R-4 because all he wanted to do was</p> <p>16 put four RVs or have an RV campground -- this</p> <p>17 came up in the previous meeting -- and that he</p> <p>18 should take that into consideration. So he</p> <p>19 said -- the Board member also stated that the</p> <p>20 R-4 allowed you to have up to four RVs and he</p> <p>21 asked Mr. Reynolds how many RVs he was looking</p> <p>22 for and Mr. Reynolds held up four fingers like</p> <p>23 this (indicating). I was in the back of the</p> <p>24 room. I didn't hear him say four, but he held</p> <p>25 up four fingers to match the four fingers of</p> <p style="text-align: right;">TAYLOR REPORTING SERVICES, INCORPORATED</p>

<p style="text-align: right;">37</p> <p>1 the board commissioner.</p> <p>2 So it was -- this is how we left the</p> <p>3 meeting, thinking that he was going to stay</p> <p>4 with an R-4 and that we wouldn't have to worry</p> <p>5 about going into a bigger expanse. Then the</p> <p>6 Board voted on waiving Mr. Reynolds' refiling</p> <p>7 fee since he really couldn't afford to have</p> <p>8 another -- his income was not enough to</p> <p>9 support another refiling, so consequently he</p> <p>10 did get the waiver.</p> <p>11 Now, he is going for an R-6 that is a long</p> <p>12 way from an R-4 and just the next best thing</p> <p>13 to a C-1. And the other odd thing about it is</p> <p>14 there no permission for the RVs in either one</p> <p>15 of those requests in the permitted uses.</p> <p>16 There are no commercial businesses from</p> <p>17 Bauer Road for a mile up until you get close</p> <p>18 to the bridge where the Crazy Horse and the</p> <p>19 gas station is. The rest of that area all</p> <p>20 through there is all green.</p> <p>21 The area they talk about from Bauer Road</p> <p>22 down to Dog Track Road is not a very pretty</p> <p>23 site to drive down as it is when you go west</p> <p>24 to Alabama from Bauer Road. It's a very green</p> <p>25 area. I understand a church owns a lot of the</p> <p style="text-align: right;">TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">39</p> <p>1 MR. TATE: Thank you. Please be sworn in.</p> <p>2 (Dorothy Oshana sworn.)</p> <p>3 MS. OSHANA: My criteria are Number (2)</p> <p>4 and (3), I think, and most of what I'm going</p> <p>5 to say seems to have already been said, but</p> <p>6 I'll go ahead and read what I wrote.</p> <p>7 My husband and I have lived at our present</p> <p>8 address for over 32 years. I know our</p> <p>9 neighborhood -- I know our area doesn't appear</p> <p>10 to be the standard neighborhood. However, we</p> <p>11 do consider ourselves a neighborhood.</p> <p>12 The Reynolds have had their property up</p> <p>13 for sale for over three years. I do not</p> <p>14 believe they are intent on developing the</p> <p>15 property themselves, but only interested in</p> <p>16 broadening their prospects in order to get</p> <p>17 their property sold quicker. Rezoning to R-6,</p> <p>18 in my estimation, will not improve the</p> <p>19 neighborhood. It is my understanding it will</p> <p>20 only lower our property values. Can someone</p> <p>21 explain how R-6 will benefit our neighborhood?</p> <p>22 While there are isolated R-6 districts</p> <p>23 along Lillian Highway from Dog Track Road to</p> <p>24 the Lillian bridge, I would like to point out</p> <p>25 that none directly face R-2 residences as this</p> <p style="text-align: right;">TAYLOR REPORTING SERVICES, INCORPORATED</p>
<p style="text-align: right;">38</p> <p>1 acreage. I don't know what they're planning</p> <p>2 to do, but it's all fenced in. It's nice.</p> <p>3 I feel that this would be spot zoning</p> <p>4 because, like I said, Bauer Road to this area</p> <p>5 is three-tenths of a mile and it's over</p> <p>6 seven-tenths of a mile back up to Crazy Horse.</p> <p>7 But I feel this would be spot zoning and if</p> <p>8 approved would create more traffic hazards on</p> <p>9 Lillian Highway.</p> <p>10 Let me just say one more thing.</p> <p>11 MR. TATE: Yes, sir.</p> <p>12 MR. SENFT: I left out all the good stuff.</p> <p>13 Our family is retired. We moved down here a</p> <p>14 year-and-a-half ago. We love it. My property</p> <p>15 taxes just went up and I feel that this is the</p> <p>16 only asset that I have that will at least hold</p> <p>17 its value in the years to come. I really feel</p> <p>18 that if this is approved it's going to</p> <p>19 deteriorate property values for residences</p> <p>20 along that way and I seriously hope that you</p> <p>21 deny this.</p> <p>22 MR. TATE: Thank you.</p> <p>23 Dorothy Oshana.</p> <p>24 MS. OSHANA: Dorothy Oshana, 12850 Lillian</p> <p>25 Highway.</p> <p style="text-align: right;">TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">40</p> <p>1 property does. Our neighborhood needs to</p> <p>2 remain R-2 and R-4 residence zoned. Thank</p> <p>3 you.</p> <p>4 MR. TATE: Thank you. Your names today</p> <p>5 aren't helping me out here.</p> <p>6 James DeGruccio. Could you please state</p> <p>7 your name and address for the record?</p> <p>8 MR. DEGRUCCIO: My name is James</p> <p>9 DeGruccio. I reside at 12530 Lillian Highway</p> <p>10 in Escambia County.</p> <p>11 (James DeGruccio sworn.)</p> <p>12 MR. DEGRUCCIO: I have handouts for the</p> <p>13 Board, if I could hand them out. There's 13</p> <p>14 copies, one for each, to be put in the record.</p> <p>15 I was under the impression I would get up to</p> <p>16 five minutes. My statement when I speak very</p> <p>17 quickly is three minutes, so I ask some</p> <p>18 latitude for the sake of your court</p> <p>19 stenographer.</p> <p>20 MS. SINDEL: You can ask someone who's</p> <p>21 signed up to speak who chooses not to speak to</p> <p>22 give you their time.</p> <p>23 MR. TATE: I think we'll be fine.</p> <p>24 MR. DEGRUCCIO: It will be just over three</p> <p>25 minutes.</p> <p style="text-align: right;">TAYLOR REPORTING SERVICES, INCORPORATED</p>

<p style="text-align: right;">41</p> <p>1 MR. TATE: Let's get this handout 2 addressed first before we start your time. Is 3 this in support of your comments? 4 MR. DEGRUCCIO: Yes, it is. 5 MS. DAVIS: Is there only one page? 6 MR. DEGRUCCIO: It's both sides. One 7 page, both sides. 8 MS. DAVIS: This is somebody else's. 9 MR. DEGRUCCIO: I'm sorry. You're not 10 supposed to have that. 11 MR. TATE: Just for the record, for those 12 of you who aren't seeing this, this is 13 actually the MLS for the property, as well as 14 a Zillow report which is an Internet site you 15 can use to do comparisons in your 16 neighborhood. Please proceed. 17 MR. DEGRUCCIO: Dear Honorable Board 18 Members: I am seeking to represent my 19 family's interest in regard to rezoning 20 request Case Number Z-2013-20 put forth by 21 Bobby and Sally Reynolds at 12511 Lillian 22 Highway. 23 As a twenty year U.S. military veteran, I 24 purchased the property directly across from 25 the parcel in question in April of 2004 with TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">43</p> <p>1 businesses that sit directly across the street 2 from a direct facing residence in Perdido 3 Heights as the parcel in question does. 4 Furthermore, there are far too many 5 possible uses that would be incompatible with 6 such close proximity to young children, not to 7 mention the increased traffic, noise pollution 8 and the corresponding criminal activity that 9 commercial business generally attract. 10 This is the second time in four months 11 that the Reynolds have sought to have their 12 property rezoned for commercial use, much to 13 the distress and financial hardship of the 14 other residents in the neighborhood. 15 Regrettably throughout this protracted process 16 the Reynolds have been less than forthright in 17 the manner in which they have represented 18 themselves. They have continuously claimed 19 that their petition is merely an effort to 20 supplement their fixed income by opening an RV 21 campground on their property. I notice that 22 they dropped that claim on the subsequent 23 petition. 24 However, an R-6 zoning does not allow for 25 such use, a fact which the Reynolds were TAYLOR REPORTING SERVICES, INCORPORATED</p>
<p style="text-align: right;">42</p> <p>1 the intent of retiring there and raising my 2 two young children. At the time I chose that 3 particular neighborhood in no small part due 4 to its relatively low population density and 5 residential zoning designation. With two 6 young children still within the household I am 7 adamantly opposed to the R-6 rezoning of the 8 parcel in question to allow for commercial 9 use. 10 I agree with the findings of the Planning 11 Board staff that the proposed amendment is not 12 consistent with the intent and purpose of the 13 Land Development Code. However, I disagree 14 that the proposed redesignation of said 15 property would be compatible with the 16 surrounding and existing uses in the area. 17 The Land Development Code states that, quote, 18 Escambia County shall ensure the compatibility 19 of adjacent land uses by requiring buffers 20 designed to protect lower intensity uses from 21 more intensive uses such as residential from 22 commercial, unquote. 23 While it is true that there are R-6 nodes 24 on the stretch of Lillian from Dog Track Road 25 to the Lillian bridge, there are no commercial TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">44</p> <p>1 informed of at the 8 August Board of County 2 Commissioners meeting. It is clear that their 3 intent is to sell their property as a viable 4 commercial enabling property so that they can 5 move to a property they own in Alabama, and 6 they have confessed as much on numerous 7 occasions to nearby residents, including my 8 wife. 9 Indeed the property in question is 10 currently listed for sale with Beck's 11 Commercial Real Estate Agency for \$529,000 12 contingent on the rezoning of their property 13 to allow commercial use, which is nearly 14 triple the 184,000 fair market value that 15 Zillow estimates. 16 I strongly urge the Planning Board to 17 recommend denial of the Reynolds' petition. 18 Throughout this process the Reynolds have 19 continuously misrepresented themselves and 20 their true intent to the Planning Board, as 21 well as to the Board of County Commissioners 22 and should not be rewarded for doing so. 23 As you are well aware the Land Development 24 Code was instituted to promote growth for the 25 benefit of the residents of Escambia County. TAYLOR REPORTING SERVICES, INCORPORATED</p>

<p style="text-align: right;">45</p> <p>1 The Reynolds have no intent of remaining 2 residents of the county, and while they are 3 certainly within their rights to apply for a 4 rezoning of their parcel, an R-6 rezoning of 5 said parcel would serve to benefit only the 6 Reynolds at the expense of the other 7 residents, taxpayers and voters of Perdido 8 Heights in Escambia County. 9 I thank you for your time and 10 consideration. 11 MR. TATE: Thank you. Tanya DeGruccio. 12 MR. WOODWARD: Mr. Chairman, I object to 13 the inclusion of this exhibit in the record 14 because it is not -- no proper predicate has 15 been raised to make it an exception to the 16 hearsay rule. 17 MR. TATE: Come back to the mike. 18 MS. SINDEL: Can you say that in English? 19 MR. WOODWARD: I object to the inclusion 20 of this exhibit in the record because there's 21 been no proper predicate laid for any 22 exception to the hearsay rule. 23 MR. TATE: We did not accept it as an 24 exhibit nor did the gentleman ask for it to 25 be. TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">47</p> <p>1 MR. WOODWARD: Yes, ma'am. 2 MS. SINDEL: That he didn't -- first of 3 all, he is simply saying that this is the 4 listing that he has read. He's not ever going 5 to be able to prove even to himself if the 6 listing is true. He simply can read the 7 listing as it is just like any other listing 8 for any other piece of property in Escambia 9 County. So, you know, I believe his intent is 10 simply to say that this is the listing the 11 listing reflects, the price is contingent upon 12 appraisal. 13 Now whether or not we accept that this is 14 a real listing or not or whether or not we 15 accept the truth of the listing is a 16 discussion almost between us and Beck 17 Properties. But, Steve, why don't you give us 18 a little guidance on how we should move 19 forward with this. 20 MR. WEST: You're going to have to make 21 some decision whether you want to accept it 22 into evidence or not. Now, there's a couple 23 of issues that you need to deal with. One is 24 one Mr. Woodward has already raised. Also 25 there's one of relevance and whether the TAYLOR REPORTING SERVICES, INCORPORATED</p>
<p style="text-align: right;">46</p> <p>1 MS. DAVIS: It should not be put anywhere 2 near the record, so it cannot be included. 3 MR. DEGRUCCIO: I'm sorry. Can you 4 explain that in layman's terms why it's 5 hearsay when it is a -- that is a printout of 6 a Website. 7 MR. WOODWARD: Any fact offered out of 8 court produced in court to assert the truth of 9 the fact asserted is hearsay. You cannot tell 10 me that these facts are true. 11 MR. DEGRUCCIO: That is -- 12 MR. WOODWARD: Sir, let me finish. You 13 can tell me it's on the Internet, but you 14 can't tell me they're true. 15 MR. DEGRUCCIO: I can tell you that that 16 is the listing. 17 MR. WOODWARD: That's right. If you're 18 only offering it to show that there is a 19 listing but not for the truth on the face of 20 the advertising, then we can permit it. 21 MS. SINDEL: I think that's all that he 22 was doing was showing that -- 23 MR. WOODWARD: No, he's now talking about 24 the Zillow value. 25 MS. SINDEL: You need to let me finish. TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">48</p> <p>1 applicant is keeping the property to develop 2 it themselves or sell it and somebody else 3 does. There's an issue of why that's relevant 4 to any of the criteria that you're supposed to 5 be considering. 6 MR. DEGRUCCIO: Can I address that? 7 MR. TATE: Let me jump in here, please. 8 As I previously stated, the applicant did not 9 request that this be an exhibit to the record, 10 but it does support what he said. Whether or 11 not you would like us to accept this, you can 12 ask us to and we can take a vote. 13 MR. DEGRUCCIO: Yes, I would like it 14 included in the record merely as evidence -- 15 or the listing that I referenced in my 16 statement, as well as the Zillow estimate that 17 I say in my statement. 18 MR. WOODWARD: Mr. Chairman, here's the 19 problem. He relies on the Zillow estimate as 20 a meaningful representation of value and, 21 therefore, he is referring to the content of 22 the document to buffer his argument and that's 23 the whole purpose of the hearsay rule. We 24 have relaxed procedural rules under the 25 Administrative Procedure Act, but we have no TAYLOR REPORTING SERVICES, INCORPORATED</p>

<p style="text-align: right;">49</p> <p>1 relaxed evidentiary rules and so this is 2 blatant hearsay and should be excluded. 3 MS. DAVIS: Mr. Chairman, please call the 4 question. 5 MR. WEST: Again, it depends on what this 6 information is being offered to demonstrate. 7 There is a hearsay issue in at least offering 8 it to prove any information on there is true. 9 If he just wants to demonstrate there's a 10 listing out there, again it may not be -- 11 MR. DEGRUCCIO: That is essentially my 12 intent. 13 MR. WEST: -- a violation of the hearsay 14 rule, but it still has to be relevant. 15 MR. DEGRUCCIO: Can I speak to the 16 relevance? 17 MR. TATE: You certainly can. 18 MR. DEGRUCCIO: The purpose of providing 19 the listing is to show that there is listing, 20 if you want to say that what's on it is 21 hearsay, is to show that the Reynolds have no 22 intent of staying in Escambia County, to go 23 towards that, and that this motion only 24 benefits them and not the residents that they 25 leave behind. TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">51</p> <p>1 should this be zoned R-6 it would benefit only 2 one individual. 3 MR. TATE: Our job at this point today is 4 basically to decide whether or not what can be 5 done in an R-6 property is compatible with all 6 the surrounding uses. 7 MR. DEGRUCCIO: And hopefully I addressed 8 that in my statement, that I feel it's 9 incompatible. 10 MR. TATE: Whatever the value may or may 11 not be, whatever the use, whatever the 12 ownership is, it's the use that we're looking 13 at and whether or not it benefits an 14 individual or the county as a whole. 15 MS. DAVIS: If I may, Mr. Chair? 16 Piggybacking on that, whatever we decide today 17 it could be a very benign usage that the owner 18 tells us he wants to do. It doesn't make any 19 difference. We have to look at the ordinance 20 and the law and see what can be built on that 21 property. That's the way we look at it. We 22 don't look at the person and what they're 23 doing. 24 MR. TATE: Thank you. We've had testimony 25 from both Mr. Woodward and Mr. West in regards TAYLOR REPORTING SERVICES, INCORPORATED</p>
<p style="text-align: right;">50</p> <p>1 MS. SINDEL: We understand. And what 2 we're trying to politely say is that that's 3 not our concern, is that any type of decision 4 that we make when it comes to rezoning, we 5 understand the moment we rezone any parcel of 6 property in Escambia County no matter -- in 7 fact, we typically don't ask for intent in the 8 front because the moment that rezoning is 9 official, the owner of the property has the 10 legal right to sell it to whomever, who then 11 that person can do it under the new rule. 12 So whether or not the owner sells it, 13 keeps it, as long as what they're doing with 14 it, as long as they own it, it meets County 15 code and county requirement in zoning issues, 16 we understand your concerns and the other 17 concerns, but regrettably that's not an issue 18 that we look at in making a decision. 19 MR. DEGRUCCIO: I understand that, ma'am. 20 Obviously anybody can do within the code what 21 they're allowed to do on their property. But 22 in this case the Land Development Code, I 23 believe, was put in place for the benefit of 24 the residents of Escambia County, not just for 25 one individual, and it's pretty clear that TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">52</p> <p>1 to the hearsay of this document. I will -- 2 MR. GOODLOE: Mr. Chairman, a motion. 3 MR. TATE: Please. 4 MR. GOODLOE: I make a motion that due to 5 relevancy that the exhibit that's being 6 presented not be accepted. 7 MR. WOODWARD: Second. 8 MR. TATE: All those in favor? 9 (Board members vote.) 10 MR. TATE: The motion passes. I recuse 11 myself. 12 (Motion passes. Mr. Tate recused.) 13 MR. TATE: Thank you. 14 Please state your name and address for the 15 record. 16 MS. DEGRUCCIO: My name is Tanya 17 DeGruccio. I live at 12530 Lillian Highway. 18 (Tanya DeGruccio sworn.) 19 MS. DEGRUCCIO: Unfortunately a lot of 20 what I have to say is what you guys just 21 talked about, but I'm going to read my points 22 anyway so that I can come back. 23 I want to thank you for giving me the 24 opportunity to express my concerns to the 25 rezoning request made by Mr. and Mrs. TAYLOR REPORTING SERVICES, INCORPORATED</p>

<p style="text-align: right;">53</p> <p>1 Reynolds. To introduce myself, I am a 2 Pensacola local and I graduated from Woodham 3 High School and I am a school teacher at a 4 private school here in Pensacola. I have two 5 children, Michael aged 12 and Christopher aged 6 10. My house that I live in is directly 7 across the street from the Reynolds. As a 8 matter of fact our driveways, when I'm coming 9 out of my driveway, their driveway I can 10 almost go straight and go into their driveway. 11 And I do have issues coming out every once in 12 a while and they're very polite when we're 13 both there at the same time and they kind of 14 yield to me and stuff, so I have to commend 15 them on that. But with increased traffic it 16 can cause a lot of chaos, I think, especially 17 for our house where we live. I've lived there 18 in our house for almost six years and we've 19 owned the property for almost ten years. 20 And I do regret feeling like I'm obligated 21 to speak at the meeting today because I do 22 feel like I have an attachment with the 23 Reynolds. I feel like they are my friends and 24 I don't want to be here. I'm here only to 25 protect the safety of my children and, TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">55</p> <p>1 The first conversation is I asked 2 Mrs. Reynolds about her for sale sign in her 3 yard. She told me that she and her husband 4 own a property in Alabama and would like to 5 sell their home on Lillian Highway to build a 6 new home, they said their dream home, in 7 Alabama. 8 Another conversation I had with the 9 Reynolds was Mrs. Reynolds mentioned to me, as 10 I was rather new living there, the number of 11 accidents that have increased on our stretch 12 of the road. She herself expressed concern to 13 me about the safety of the people who live 14 nearby us and said that she believes that 15 someone will likely get killed in the near 16 future. She also mentioned to me an accident 17 that happened on Lillian Highway and a car 18 ended up in her yard and she was very 19 distraught over this accident, distraught 20 enough that she mentioned it to me that she 21 was concerned about the traffic. So with 22 this, again, she mentioned she wanted to leave 23 the neighborhood and move to Alabama because 24 of the increased traffic. 25 So the volume of traffic on our stretch of TAYLOR REPORTING SERVICES, INCORPORATED</p>
<p style="text-align: right;">54</p> <p>1 hopefully, the value of my property. My 2 children will be teenagers soon and with that 3 comes driving lessons. Traffic is so heavy on 4 that stretch of two lane road. The speed 5 limit is 45 miles per hour, but we've all kind 6 of said that people drive fast there. It's 7 really scary as a mom. It's probably a 8 personal thing, but it's just very scary the 9 way people drive on that road, so I really 10 don't want anything that could increase the 11 traffic there. It's a major concern of mine. 12 I would like to bring before you two 13 occasions in which I've spoken to the Reynolds 14 that gives evidence that they're not trying to 15 rezone their property to start their own 16 business, but rather they would like to rezone 17 their property to increase its selling value. 18 They want to sell their property for more 19 money than it can sell for without the 20 rezoning and then move to a property that they 21 currently own in Alabama. I don't have the 22 dates for our conversations as I was just 23 walking my dog or something and I ended up in 24 their yard and we were talking. It was about 25 three years ago or more. TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">56</p> <p>1 Lillian Highway is clearly an issue and I'm 2 concerned with the establishment of a business 3 on the Reynolds' property as that would only 4 exacerbate the problem. I am concerned for 5 the safety of my children as well as the 6 others in the neighborhood. 7 The for sale sign on their property makes 8 it clear that the Reynolds want to rezone 9 their property in order to sell their home for 10 more than they can get otherwise. Doing so 11 would undoubtedly be detrimental to the 12 surrounding neighborhood. I urge the Planning 13 Board to recommend denial of the Reynolds' 14 petition, at a minimum conduct a traffic 15 safety survey to see what it's like, to see if 16 a two-lane highway with high speed limits is a 17 good place to have a business like that 18 without traffic signs or anything else. It 19 just seems very unsafe to me. And that goes 20 with Criterion Number (3). 21 But I also wanted to mention now -- 22 MR. TATE: Go ahead and wrap it up. 23 MS. DEGRUCCIO -- Number (5). I live on 24 Perdido Bay and their driveway is 25 practically -- it's right across the street. TAYLOR REPORTING SERVICES, INCORPORATED</p>

<p style="text-align: right;">53</p> <p>1 Reynolds. To introduce myself, I am a 2 Pensacola local and I graduated from Woodham 3 High School and I am a school teacher at a 4 private school here in Pensacola. I have two 5 children, Michael aged 12 and Christopher aged 6 10. My house that I live in is directly 7 across the street from the Reynolds. As a 8 matter of fact our driveways, when I'm coming 9 out of my driveway, their driveway I can 10 almost go straight and go into their driveway. 11 And I do have issues coming out every once in 12 a while and they're very polite when we're 13 both there at the same time and they kind of 14 yield to me and stuff, so I have to commend 15 them on that. But with increased traffic it 16 can cause a lot of chaos, I think, especially 17 for our house where we live. I've lived there 18 in our house for almost six years and we've 19 owned the property for almost ten years. 20 And I do regret feeling like I'm obligated 21 to speak at the meeting today because I do 22 feel like I have an attachment with the 23 Reynolds. I feel like they are my friends and 24 I don't want to be here. I'm here only to 25 protect the safety of my children and, TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">55</p> <p>1 The first conversation is I asked 2 Mrs. Reynolds about her for sale sign in her 3 yard. She told me that she and her husband 4 own a property in Alabama and would like to 5 sell their home on Lillian Highway to build a 6 new home, they said their dream home, in 7 Alabama. 8 Another conversation I had with the 9 Reynolds was Mrs. Reynolds mentioned to me, as 10 I was rather new living there, the number of 11 accidents that have increased on our stretch 12 of the road. She herself expressed concern to 13 me about the safety of the people who live 14 nearby us and said that she believes that 15 someone will likely get killed in the near 16 future. She also mentioned to me an accident 17 that happened on Lillian Highway and a car 18 ended up in her yard and she was very 19 distraught over this accident, distraught 20 enough that she mentioned it to me that she 21 was concerned about the traffic. So with 22 this, again, she mentioned she wanted to leave 23 the neighborhood and move to Alabama because 24 of the increased traffic. 25 So the volume of traffic on our stretch of TAYLOR REPORTING SERVICES, INCORPORATED</p>
<p style="text-align: right;">54</p> <p>1 hopefully, the value of my property. My 2 children will be teenagers soon and with that 3 comes driving lessons. Traffic is so heavy on 4 that stretch of two lane road. The speed 5 limit is 45 miles per hour, but we've all kind 6 of said that people drive fast there. It's 7 really scary as a mom. It's probably a 8 personal thing, but it's just very scary the 9 way people drive on that road, so I really 10 don't want anything that could increase the 11 traffic there. It's a major concern of mine. 12 I would like to bring before you two 13 occasions in which I've spoken to the Reynolds 14 that gives evidence that they're not trying to 15 rezone their property to start their own 16 business, but rather they would like to rezone 17 their property to increase its selling value. 18 They want to sell their property for more 19 money than it can sell for without the 20 rezoning and then move to a property that they 21 currently own in Alabama. I don't have the 22 dates for our conversations as I was just 23 walking my dog or something and I ended up in 24 their yard and we were talking. It was about 25 three years ago or more. TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">56</p> <p>1 Lillian Highway is clearly an issue and I'm 2 concerned with the establishment of a business 3 on the Reynolds' property as that would only 4 exacerbate the problem. I am concerned for 5 the safety of my children as well as the 6 others in the neighborhood. 7 The for sale sign on their property makes 8 it clear that the Reynolds want to rezone 9 their property in order to sell their home for 10 more than they can get otherwise. Doing so 11 would undoubtedly be detrimental to the 12 surrounding neighborhood. I urge the Planning 13 Board to recommend denial of the Reynolds' 14 petition, at a minimum conduct a traffic 15 safety survey to see what it's like, to see if 16 a two-lane highway with high speed limits is a 17 good place to have a business like that 18 without traffic signs or anything else. It 19 just seems very unsafe to me. And that goes 20 with Criterion Number (3). 21 But I also wanted to mention now -- 22 MR. TATE: Go ahead and wrap it up. 23 MS. DEGRUCCIO -- Number (5). I live on 24 Perdido Bay and their driveway is 25 practically -- it's right across the street. TAYLOR REPORTING SERVICES, INCORPORATED</p>

<p style="text-align: right;">57</p> <p>1 We don't know what's going to be built there 2 because they haven't said and you guys don't 3 require them to say it. Perdido Bay has been 4 in the news a lot because people have been 5 trying really hard to clean it up. And all of 6 the septic tanks that may be required -- who 7 knows where the drainage is going to go, so 8 please consider the effect of the wetlands and 9 Perdido Bay and the fish and the crabs. It 10 used to be a huge fishing bay, but now no one 11 can catch anything in there because of the 12 pollution and we don't need extra businesses 13 and extra pollution, so please take Criterion 14 (5) into consideration for that. Thank you. 15 MR. TATE: Thank you. 16 Is there anyone else from the public who 17 wishes to speak today on this matter? At this 18 time I'll go ahead and close the public 19 portion of this meeting and we will move into 20 Board members. As we get started Board 21 members, may I ask if you have any question 22 for the applicant, staff or members of the 23 public? 24 Before we do that I want to state and to 25 kind of let the Reynolds know a little bit, TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">59</p> <p>1 probably y'all don't even see our traffic as 2 we go in and out at least six days a week on 3 that property and have for the past dozen 4 years. Anyway, that's the long and short of 5 Pensacola Christian College, who is also my 6 employer and how we use that property. It's 7 over 200 acres right there on that corner. 8 Board members, does anybody else have 9 anything for staff or members of the public or 10 for the applicant? 11 MS. DAVIS: Yes, Mr. Chairman, I have a 12 question for staff. Since we've been talking 13 about trailer parks all this time, I would 14 like to know, I haven't noticed under R-6 if 15 that's permitted at all. 16 MR. JONES: R-6 does allow for mobile home 17 parks along with many other types of 18 neighborhood commercial type uses. I'll state 19 again, when you look at this, any of those 20 other neighborhood uses could be allowed to go 21 there, as well. 22 MS. DAVIS: Thank you. 23 MR. GOODLOE: Mr. Chairman, could we also 24 get the staff to put up what is allowed in 25 R-6? TAYLOR REPORTING SERVICES, INCORPORATED</p>
<p style="text-align: right;">58</p> <p>1 although I am not voting today because of my 2 relationship to the owners of the property 3 next to you, I am allowed to participate in 4 the discussion of this. However, I'm not 5 going to give an opinion one way or the other. 6 But I do want to address specifically 7 something you said in your letter and that has 8 come up a couple of times in this hearing. 9 Pensacola Christian College does own a 10 large portion of property across Bronson from 11 the Reynolds. That property extends west on 12 Highway 98 to Spanish Moss and it goes 13 basically down to the water with our neighbors 14 on one side being the Blue Angel Recreation 15 Park. The property has been owned by the 16 college since the mid to late eighties and 17 it's used exclusively for recreation. We have 18 a family that lives on the property as 19 caretaker, but we fish there, we sail there, 20 we play there. As we continue to develop that 21 property, and there's undergoing development 22 right now, it's just to improve our access to 23 that piece of property to fish and sail and 24 play. There are no plans to build a college 25 there. I would say that at this point TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">60</p> <p>1 MR. JONES: Will do. 2 MS. SINDEL: Horace, for something to be 3 considered a mobile home park do they have a 4 limit of a certain amount of homes there? You 5 can have designated a mobile home park and 6 have one mobile home, right? 7 MR. JONES: In order for it to be a mobile 8 park, it has to have at least five. 9 MS. SINDEL: It has to have five? 10 MR. JONES: Yes. 11 MR. TATE: It meets different requirements 12 from a permitting perspective. 13 MR. JONES: Yes, the site plan review 14 process is extremely -- you have to go 15 through, is very complete and thorough. 16 MR. TATE: Here's a list of what's 17 permitted in R-6, but anything also in R-5 is 18 also R-6. 19 Any further questions by the Board? 20 MR. WINGATE: Mr. Chairman? 21 MR. TATE: Yes. 22 MR. WINGATE: I was observing and 23 listening to what everybody had to say here 24 and I've looked at this particular parcel. I 25 used to go out to the navy park in my younger TAYLOR REPORTING SERVICES, INCORPORATED</p>

<p>61</p> <p>1 days and one of my professions is a commercial 2 Realtor and I've looked at Bronson Field and 3 there's property that's for sale beyond this 4 property down near Bronson Field and then 5 there's the navy recreational park and there's 6 Pensacola Christian College's property. 7 If in the next few years this particular 8 area begins to develop like over in Alabama it 9 is beginning to develop, we won't have to have 10 any Florida development in this particular 11 area when Alabama is getting ready to do their 12 thing. So the traffic on Lillian Highway is 13 going to constantly increase more and more and 14 that's going to be either a county or a state 15 project depending on whether Lillian Highway 16 is a state road or a county road. It depends 17 on who's responsible for maintaining that. 18 If the college decides to build something 19 there, or there's greater activity, even in 20 the summer and the recreational park becomes 21 more recreational or we have another hurricane 22 that they use that for a storage ramp over 23 onto the federal property that's over there 24 that's owned by the government, that could be 25 temporary large traffic from time to time. TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p>63</p> <p>1 R-4. It's still -- time is going to bring 2 change and so whatever goes there, it says you 3 could go out and get four residential houses 4 in there or two residential houses and say, 5 well, you're still going to have change. 6 So I don't really see a true happy answer 7 for everybody no matter change, because if you 8 change to R-6 you could have something similar 9 to a Dollar General there and you're going to 10 have much traffic. So what is the answer? 11 Somebody said, well, I don't want this around 12 me, but sometimes -- a lady told me she moved 13 up in the country and she found out other 14 people moved up in the country and now she's 15 got neighbors. You can't really control 16 property unless we own it. 17 MR. TATE: Thank you, Mr. Wingate. 18 Does anybody else, any other Planning 19 Board members have anything else to state? If 20 not, staff, do you have anything? 21 MR. WOODWARD: Mr. Chairman, Lillian 22 Highway at that point is also U.S. 98. 23 MR. TATE: That's correct. 24 MR. WOODWARD: That's a major U.S. 25 thoroughfare. TAYLOR REPORTING SERVICES, INCORPORATED</p>
<p>62</p> <p>1 I see right on this corner, if you're 2 going to picnic in the park, everybody looks 3 for a little convenience store just before, 4 the closest place before they get to the park 5 for something that they missed that they 6 didn't get at Tom Thumb or wherever, the 7 grocery store going. And across the street, 8 you say, well, traffic is going to be a 9 problems. Sometimes in some areas of zoning 10 if we just look around the town and see how 11 everything is zoned, there's no perfect 12 picture for anyone. 13 So looking at also a comment that was made 14 in reference to the listing, you can put your 15 property up for sale for any price until you 16 get an acceptable buyer. The value of your 17 asking price doesn't mean much until you get 18 an acceptable buyer that's willing to pay the 19 price. You can list it for whatever or it 20 could stay not. It could be stay zoned like 21 it is. 22 So what I see is that there could be -- 23 there's no win/win situation here even if they 24 zoned part of Lillian Highway residential and 25 the other part C-1 -- I mean, R-6 or remains TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p>64</p> <p>1 MR. TATE: That's correct. 2 Is there anything further from the staff? 3 MS. CAIN: No, sir. 4 MR. TATE: Mr. Reynolds, do you have 5 anything further for the Board? If not the 6 Chair will entertain a motion. 7 (Motion by Ms. Davis.) 8 MS. DAVIS: Mr. Chair, in the zoning Case 9 2013-20 I move that we accept the staff's 10 Findings-of-Fact and deny the petitioner's 11 request. 12 MS. SINDEL: Second. 13 MR. TATE: We have a motion. We have a 14 second. All those in favor please signify. 15 (Board members vote.) 16 MR. TATE: All those against? 17 MR. WINGATE: No. 18 MR. TATE: The motion passes four to one, 19 with one recused. 20 (Motion passed four to one, with Mr. 21 Wingate opposed and Mr. Tate recused.) 22 MR. TATE: That concludes our rezoning 23 meeting for today. Thank you for your time. 24 (The quasi-judicial proceedings concluded 25 at 10:45 a.m.) TAYLOR REPORTING SERVICES, INCORPORATED</p>

Planning Board-Rezoning

5.

Meeting Date: 11/04/2013
CASE : Z-2013-20
APPLICANT: Bobby Gene and Sally Lynn Reynolds, Owners
ADDRESS: 12511 Lillian Hwy
PROPERTY REF. NO.: 02-2S-32-6000-005-002
MU-S, Mixed-Use
FUTURE LAND USE: Suburban
DISTRICT: 1
OVERLAY DISTRICT: N/A
BCC MEETING DATE: 12/05/2013

SUBMISSION DATA:

REQUESTED REZONING:

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

TO: R-6, Neighborhood Commercial and Residential District, (cumulative) High Density (25 du/acre)

RELEVANT AUTHORITY:

- (1) Escambia County Comprehensive Plan
- (2) Escambia County Land Development Code
- (3) Board of County Commissioners of Brevard County v. Snyder, 627 So. 2d 469 (Fla. 1993)
- (4) Resolution 96-34 (Quasi-judicial Proceedings)
- (5) Resolution 96-13 (Ex-parte Communications)

CRITERION (1)

Consistent with the Comprehensive Plan.

Whether the proposed amendment is consistent with the Comprehensive Plan.

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

CPP FLU 1.1.9 Buffering. In the LDC, Escambia County shall ensure the compatibility of adjacent land uses by requiring buffers designed to protect lower intensity uses from more intensive uses, such as residential from commercial. Buffers shall also be used to protect agricultural activities from the disruptive impacts of nonagricultural land uses and protect nonagricultural uses from normal agricultural activities.

CPP FLU 1.3.1 Future Land Use Categories. The Mixed-Use Suburban (MU-S) Future Land Use (FLU) category is intended for a mix of residential and nonresidential uses while promoting compatible infill development and the separation of urban and suburban land uses. Range of

allowable uses include: Residential, Retail and Services, Professional Office, Recreational Facilities, Public and Civic. The minimum residential density is two dwelling units per acre and the maximum residential density is ten dwelling units per acre.

CPP FLU 1.5.3 New Development and Redevelopment in Built Areas. To promote the efficient use of existing public roads, utilities and service infrastructure, the County will encourage redevelopment in underutilized properties to maximize development densities and intensities located in the Mixed Use-Suburban, Mixed Use-Urban, Commercial and Industrial Future Land Use districts categories (with the exception of residential development).

FINDINGS

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

CRITERION (2)

Consistent with The Land Development Code.

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

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

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

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

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

FINDINGS

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

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

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

CRITERION (3)

Compatible with surrounding uses.

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

FINDINGS

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

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

CRITERION (4)

Changed conditions.

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

FINDINGS

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

CRITERION (5)

Effect on natural environment.

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

FINDINGS

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

CRITERION (6)

Development patterns.

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

FINDINGS

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

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

Attachments

Z-2013-20



PERDIDO BAY

R-2

R-2

LILLIAN HWY

R-4

R-4

R-4

BRONSON RD

JUAN RD

R-4

R-4



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

Andrew Holmer
Planning and Zoning Dept.

Z-2013-20 500' RADIUS ZONING

0 200 400 600
Ft

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



PERDIDO BAY

TRACY RD

HALCYON CIR

HARTUNG AVE

LILLIAN HWY

JUAN RD

JOAQUIN RD

BAUER RD

BRONSON RD

AILANTHUS DR

BAUER RD



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

Andrew Holmer
Planning and Zoning Dept.

Z-2013-20 LOCATION MAP

0 1,000 2,000 3,000
Ft

- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



PERDIDO BAY

MU-S

MU-S

LILLIAN HWY

MU-U

MU-U

BRONSON RD

JUAN RD

MU-S

MU-S



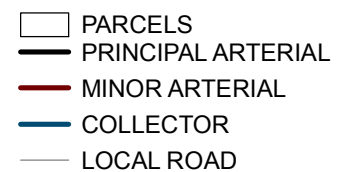
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2013-20 FUTURE LAND USE

0 200 400 600
Ft

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





BRONSON RD

LILLIAN HWY

JUAN RD



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

Andrew Holmer
Planning and Zoning Dept.

Z-2013-20 AERIAL MAP

0 100 200 300
Ft

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



Lillian Rd 1000
Bronson

RECREATION AREA
SERVING THE MILITARY

BLUE ANGELO PARK
GATE CLOSED NIGHTLY
DANGER ZONE
PAINBALL
DISC GOLF COURSES

NOTICE OF PUBLIC HEARING REZONING

CASE NO: **Z-2013-20**
CURRENT ZONING: **R-4** PROPOSED ZONING: **R-6**

PLANNING BOARD
DATE: **11-04-13** TIME: **8:30 AM**
LOCATION OF HEARING
ESCAMBIA COUNTY CENTRAL OFFICE COMPLEX
3303 WEST PARK PLACE
ROOM 104 BOARD MEETING ROOM

BOARD OF COUNTY COMMISSIONERS
DATE: **12-05-13** TIME: **5:45 PM**
LOCATION OF HEARING
ESCAMBIA COUNTY GOVERNMENT CENTER
301 PALAFORCE PLACE
1ST FLOOR BOARD MEETING ROOM

FOR MORE INFORMATION ABOUT THIS CASE PLEASE CALL
DEVELOPMENT SERVICES AT 904-5475 OR VISIT
WWW.MYESCAMBIA.COM

PLEASE DO NOT REMOVE THIS SIGN
PROPERTY OF ESCAMBIA COUNTY



Looking East along Lillian



Looking North along Bronson



Looking Northeast

Hwy
12300

Rd
1000



WILCOX
MOTOR
HOME SALES
Call 904-261-1111

35

Looking South along Bronson



Looking Southeast



Looking Southwest



Looking West along Lillian

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

Allison Caine,

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

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

Thank you for your time and consideration.

Very Truly Yours,

Bobby Gene Reynolds Sr. and Sally L. Reynolds



Development Services Department

Escambia County, Florida

APPLICATION

Please check application type:

☐ Administrative Appeal

☐ Development Order Extension

☐ Conditional Use Request for: _____

☐ Variance Request for: _____

☒ Rezoning Request from: R4 to: R6

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

Owner(s) Name: Bobby + Sally Reynolds Phone: 850 4565595

Address: 12511 Lillian Hwy Email: REYN2290@Bellsouth.net

☐ 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: 02-25-32-6000-005-002

Property Reference Number(s)/Legal Description: 12511 Lillian Hwy
PENSACOLA FL 32506

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.

Bobby Gene Reynolds
Signature of Owner/Agent

Bobby GENE REYNOLDS
Printed Name/Owner/Agent

09-12-13
Date

Sally Lynn Reynolds
Signature of Owner

SALLY LYNN REYNOLDS
Printed Name of Owner

09-12-13
Date

STATE OF FLORIDA

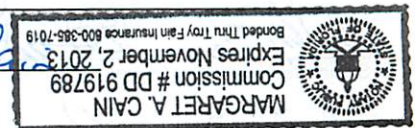
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 12th day of September 20 13,
by Bobby + Sally Reynolds.

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

Margaret A. Cain
Signature of Notary
(notary seal must be affixed)

Margaret A. Cain
Printed Name of Notary



FOR OFFICE USE ONLY

CASE NUMBER: 2-2013-20

Meeting Date(s): PB 11/4; BCC 12/2 Accepted/Verified by: A. Cain Date: 8/12/13

Fees Paid: \$ — Receipt #: _____ Permit #: PRZ130900020



Development Services Department
Escambia County, Florida

FOR OFFICE USE:

CASE #: 2-2013-26

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

For Rezoning Requests Only

Property Reference Number(s): 02-25-32-6000-005-002

Property Address: 12511 Lillian Hwy

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

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

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

- The necessary facilities or services are in place at the time a development permit is issued.
- A development permit is issued subject to the condition that the necessary facilities and services will be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- For parks and recreation facilities and roads, the necessary facilities are under construction at the time the development permit is issued.
- For parks and recreation facilities, the necessary facilities are the subject of a binding executed contract for the construction of the facilities at the time the development permit is issued and the agreement requires that facility construction must commence within one year of the issuance of the development permit.
- The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, F.S., or as amended, or an agreement or development order issued pursuant to Chapter 380, F.S., or as amended. For transportation facilities, all in-kind improvements detailed in a proportionate fair share agreement must be completed in compliance with the requirements of Section 5.13.00 of the LDC. For wastewater, solid waste, potable water, and stormwater facilities, any such agreement will guarantee the necessary facilities and services to be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- For roads, the necessary facilities needed to serve the development are included in the first three years of the applicable Five-Year Florida Department of Transportation (FDOT) Work Program or are in place or under actual construction no more than three years after the issuance of a County development order or permit.

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS 12th DAY OF September, YEAR OF 2013.

Bobby Gene Reynolds
Signature of Property Owner

Bobby Gene Reynolds
Printed Name of Property Owner

09-12-13
Date

Sally Lynn Reynolds
Signature of Property Owner

SALLY LYNN REYNOLDS
Printed Name of Property Owner

09-12-13
Date



Development Services Department
Escambia County, Florida

FOR OFFICE USE:

CASE #:

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

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

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

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

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

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

Agent Name: _____ Email: _____

Address: _____ Phone: _____

Signature of Property Owner

Printed Name of Property Owner

Date

Signature of Property Owner

Printed Name of Property Owner

Date

STATE OF _____

COUNTY OF _____

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

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

Signature of Notary

Printed Name of Notary

(Notary Seal)



BOARD OF COUNTY COMMISSIONERS ESCAMBIA COUNTY, FLORIDA

FEE WAIVER REQUEST FORM

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

The County Administrator shall only grant waivers to the following qualified applicants. Please check the box next to the appropriate statement that applies to your request.

- ☐ Individuals and families with an annual gross income at or below 30% of the median income for Escambia County.
- ☐ Non-profit organizations that will develop and provide affordable housing for individuals and families with an annual gross income at or below 30% of the median income for Escambia County.

Property Owner/Non-profit Organization Name: Bobby & Sally Reynolds

Please list the address(es) and Property Reference Number(s) for the property(s):
12511 Lillian Hwy Pensacola FL 32506
02-25-32-6000-005-002

Please indicate which application fee this request is for and the amount: REZONING

Please attach the following required supporting documents to this request form:

- a. All applicants must submit sufficient evidence of ownership or control of the property that is the subject of the development project for which the waiver is sought.
- b. All applicants must submit a copy of their federal income tax returns for the previous two years.
- c. All applicants must submit sufficient evidence that at least 30% of the total housing units produced from the development project will be sold or rented to, or occupied by, individuals and families with annual gross incomes at or below 30% of the median income for Escambia County.
- d. For projects that will provide rental housing, applicants shall also submit a schedule of rental rates for each unit by size.

FOR INTERNAL OFFICE USE ONLY

The applicant is a qualified applicant. ☒ YES ☐ NO

The applicant provided all required supporting documents. ☒ YES ☐ NO

Therefore; this fee waiver request for Rezoning

is hereby APPROVED on this 13th day of September, 2013.



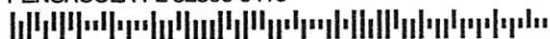
Horace Jones
Interim Development Services Director

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

2012 Real Estate 0019222.0000

S - 016409 / 030353 1-54039 JMS33899
REYNOLDS BOBBY GENE SR &
SALLY LYNN
12511 LILLIAN HWY
PENSACOLA FL 32506-8416

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



AD VALOREM TAXES					
TAXING AUTHORITY	MILLAGE RATE	ASSESSED VALUE	EXEMPTION AMOUNT	TAXABLE AMOUNT	TAXES LEVIED
COUNTY	6.9755	82,818	50,000	32,818	228.92
PUBLIC SCHOOLS					
By Local Board	2.2480	82,818	25,000	57,818	129.97
By State Law	5.5100	82,818	25,000	57,818	318.58
SHERIFF	0.6850	82,818	50,000	32,818	22.48
WATER MANAGEMENT	0.0400	82,818	50,000	32,818	1.31
TOTAL MILLAGE					15.4585
AD VALOREM TAXES					701.26

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

NON-AD VALOREM ASSESSMENTS		
LEVYING AUTHORITY	RATE	AMOUNT
FIRE		85.00
QUESTIONS ON ITEMS IN THIS SECTION ONLY, CALL (850) 595-4960		
NON-AD VALOREM ASSESSMENTS		85.00

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

JANET HOLLEY, CFC

ESCAMBIA COUNTY TAX COLLECTOR

2012 Real Estate

NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

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

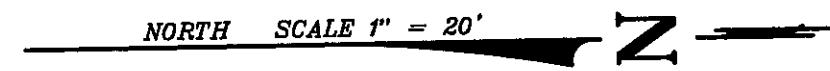
2012 Real Estate 0019222.0000

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

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

PAY IN U.S. FUNDS TO ESCAMBIA COUNTY TAX COLLECTOR * P.O. BOX 1312 * PENSACOLA, FL 32591-1312

Nov 30 2012	Dec 31 2012	Jan 31 2013	Feb 28 2013	Mar 31 2013	Apr 30 2013
\$ 754.81	\$ 762.67	\$ 770.53	\$ 778.40	\$ 786.26	\$ 809.85



LEGEND
R/W Right of way
1/2" Capped iron rod set #1073
1" Iron pipe found
Air conditioning unit
Concrete
Gravel
Light pole
Power pole
Sewer clean-out
Sprinkler control valve
Water faucet
Water meter
Wire fence
Wood fence
Electric line
Telephone line

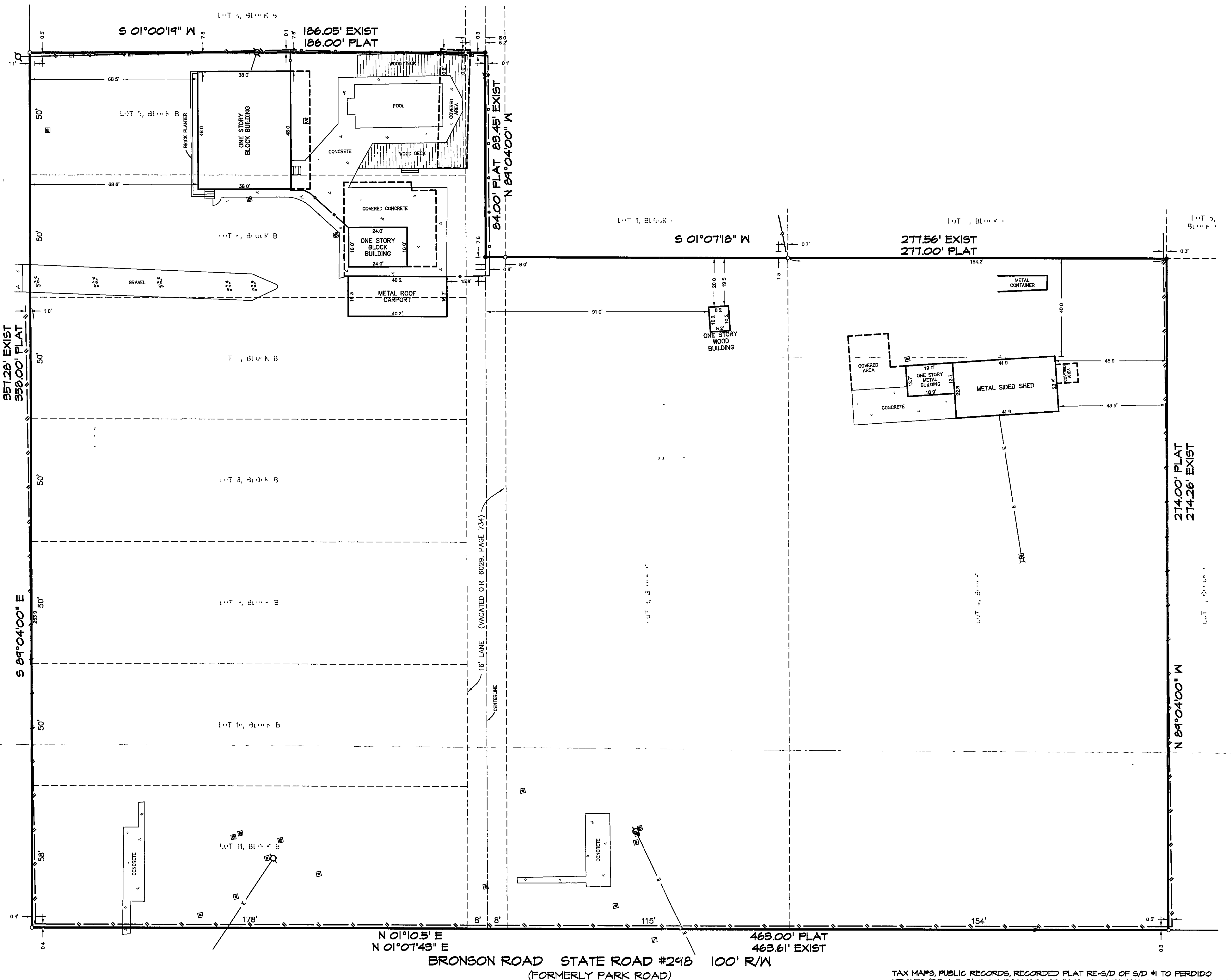
SURVEYOR'S NOTES
1 Subject to setbacks, easements and restrictions of record
2 This survey is subject to any facts that may be disclosed by a full and accurate title search. No title work performed by this firm
3 This survey does not reflect or determine ownership
4 This drawing only reflects setback lines, which appear on the recorded plat. This property may also be subject to setback lines mandated by zoning ordinances and/or restrictive covenants of record
5 Footers and foundations below natural grade not located

STREET ADDRESS 12511 Lillian Highway

LEGAL DESCRIPTION
Lot 5, 6, 7, 8, 9, 10 and 11, Block B, and Lots 2 and 4, Block C, of Re-Subdivision of subdivision No. 1, to Perdido Heights, being a subdivision of a Re-Subdivision of Lot 6, Fractional Section 2, Township 2 South, Range 32 West, Escambia County, Florida as recorded in Plat Book 1 at page 3 of the public records of said County

TOGETHER WITH
The North Half of 16' Lane adjacent to and south of Lots 5-11, Block "B" and the South Half of 16' Lane adjacent to and North of Lot 2, Block C, of Re-Subdivision of subdivision No. 1, to Perdido Heights, being a subdivision of Lot 6, Fractional Section 2, Township 2 South, Range 32 West, Escambia County, Florida as recorded in Plat Book 1 at page 3 of the public records of said County

LILLIAN HIGHWAY STATE HIGHWAY #298 66' R/W
357.28' EXIST
350.00' PLAT
S 89°04'00" E



Measurements made in accordance with United States Standards

Bearing Reference NORTH BASED ON THE SOUTHERLY R/W LILLIAN
HIGHWAY AS S 89°04'00" E
Ordered By BOBBY REYNOLDS Elevation Reference
Encroachments FENCE, OVERHANG, DECK, CONCRETE

**A BOUNDARY SURVEY AND LOCATION
OF IMPROVEMENTS OF A PORTION
OF SECTION 2, T-2-S, R-32-W**

**PITTMAN,
GLAZE AND
ASSOCIATES, INC.**
LAND SURVEYORS
5700 N. DAVIS HIGHWAY, SUITE 3
PENSACOLA, FL 32503
Phone (850) 434-6666 Fax (850) 434-6661
Email: pgsurvey@bellsouth.net

TAX MAPS, PUBLIC RECORDS, RECORDED PLAT RE-S/D OF S/D #1 TO PERDIDO
HEIGHTS (P.B. 1, P. 3), D.O.T. R/W MAPS SR #298, SECTION 48/18 SR 30, SR 30, SECTION
Source of information 48110-2506

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

David D. Glaze
PSM #5605
Walter J. Glaze
PSM #6190

SHEET 1 OF 1
Scale 1" = 20'
File No C-6914
Job No 35432-13
Date of Plat 5-14-13
Date of Survey 5-13-13
FB 1443 PG 76-79
FB 1532 PG 1
FB PG
Drawn by PMJ



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

with hoke to
speak after
Debra ~~Esteban~~
WARREN

Escambia County Planning Board
Public Hearing
Speaker Request Form

Please Print Clearly

Meeting Date: 4 NOV 2013

Rezoning Quasi-judicial Hearing

Rezoning Case #: 2-2013-20

OR

Regular Planning Board Meeting

Agenda Item Number/Description:

 In Favor X Against

*Name: MR. KARA GEORGE OSHANA

*Address: 12850 Lillian Hwy *City, State, Zip: 32506

Email Address: KD OSHANA@cox.net Phone: 453-3706

Please indicate if you:

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

All items with an asterisk * are required.

Chamber Rules

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



BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

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

Escambia County Planning Board
Public Hearing
Speaker Request Form

Please Print Clearly

Meeting Date: 11/4/13

Rezoning Quasi-judicial Hearing

Rezoning Case #: 2-2013-20

OR

Regular Planning Board Meeting

Agenda Item Number/Description: _____

_____ In Favor ☒ Against

*Name: DEBRA J. WARREN

*Address: 12520 LILLIAN HWY *City, State, Zip: P'COLA, FL 32506

Email Address: _____ Phone: 206-7341

Please indicate if you:

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

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

All items with an asterisk * are required.

Chamber Rules

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



BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

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

Escambia County Planning Board
Public Hearing
Speaker Request Form

Please Print Clearly

Meeting Date: 11/4/13

Rezoning Quasi-judicial Hearing

Rezoning Case #: 2-2013-20

OR

Regular Planning Board Meeting

Agenda Item Number/Description: _____

_____ In Favor ☒ Against

*Name: BETTY CATCHOT

*Address: 12520 LILLIAN HWY *City, State, Zip: PENACOLA, FL 32506

Email Address: _____ Phone: 457-3172

Please indicate if you:

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

All items with an asterisk * are required.

Chamber Rules

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



BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

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

Escambia County Planning Board
Public Hearing
Speaker Request Form

Please Print Clearly

Meeting Date: 1-4-2013

Rezoning Quasi-judicial Hearing

Rezoning Case #: 2-2013-20

OR

Regular Planning Board Meeting

Agenda Item Number/Description: _____

_____ In Favor ☒ Against

*Name: Barbara Lenn

*Address: 12490 LILLIAN *City, State, Zip: 32506

Email Address: jskld@cox.net Phone: 457-3124

572-7098

Please indicate if you:

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

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

All items with an asterisk * are required.

Chamber Rules

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



BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

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

Escambia County Planning Board

Public Hearing Speaker Request Form

Please Print Clearly

Rezoning Quasi-judicial Hearing

Rezoning Case #: Z-2013-20

OR

Regular Planning Board Meeting

Agenda Item Number/Description: _____

_____ In Favor ☒ Against

*Name: LESTER SEWFT

*Address: 12860 LILLIAN HWY *City, State, Zip: PENSACOLA, FL

Email Address: lestersewft@att.net Phone: 580-332-6939

Please indicate if you:

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

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

*All items with an asterisk * are required.*

Chamber Rules

1. All who wish to speak will be heard.
2. You must sign up to speak. This form must be filled out and given to the Clerk in order to be heard.
3. When the Chairman calls you to speak, come to the podium, adjust the microphone so you can be heard, then state your NAME and ADDRESS for the record.
4. Please keep your remarks BRIEF and FACTUAL.
5. Everyone will be granted uniform time to speak (normally 3 - 5 minutes).
6. Should there be a need for information to be presented to the Board, please provide 13 copies for distribution. The Board will determine whether to accept the information into evidence. Once accepted, copies are given to the Clerk for Board distribution.
7. During quasi-judicial hearings (i.e., rezonings), conduct is very formal and regulated by Supreme Court decisions. Verbal reaction or applause is not appropriate.



BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

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

Escambia County Planning Board
Public Hearing
Speaker Request Form

Please Print Clearly

Meeting Date: 4- NOV 2013

Rezoning Quasi-judicial Hearing

Rezoning Case #: 2-2013-20

OR

Regular Planning Board Meeting

Agenda Item Number/Description:

 In Favor X Against

*Name: Dorothy OShana

*Address: 12850 Lillian Hwy *City, State, Zip: Pensacola FL 32506

Email Address: Dorosh@cox.net Phone: 453 3706

Please indicate if you:

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

All items with an asterisk * are required.

Chamber Rules

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



BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

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

Escambia County Planning Board
Public Hearing
Speaker Request Form

Please Print Clearly

Meeting Date: 04 NOV 13

Rezoning Quasi-judicial Hearing

Rezoning Case #: Z-2013-20

OR

Regular Planning Board Meeting

Agenda Item Number/Description:

 In Favor X Against

*Name: JAMES DELGRUCCIO

*Address: 12530 LILLIAN HWY *City, State, Zip: PENSACOLA, FL 32506

Email Address: jfc13gouch@yahoo.com Phone: (950) 456-3744

Please indicate if you:

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

All items with an asterisk * are required.

Chamber Rules

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



BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

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

Escambia County Planning Board
Public Hearing
Speaker Request Form

Please Print Clearly

Meeting Date: 04 NOV 13

Rezoning Quasi-judicial Hearing

Rezoning Case #: E-2013-20

OR

Regular Planning Board Meeting

Agenda Item Number/Description:

 In Favor X Against

*Name: TANYA DEGRUCCIO

*Address: 12530 LILLIAN HWY *City, State, Zip: PENSACOLA, FL 32506

Email Address: tanyasmith70@yahoo.com Phone: (850) 456-3744

Please indicate if you:

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

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

All items with an asterisk * are required.

Chamber Rules

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



BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

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

Escambia County Planning Board
Public Hearing
Speaker Request Form

Please Print Clearly

Meeting Date: Nov 4 2013

Rezoning Quasi-judicial Hearing

Rezoning Case #: Z-2013-20

OR

Regular Planning Board Meeting

Agenda Item Number/Description:

_____ In Favor _____ Against

*Name: Bobby G Reynolds & Sally Reynolds

*Address: 12511 Lillian Ave *City, State, Zip: PENSACOLA, FL, 32506

Email Address: reyn 2290 @ BellSouth.net Phone: 850 456-5595

Please indicate if you:

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

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

All items with an asterisk * are required.

Chamber Rules

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

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <u>Tate - Timothy James</u>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <u>Escambia County Planning & Zoning Board</u>	
MAILING ADDRESS <u>8400 Dnese Ln</u>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <u>Pensacola</u>	COUNTY <u>Escambia</u>	<input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED		NAME OF POLITICAL SUBDIVISION:	
		MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTEE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Timothy Tate, hereby disclose that on November 4, 20 13:

(a) A measure came or will come before my agency which (check one)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☒ inured to the special gain or loss of Pensacola Christian College, Inc, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

November 4, 2013

Date Filed

Timothy J. Tate

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

October 31, 2013

To: Development Services Department

From: Bobby Gene Reynolds Sr. and Sally Lynn Reynolds
Husband and Wife
Owners of Property

The overall purpose of this letter, is to use our property as "R-6".

We did try to rezone our property to C-1, however, it was voted down.

Due to the fact that the neighbors did not want our property rezoned from R-4 to C-1.

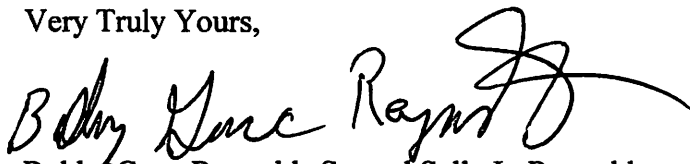
The intent of this request is to upgrade our property from **R-4** to **R-6**. As you are aware of the area has grown on the south side of Lillian Highway. My wife Sally Reynolds has lived on this property since 1955, we together have owned this property when we purchased the home and property since 1968. We have seen many changes in land development, such as, 2 blocks from us, there is a Liquor Store, Bar, Grocery Store, Fast food Restaurant, "Hardees", Thom Thumb Store and gas station, Around the corner from us, is the South West Sports Complex, which includes many sports soccer, baseball, football, and many other sports. Next door to us is a Building Contractor Office.

On the west side of Bronson Field Dr., there is a large parcel of property, that we have been told, that is owned by Pensacola Christian College and maybe could build a second college.

Please, pass the usage of our property to **R-6** as we feel that we meet all of the rezoning criteria.

Thank you for your time and consideration.

Very Truly Yours,



Bobby Gene Reynolds Sr. and Sally L. Reynolds
12511 Lillian Highway
Pensacola, Florida, 32506

Property Reference No. : 02-2S-32 -6000-005-002

Exhibit C







RESUME OF THE REGULAR BCC MEETING – Continued

GROWTH MANAGEMENT REPORT – Horace Jones, Interim Director, Development Services Department

I. PUBLIC HEARINGS

1. Recommendation: That the Board take the following action concerning Rezoning Case Z-2013-20, which was heard by the Planning Board (PB) on November 4, 2013:

- A. Ratify the scheduling and advertising of the 5:45 p.m. Public Hearing on December 5, 2013;
- B. Review and either adopt, modify, or overturn the PB's recommendation, or remand the Case back to the PB; and
- C. Authorize the Chairman to sign the Order of the Escambia County Board of County Commissioners for the Rezoning Case that was reviewed, as follows:

Case Number:	Z-2013-20
Location:	12511 Lillian Highway
Property Reference Number:	02-2S-32-6000-005-002
Property Size:	3.26 acres
From:	R-4, Multiple-Family District, (cumulative) Medium-High Density (18 dwelling units per acre)
To:	R-6, Neighborhood Commercial and Residential District (cumulative), High Density (25 dwelling units per acre)
FLU Category:	MU-S, Mixed Use-Suburban
Commissioner District:	1
Requested by:	Bobby Gene and Sally Lynn Reynolds
PB Recommendation:	Denial

Approved 5-0 to remand the Case to the PB, with direction to consider hearing additional information about "if in fact there is a safety problem with traffic and if that is not enough to ask them to look at again, ask them to consider an R-5"

Speaker(s):

Bobby Gene Reynolds
Kara Oshana
Lester Senft

James Degruccio
Dorothy Oshana
Betty Catchot

Tanya Degruccio
Barbara Lenn



NOTICE OF PUBLIC HEARING REZONING

CASE NO.

Z-2013-20

CURRENT
ZONING:

R-4

PROPOSED
ZONING:

R-6

PLANNING BOARD

DATE: 03/04/14 TIME: 8:30 AM

LOCATION OF HEARING

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

BOARD OF COUNTY COMMISSIONERS

DATE 04/03/14 TIME: 5:45 PM

LOCATION OF HEARING

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

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

PLEASE DO NOT REMOVE THIS SIGN
PROPERTY OF ESCAMBIA COUNTY

Received 2/3/14
Dev. Svs. Dept.

CLARK PARTINGTON HART
LARRY BOND & STACKHOUSE

ATTORNEYS AT LAW

Pensacola • Destin • Santa Rosa Beach • Tallahassee

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

January 27, 2013

Mr. Horace Jones
Development Services Department
3363 West Park Place
Pensacola, FL 32505

**Re: Continuation of Rezoning Application
Bobby Gene Reynolds, Sr. & Sally Lynn Reynolds
12511 Lillian Highway, Pensacola, FL 32506
Prop. Ref. # 002S3260000005002
Rezoning Case # Z-2013-20**

Dear Mr. Jones:

Forwarded with this cover letter is my clients' continuing application to rezone the referenced property. The application contains the standard rezoning form, plus the authorization for me to represent Mr. and Mrs. Reynolds.

The application lists the rezoning request as "R-6/R-5." The listing in this manner was purposeful. It picks up on the uncertainty arising out of the county commission discussion in December, when the case was remanded to the Planning Board for further consideration. In my opinion, the motion made by Commissioner Robertson, along with the second and comments by other commissioners, left open reconsideration of R-6, as well as initial consideration of R-5. Therefore, it is my intent to ask the Planning Board to reconsider R-6, for the reasons stated in the comments by Commissioners Robertson, Robinson, Valentino and Barry.

In general terms, Commissioner Robertson said that C-1 is not appropriate, but that going from R-4 to R-6 across a state highway may be okay. He also said that he does not penalize owners for wanting to increase the value of their property by rezoning the property prior to selling the property.

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

Commissioner Robinson said that his issue is "philosophical." The county does not want urban sprawl, but then we deny requests for greater density. He does not believe that R-6 is incompatible with R-4.

Commissioner Valentino said that generally he would weigh his vote 80% on the future land use map. He said that if the county is not going to pay attention to the recent change in future land use to Mixed Use Suburban, then the county should change the future land use map designation to something else.

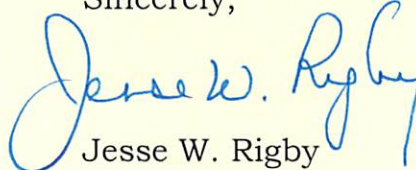
Commissioner Barry said that he wants to be supportive of the commissioner whose district includes the property, and generally, he wants to support action that will increase the value of the property tax basis.

If the Planning Board chooses to continue to recommend denial of R-6 after consideration of the comments from commissioners, then we will ask the Planning Board to consider R-5.

I request that the public notice of the Planning Board hearing contain a reference to consideration of both R-6 and R-5.

Please let me know if your office needs any additional information in advance of the Planning Board hearing. My understanding is that the case will be set for hearing by the Planning Board on March 4, with the county commission hearing to follow in April.

Sincerely,



Jesse W. Rigby

JWR\cw

Enclosures

cc: Mr. and Mrs. Bobby G. Reynolds, Sr.
A1557554.DOC



Development Services Department

Escambia County, Florida

APPLICATION

Please check application type:

☐ Administrative Appeal

☐ Development Order Extension

☐ Conditional Use Request for: _____

☐ Variance Request for: _____

☒ Rezoning Request from: R-4 to: R-6/R-5

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

Owner(s) Name: Bobby Gene Reynolds, Sr. & Sally Lynn Reynolds Phone: 434-3282 (Attorney)

Address: 12511 Lillian Highway, Pensacola, FL 32506 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: 12511 Lillian Highway, Pensacola, FL 32506

Property Reference Number(s)/Legal Description: 022S326000005002

By my signature, I hereby certify that:

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

Signature of Owner/Agent

Jesse W. Rigby

Printed Name Owner/Agent

1/27/2014
Date

Signature of Owner

Bobby Gene Reynolds, Sr. & Sally Lynn Reynolds

Printed Name of Owner

1/27/2014
Date

STATE OF FLORIDA

COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 27th day of January, 20 14.

by Bobby Gene Reynolds, Sr. & Sally Lynn Reynolds

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

Signature of Notary

(notary seal must be affixed)

Printed Name of Notary

Constance M. Weiss



CONSTANCE M. WEISS
COMMISSION # EE223018
EXPIRES: August 7, 2016

FOR OFFICE USE ONLY

CASE NUMBER: 2-2013-20

Meeting Date(s): PB- 3-4-14 / BCC 4/3/14 Accepted/Verified by: Alan Date: 2/4/14

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



Development Services Department

Escambia County, Florida

FOR OFFICE USE:

CASE #:

2-2013-20

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

For Rezoning Requests Only

Property Reference Number(s): 022S326000005002

Property Address: 12511 Lillian Highway, Pensacola, FL 32506

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

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

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

- The necessary facilities or services are in place at the time a development permit is issued.
- A development permit is issued subject to the condition that the necessary facilities and services will be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- For parks and recreation facilities and roads, the necessary facilities are under construction at the time the development permit is issued.
- For parks and recreation facilities, the necessary facilities are the subject of a binding executed contract for the construction of the facilities at the time the development permit is issued and the agreement requires that facility construction must commence within one year of the issuance of the development permit.
- The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, F.S., or as amended, or an agreement or development order issued pursuant to Chapter 380, F.S., or as amended. For transportation facilities, all in-kind improvements detailed in a proportionate fair share agreement must be completed in compliance with the requirements of Section 5.13.00 of the LDC. For wastewater, solid waste, potable water, and stormwater facilities, any such agreement will guarantee the necessary facilities and services to be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- For roads, the necessary facilities needed to serve the development are included in the first three years of the applicable Five-Year Florida Department of Transportation (FDOT) Work Program or are in place or under actual construction no more than three years after the issuance of a County development order or permit.

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS 27th DAY OF January, YEAR OF 2014.

Signature of Property Owner

Bobby Gene Reynolds, Sr.

Printed Name of Property Owner

1/27/14
Date

Signature of Property Owner

Sally Lynn Reynolds

Printed Name of Property Owner

1/27/14
Date



Development Services Department
Escambia County, Florida

FOR OFFICE USE:

CASE #: 2-2013-20

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at 12511 Lillian Highway, Pensacola, FL 32506,
Florida, property reference number(s) 022S326000005002

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) _____ on the above referenced property.

This Limited Power of Attorney is granted on this 27th day of January 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: Jesse W. Rigby Email: jrigby@cphlaw.com

Address: 125 W. Romana St., Ste 800, Pensacola 32501 Phone: 434-3282 (Attorney)

Bobby Gene Reynolds, Sr.
Signature of Property Owner

Bobby Gene Reynolds, Sr.

Printed Name of Property Owner

1/27/14
Date

Sally Lynn Reynolds
Signature of Property Owner

Sally Lynn Reynolds

Printed Name of Property Owner

1/27/14
Date

STATE OF FLORIDA COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 27th day of January, 2014,
by Bobby Gene Reynolds, Sr. & Sally Lynn Reynolds

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

Constance M. Weiss
Signature of Notary

Constance M. Weiss
Printed Name of Notary

(Notary Seal)



CONSTANCE M. WEISS
COMMISSION # EE223018
EXPIRES: August 7, 2016

Planning Board-Rezoning

5. B.

Meeting Date: 03/04/2014
CASE : Z-2014-03
APPLICANT: Bill Newlon, Agent for Black Gold of Northwest Florida, LLC, Owner
ADDRESS: End of Stone Blvd
PROPERTY REF. NO.: 14-1N-31-1001-011-002
MU-S, Mixed-Use
FUTURE LAND USE: Suburban
DISTRICT: 5
OVERLAY DISTRICT: NA
BCC MEETING DATE: 04/03/2014

SUBMISSION DATA:

REQUESTED REZONING:

FROM: ID-CP, Commerce Park District (cumulative)

TO: ID-2, General Industrial District (noncumulative)

RELEVANT AUTHORITY:

- (1) Escambia County Comprehensive Plan
- (2) Escambia County Land Development Code
- (3) Board of County Commissioners of Brevard County v. Snyder, 627 So. 2d 469 (Fla. 1993)
- (4) Resolution 96-34 (Quasi-judicial Proceedings)
- (5) Resolution 96-13 (Ex-parte Communications)

CRITERION (1)

Consistent with the Comprehensive Plan.

Whether the proposed amendment is consistent with the Comprehensive Plan.

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

CPP FLU 1.1.9 Buffering. In the Land Development Code (LDC), Escambia County shall ensure the compatibility of adjacent land uses by requiring buffers designed to protect lower intensity uses from more intensive uses, such as residential from commercial. Buffers shall also be used to protect agricultural activities from the disruptive impacts of nonagricultural land uses and protect nonagricultural uses from normal agricultural activities.

CPP FLU 1.1.10 Locational Criteria. The LDC shall include locational criteria for broad categories of proposed non-residential land uses. The site criteria for such uses shall address the transportation classification of, and access to, adjoining streets, the proximity of street intersections and large daily trip generators (i.e. college or university), the surrounding land

uses, the ability of a site to accommodate the proposed use while adequately protecting adjoining uses and resources, and other criteria that may be appropriate to those categories of uses.

CPP FLU 1.3.1 Future Land Use Categories. The Mixed-Use Suburban (MU-S) Future Land Use (FLU) category is intended for a mix of residential and nonresidential uses while promoting compatible infill development and the separation of urban and suburban land uses. Range of allowable uses include: Residential, Retail and Services, Professional Office, Recreational Facilities, Public and Civic. The minimum residential density is two dwelling units per acre and the maximum residential density is ten dwelling units per acre. **CPP CON 1.2.3 Industrial Use Impacts.** Industrial land uses shall minimize their negative impacts on air quality. When incompatible with neighboring or proximate residential, conservation, or environmentally sensitive areas, industrial land uses shall be directed to alternative sites where their impacts are minimized.

CPP FLU 1.5.3 New Development and Redevelopment in Built Areas. To promote the efficient use of existing public roads, utilities and service infrastructure, the County will encourage redevelopment in underutilized properties to maximize development densities and intensities located in the Mixed Use-Suburban, Mixed Use-Urban, Commercial and Industrial Future Land Use districts categories (with the exception of residential development).

FINDINGS

The applicant has also submitted a Future Land Use map amendment from the current Mixed-Use Suburban FLU to Industrial. If the FLU map change is approved and adopted, the proposed amendment to ID-2 **will be consistent** with the intent and purpose of Future Land Use category Industrial, as stated in CPP FLU 1.1.1. All buffering requirements and locational criteria standards will be addressed under compatibility analysis with the LDC or during the Site Plan Review Process. Furthermore, the FLU map change request will provide compatibility of uses, as stated in CPP FLU 1.3.1, as the Industrial FLU have allowances for light to intensive industrial uses. The proposal is also consistent with CPP FLU 1.5.3, as the parcel will be accessed using the existing public roads and if development occurs, the applicant may expand the use of existing utilities and service infrastructure.

CRITERION (2)

Consistent with The Land Development Code.

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

FINDINGS

The proposed amendment **is consistent** with the intent and purpose of the Land Development Code. The ID-2 zoning is designed to accommodate manufacturing, processing, fabrication, and other activities which can only comply with minimal performance standards. No residential development is permitted in this district, thereby insuring adequate area for industrial activities. Community facilities and trade establishments that provide needed services to industrial development also may be accommodated in this district. The buffering requirements specified in Article 7, Section 7.01.06. of the Land Development Code may be required and will be addressed during the Site Plan Review Process. It's staff's opinion that the proposed amendment meets the locational criteria for new industrial uses, as it's situated on a parcel of land that's large enough to adequately support the type of industrial development proposed. The

locational setting of the proposed amendment should minimize any adverse impacts upon surrounding properties.

CRITERION (3)

Compatible with surrounding uses.

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

FINDINGS

The proposed amendment **is compatible** with surrounding existing uses in the area. Within the 500' radius impact area, staff observed properties with zoning districts VR-1, VR-2, VAG-1, ID-CP and ID-2. Within the zoning districts, two large non-agricultural parcels owned by International Paper and by the Emerald Coast Utilities Authority, two single family residences, one vacant residential, one vacant commercial and two industrial properties.

CRITERION (4)

Changed conditions.

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

FINDINGS

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

CRITERION (5)

Effect on natural environment.

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

FINDINGS

According to the National Wetland Inventory, wetlands and hydric soils **were** indicated on the subject property. The applicant has provided a wetlands survey that identifies and delineates existing wetlands within the site. The applicant is also in the process of obtaining all required permits and implementing all necessary mitigation activities as dictated by the responsible Federal and State agencies. When applicable, further review during the Site Plan Review process will be necessary to determine if there would be any significant adverse impact on the natural environment.

CRITERION (6)

Development patterns.

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

FINDINGS

The proposed amendment **would result** in a logical and orderly development pattern. It's staff's opinion, based on the site visit, that the predominant character of the Hwy 29-Muscogee Road-Beck's Lake intersection is industrial in nature. The current industrial development trend of the area is the result of the accessibility to road and rail transport within a short distance of each

other, thus creating for an ideal commercial transportation hub. The approval of the amendment to ID-2 zoning would be congruent with surrounding uses and industrial development patterns of the area.

Attachments

Z-2014-03

Z-2014-03



WISHBONE LN

CLYMIL DR

EDEN LN

VIRECENT RD

VIRECENT DR

BECKS LAKE RD

STONE BLVD

S-HIGHWAY-29

WOODBURY CIR

WOODBURY PL GREENBERRY DR

COUNTRY LN

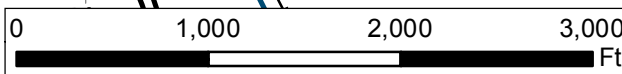
KATHLEEN AVE



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

Andrew Holmer
Planning and Zoning Dept.

Z-2014-03 LOCATION MAP



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- + RAILROAD selection

ID-1

VAG-1



BECKS LAKE RD

VR-1

ID-CP

VAG-1

ID-2

VAG-1

STONE BLVD

ID-CP

ID-CP

VR-1

ID-2

VR-2

GREENBERRY DR

VR-1

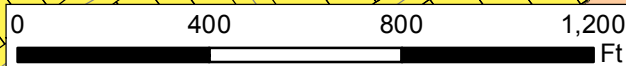
V-3



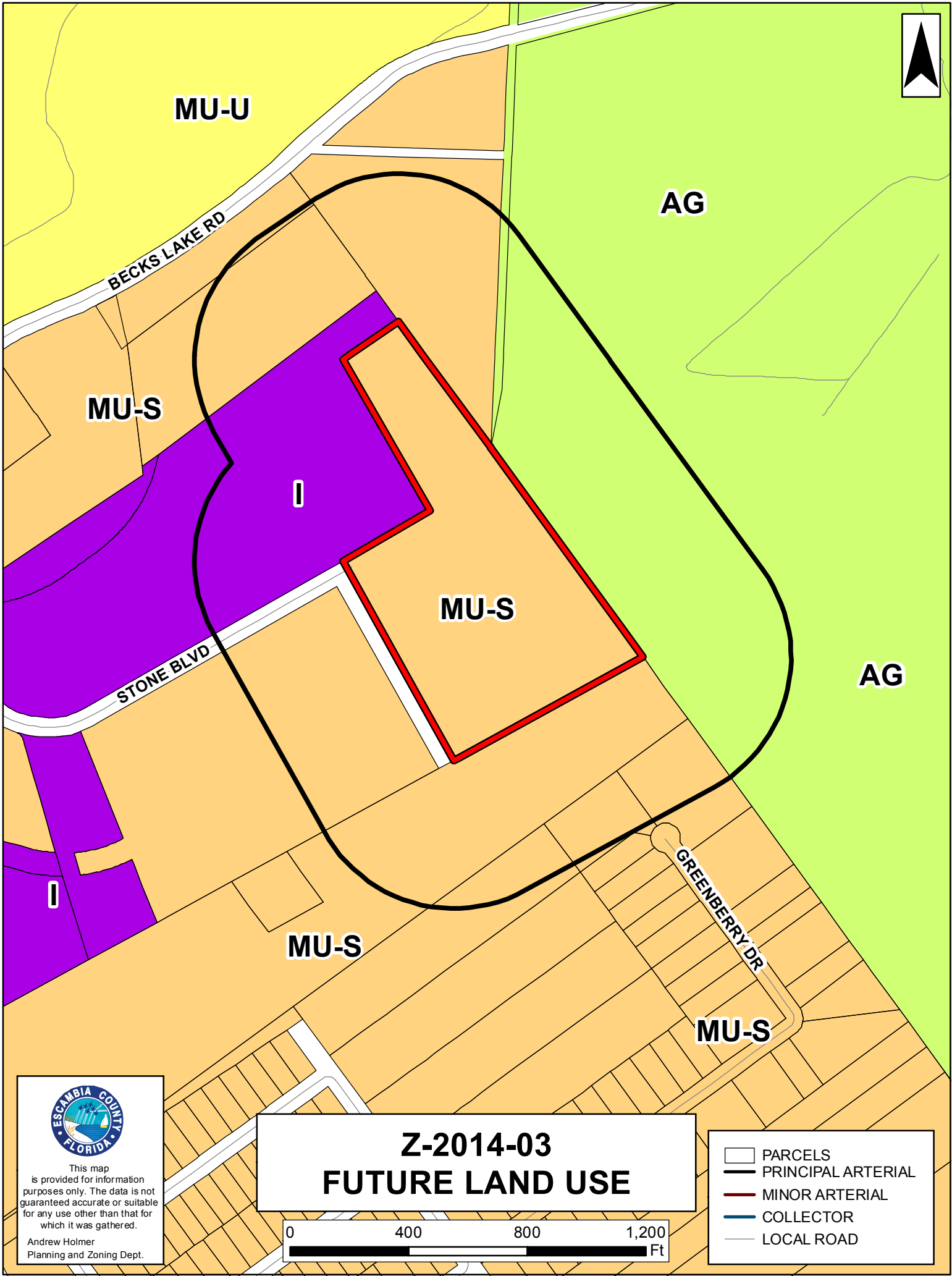
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2014-03 500' RADIUS ZONING



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



MU-U

AG

MU-S

I

MU-S

AG

STONE BLVD

I

MU-S

GREENBERRY DR

MU-S



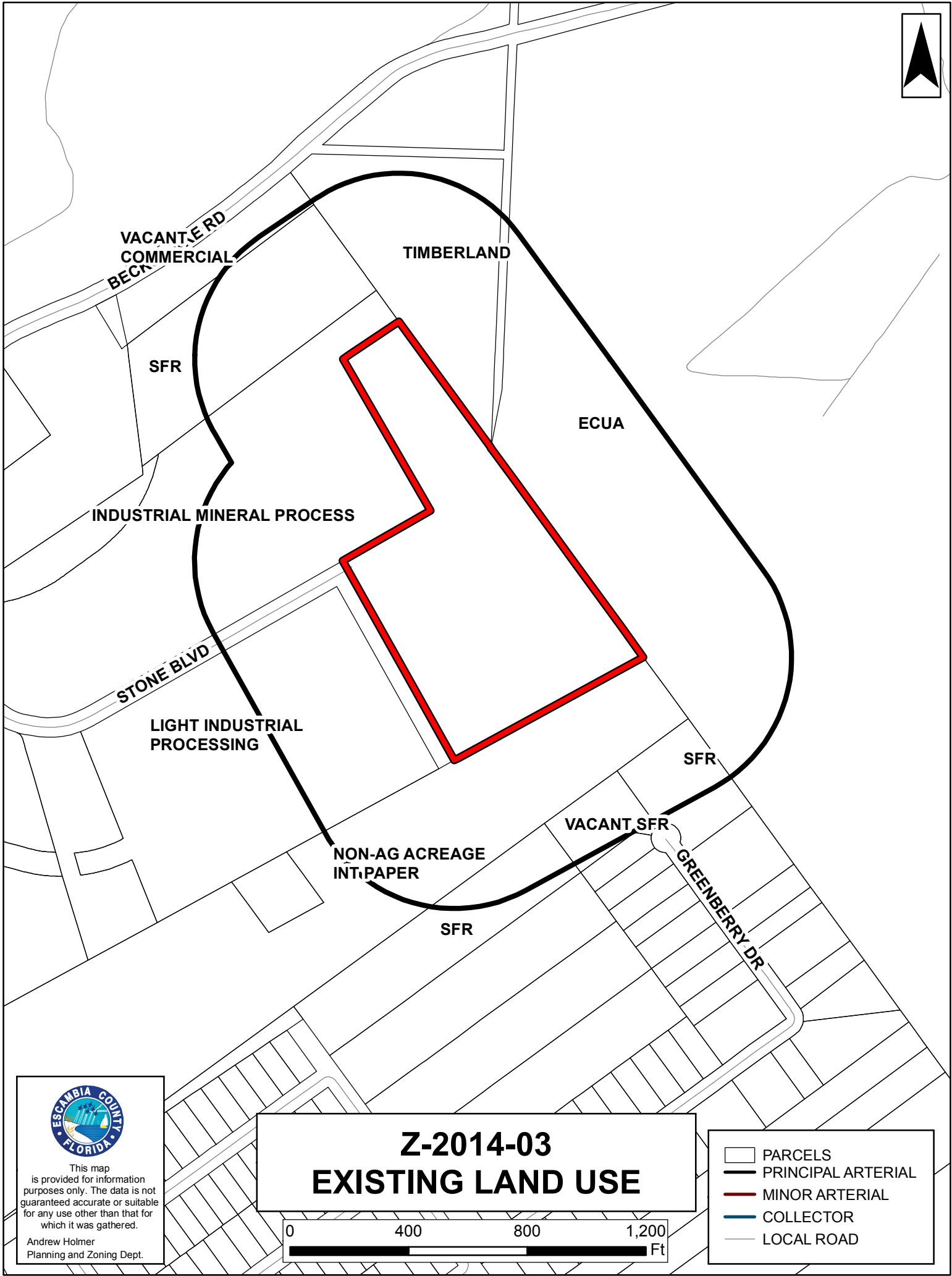
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2014-03 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.

Z-2014-03 EXISTING LAND USE

0 400 800 1,200
Ft

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



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

Andrew Holmer
Planning and Zoning Dept.

Z-2014-03 AERIAL MAP

0 200 400 600
Ft

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



NOTICE OF PUBLIC HEARING REZONING

CASE NO.: Z-2014-03
CURRENT ZONING: ID-CP PROPOSED ZONING: ID2

PLANNING BOARD

DATE: 03/04/14 TIME: 8:30 AM

LOCATION OF HEARING

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

BOARD OF COUNTY COMMISSIONERS

DATE: 04/03/14 TIME: 5:45 PM

LOCATION OF HEARING

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

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

PLEASE DO NOT REMOVE THIS SIGN

Public Hearing sign



Looking East From Stone



Looking Southeast from Stone



Looking Southeast into Site



January 28, 2014

Escambia County Government
Development Services Division
Attn: Horace Jones, Interim Director
3363 W. Park Place
Pensacola, FL 32505

**PROJ: VULCAN CANTONMENT TERMINAL FACILITY (KLF #117823/2.4;
MOU14L0134)**
RE: REZONING APPLICATION
PARCEL REFERENCE ID #141N311001011002

Dear Mr. Jones:

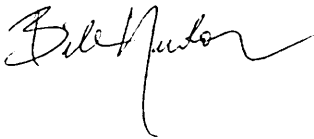
Attached, please find the rezoning application for Parcel Reference ID #141N311001011002 located at the end of Stone Boulevard, east of U.S. Route 29/Palafox Highway and south of Becks Lake Road in Section 14, Township 1 North, Range 31 West, Cantonment, Escambia County, Florida, which is associated with the Vulcan Cantonment Terminal Facility project. Said project is proposing the construction of a terminal facility with rail line connection which will import, store, and distribute aggregate materials. As such, rezoning of the referenced parcel from ID-CP to ID-2 is required to ensure compatibility with Escambia County's Land Development Codes as indicated in the reviewer comments associated with site plan approval application # PSP1312000126 and discussed with you during a conference call on January 13, 2014. As required, the items being included with this submittal are as follows:

- The submittal fee of \$1,270.50 included in a check for \$4,235.00 made out to Escambia County (the submittal fee of \$2,964.50 for the FLUM amendment application is also included in this check amount)
- A completed, signed and notarized Rezoning Application
- A completed and signed Concurrence Determination Acknowledgement form
- A completed, signed, and notarized Affidavit of Owner and Limited Power of Attorney form
- A completed application checklist
- Legal proof of ownership in the form of a warranty deed

- Legal description of the referenced parcel
- A signed and sealed boundary survey of the referenced parcel
- A site plan of the overall project drawn to scale

We respectfully request your review of these materials. If you have any questions about the project or enclosed items, please do not hesitate to contact me at your earliest convenience.

Sincerely,



Bill Newlon
Senior Environmental Scientist

enc.

c: Joe Howle (w/enc.)
Rick Phillips (w/enc.)
Cheryl DeCrenza



Development Services Department

Escambia County, Florida

APPLICATION

Please check application type:

☐ Administrative Appeal

☐ Development Order Extension

☐ Conditional Use Request for: _____

☐ Variance Request for: _____

☒ Rezoning Request from: ID-CP to: ID-2

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

Owner(s) Name: Black Gold of Northwest Florida, LLC, Cody Rawson Phone: 850-916-0991

Address: 106 Stone Blvd., Cantonment, FL 32533 Email: crawson@roadsinc.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: End of Stone Blvd., Cantonment, FL 32533

Property Reference Number(s)/Legal Description: 141N311001011002 / Legal description is attached

By my signature, I hereby certify that:

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

Signature of Owner/Agent

Bill Newlon

Printed Name Owner/Agent

Date

Signature of Owner

Printed Name of Owner

Date

STATE OF Florida

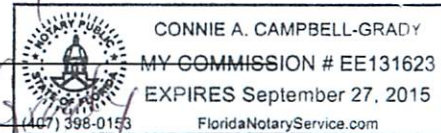
COUNTY OF Lake

The foregoing instrument was acknowledged before me this 27th day of January 20 14,
by Bill Newlon

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

Signature of Notary

Printed Name of Notary



FOR OFFICE USE ONLY

CASE NUMBER: Z-2014-03

Meeting Date(s): FB 3-4-14/BCC 4-3-14 Accepted/Verified by: _____ Date: _____

Fees Paid: \$ 1270.50 Receipt #: _____ Permit #: PRZ14 0100003



Development Services Department
Escambia County, Florida

FOR OFFICE USE:

CASE #: Z-2014-03

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

For Rezoning Requests Only

Property Reference Number(s): 141N311001011002

Property Address: End of Stone Blvd., Cantonment, FL 32533


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

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

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

- a. The necessary facilities or services are in place at the time a development permit is issued.
- b. A development permit is issued subject to the condition that the necessary facilities and services will be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- c. For parks and recreation facilities and roads, the necessary facilities are under construction at the time the development permit is issued.
- d. For parks and recreation facilities, the necessary facilities are the subject of a binding executed contract for the construction of the facilities at the time the development permit is issued and the agreement requires that facility construction must commence within one year of the issuance of the development permit.
- e. The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, F.S., or as amended, or an agreement or development order issued pursuant to Chapter 380, F.S., or as amended. For transportation facilities, all in-kind improvements detailed in a proportionate fair share agreement must be completed in compliance with the requirements of Section 5.13.00 of the LDC. For wastewater, solid waste, potable water, and stormwater facilities, any such agreement will guarantee the necessary facilities and services to be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- f. For roads, the necessary facilities needed to serve the development are included in the first three years of the applicable Five-Year Florida Department of Transportation (FDOT) Work Program or are in place or under actual construction no more than three years after the issuance of a County development order or permit.

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS 17th DAY OF January, YEAR OF 2014.


Signature of Property Owner

Cody Rawson
Printed Name of Property Owner

01/17/2014
Date

Signature of Property Owner

Printed Name of Property Owner

Date



Development Services Department
Escambia County, Florida

FOR OFFICE USE:

CASE #: 2-2014-03

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at the end of Stone Blvd., Cantonment, FL 32533,
Florida, property reference number(s) 141N311001011002

I hereby designate Bill Newlon 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 17th day of January 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: Bill Newlon Email: bnewlon@kleinfelder.com

Address: Kleinfelder, 1174 Camp Ave., Mt. Dora, FL 32757 Phone: 352-383-1444

Signature of Property Owner

Cody Rawson
Printed Name of Property Owner

01/17/2014
Date

Signature of Property Owner

Printed Name of Property Owner

Date

STATE OF Florida

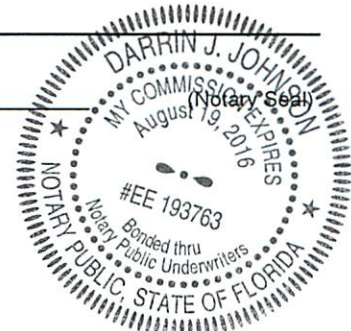
COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 17 day of January 20 14,
by Cody Rawson.

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

Signature of Notary

Darrin J. Johnson
Printed Name of Notary





**APPLICATION
ATTACHMENTS CHECKLIST**

- X 1. For BOA, original letter of request, typed or written in blue ink & **must** include the reason for the request and address all criteria for the request as outlined in LDC Article 2.05 (dated, signed & notarized – notarization is only necessary if an agent will be used).
- X 2. Application filled out completely, which consists of the following:
- a) Application/Owner Certification Form - Notarized Original (page 1)
(signatures of ALL legal owners or authorized agent are required)
 - b) Concurrency Determination Acknowledgment form - Original (if applicable) (page 2)
 - c) Affidavit of Owner & Limited Power of Attorney form - Notarized Original (if applicable) (signatures of ALL legal owners are required) (page 3)
- X 3. Legal Proof of Ownership (e.g. copy of Tax Notice or Warranty Deed).
Include Corporation/LLC documentation or a copy of Contract for Sale if applicable.
- X 4. Legal Description of Property Street Address / Property Reference Number
- X 5. a. Rezoning: Boundary Survey of subject property(s) to include total acreage, all easements, and signed & sealed by a surveyor registered in the state of Florida.
b. BOA: Site Plan drawn to scale.
- N/A 6. For Rezoning requests: If the subject parcel does not meet the roadway requirements of Locational Criteria (Comprehensive Plan 7.A.4.13 & LDC 7.20.00.), a compatibility analysis to request a waiver or an exemption to the roadway requirements will need to be submitted as part of the application.
- N/A 7. Pre-Application Summary Form, Referral Form, Zoning Verification Request Form and/or copy of citation from Code Enforcement Department if applicable.
- X 8. Application fees. (See Instructions page for amounts) Payment cannot be accepted after **3:00pm**.

Please note: Forms with signatures dated more than sixty (60) days prior to application submittal will not be accepted as

Please make the following three appointments with the Coordinator.

Appointment for pre-application meeting: _____

Appointment to turn in application: _____

Appointment to receive findings-of-fact: _____

REC'D JAN 31 2014

RETURN TO:
McDonald Fleming Moorhead
4636 Summerdale Blvd.

Pace, FL 32571

SRM-11-4885

Prepared By:

Ashley S. Harris, Esq.

Adams and Reese LLP

Post Office Box 1348

Mobile, Alabama 36633

(251) 433-3234

SPECIAL WARRANTY DEED

STATE OF FLORIDA
COUNTY OF ESCAMBIA

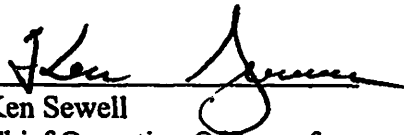
KNOW ALL MEN BY THESE PRESENTS that SEVEN STATES TIMBERLANDS, LLC, a Delaware limited liability company ("Grantor"), with a mailing address of c/o Molpus Timberlands Management LLC, 178 Bonhomie Road, Hattiesburg, MS 39401 for and in consideration of Ten and No/100ths Dollars (\$10.00) and other good and valuable consideration hereby acknowledged to have been paid to Grantor by BLACK GOLD OF NORTHWEST FLORIDA, LLC, a Florida limited liability company ("Grantee"), with a mailing address of 106 Stone Boulevard, Cantonment, Florida 32533 does, upon and subject to any and all conditions, covenants, easements, exceptions, limitations, reservations, and restrictions hereinafter contained or mentioned, hereby grants, bargains, sells and conveys unto Grantee, that certain real property ("Property") situated in Escambia County, Florida, as is more particularly described on Exhibit "A," which is attached hereto and adopted and incorporated herein as if fully set out, TOGETHER, with all and singular, the rights, members, privileges, hereditaments, easements, appurtenances, and improvements thereunto belonging or in anywise appertaining thereto, TO HAVE AND TO HOLD unto Grantee, its successors and assigns, forever.

Grantor does bind Grantor and its successors and assigns to warrant and forever defend the title to the Property to the Grantee and its successors and assigns, against every person lawfully claiming the Property, or any part thereof, by, through, or under the Grantor, but not otherwise, and any such warranties of title shall be subject to those matters set forth on Exhibit B, which is attached hereto and adopted and incorporated herein as if fully set out. Such matters are not reimposed. Except for the warranties of title contained herein, Grantor makes no warranty whatsoever, whether express or implied and conveys the Property to Grantee "AS IS" with all faults.

All recording references in this deed are to the public records of the Clerk of Escambia County, Florida.

IN WITNESS WHEREOF, Grantor has caused its name to be duly executed to this deed on this the 13 day of December, 2011 to be effective on the 15th day of December, 2011.

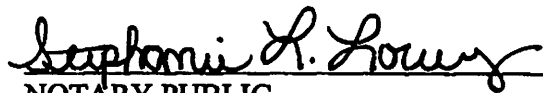
SEVEN STATES TIMBERLANDS, LLC
A Delaware limited liability company

BY: 
Name: Ken Sewell
Title: Chief Operating Officer of
Molpus Timberlands Management, LLC,
its authorized agent and property manager

STATE OF Mississippi
COUNTY OF Forrest

The foregoing instrument was acknowledged before me this 13th of December, 2011, by Ken Sewell as Chief Operating Office of Molpus Timberlands Management, LLC, a Mississippi limited liability company, who is personally known to me.




NOTARY PUBLIC
My Commission Expires: 03-01-2014

Attachments:

- Exhibit "A"- Description of the Property
- Exhibit "B"- Statutory Warranty Exceptions

Exhibit "A"

(The Premises – Tranche One)

Description of the Property

All recording references herein are to the records appearing in the land records of Escambia County, Florida, unless otherwise indicated.

TRANCHE ONE PROPERTY

Township 1 North, Range 31 West

Section 14: Commence at the Northeast corner of Section 14, Township 1 North, Range 31 West, Escambia County, Florida; thence South 33 degrees 15 minutes 05 seconds East along the East line of said Section 14 for a distance of 488.2 feet to the South line of the property described in Official Records Book 5708, at Page 434 and the Point of Beginning; thence continue South 33 degrees 15 minutes 05 seconds East along said East line for 1536.26 feet to the South line of the parcel described in Deed Book 254, at Page 42; thence South 61 degrees 01 minutes 23 seconds West along said South line for 712.31 feet to the Easterly line of the parcel deeded to Project 1378 as recorded in Official Record Book 2213 at Page 360; thence North 29 degrees 44 minutes 37 seconds West along said line and the extension thereof for 772.38 feet to the Northerly right-of-way line of the road deeded to Escambia County recorded in Official Record Book 2198, at Page 68 and the South line of said property described in Official Records Book 5708 at Page 434; thence North 60 degrees 15 minutes 23 seconds East along an extension of said right-of-way line and said South property line for 400.05 feet; thence North 29 degrees 44 minutes 37 seconds West along said East line of said property described in Official Records Book 5708 at Page 434 for 604.95 feet; thence North 58 degrees 01 minutes 40 seconds East along the South line of said property described in Official Records Book 5708 at Page 434 for 226.83 feet to the Point of Beginning.

Grantor reserves for itself, its successors and assigns, a non-exclusive easement for ingress and egress across all existing roads on the Property. This reservation shall expire, and all rights reserved herein shall revert to the Grantee, upon conveyance by Grantor to Grantee of Grantor's interest in Lots 26, 46, 47, 48 and 49 of Leonard Tract Subdivision as recorded in Deed Book 100, at Page 171, located in Section 11, Township 1 North, Range 31 West, of Escambia County, Florida.

Exhibit B
Escambia County, Florida

Exceptions to Any and All Warranties of Title

1. **"Permitted Exceptions"** shall mean: (a) the lien for ad valorem taxes not yet due and payable; (b) all oil, gas and other minerals as may have been previously reserved by or conveyed to others and any mineral leases or other documents concerning the mineral estate; (c) all rights, easements and servitudes incident to and a part of the mineral estate underlying the Property and all oil, gas, salt water or disposal wells sites; and (d) boundary line disputes, overlaps, encroachments, graveyards, the names of roads, rivers, or other monuments in legal descriptions, the precise location of property having an indefinite description which would be disclosed by an accurate survey and inspection of the Property and shall further include the following:
2. Oil, gas and mineral reservations contained in instrument recorded in OR Book 394, Page 468.
3. Mineral and Royalty Deed by International Paper Company and others to Pure Resources, L.P., recorded in OR Book 4681, Page 530.
4. Surface Use Restrictions Agreement between International Paper and others, and Pure Resources, L.P., recorded in OR Book 4960, Page 524.
5. Mineral and Royalty Deed from Pure Resources, L.P., to Black Stone Ivory Acquisitions Partners, L.P., recorded in OR Book 5452, Page 906.
6. Mineral and Royalty Deed from Black Stone Ivory Acquisitions Partners, L.P., et al. recorded in OR Book 5452, Page 938.
7. Easement granted to Gulf Power Company by instrument recorded in Deed Book 294, Page 17.
8. Easement recorded in OR Book 2249, Page 796 and 809.
9. Deeds to Escambia County recorded in OR Book 2198, Page 68, and OR Book 3566, Page 373, for road purposes.

Full Legal Description for Parcel Reference ID #141N311001011002

A portion of Section 14, Township 1 North, Range 31 West, Escambia County, Florida; more particularly described as follows:

Commence at the northeast corner of said Section 14; thence South 33 degrees 15'05" East (South 33 degrees 14'51" East exist) along the east line of said Section 14 for a distance of 488.23 feet for the point of beginning.

Thence continue South 33 degrees 15'05" East (South 33 degrees 14'51" East exist) along the east line of said Section 14 for a distance of 1406.13 feet (1406.12 feet exist); thence South 61 degrees 01'23" West for a distance of 652.30 feet to the east line of parcel described In Official Record Book 3566 at page 373 of the public records of said County; thence North 29 degrees 44'37" West along said east line for a distance of 773.19 feet to the south line of parcel described In Official Record Book 5708, page 434, Tract 111; thence North 60 degrees 15'23" East along said south line for a distance of 340.00 feet (340.18 feet exist) to the east line of parcel described In Official Record Book 5708, page 434, Tract 111; thence North 29 degrees 44'37" West along said east line for a distance of 604.85 feet to the south line of parcel described in Official Record Book 5708, page 434, tract 111; thence North 56 degrees 01'40" East along said south line for a distance of 226.83 feet (226.74 feet exist) to the point of beginning.

All lying and being in Section 14, Township 1 North, Range 31 West, Escambia County, Florida. Containing 14.67 acres, more or less.

STONE BOULEVARD 66' R/W
(OR 2198, P 68)

1.0 CONCRETE CURB
#0340

60' R/W
OR 3566, PAGE 373
N 29°44'37" W

773.19'

EAST LINE O R 3566, PAGE 373

14.1'

N 60°15'23" E
340.00' DEED
340.18' EXIST

SOUTH LINE O R 5708,
PAGE 434, TRACT III

VACANT
PARCEL

45' GAS EASEMENT

S 61°01'23" W

652.30'

604.85'

N 29°44'37" W

EAST LINE O R 5708,
PAGE 434, TRACT III

N 56°01'40" E
226.83' DEED
226.74' EXIST

SOUTH LINE O R 5708,
PAGE 434, TRACT II

1406.13' DEED
1406.12' EXIST

S 33°15'05" E
S 33°14'51" E

418.50'

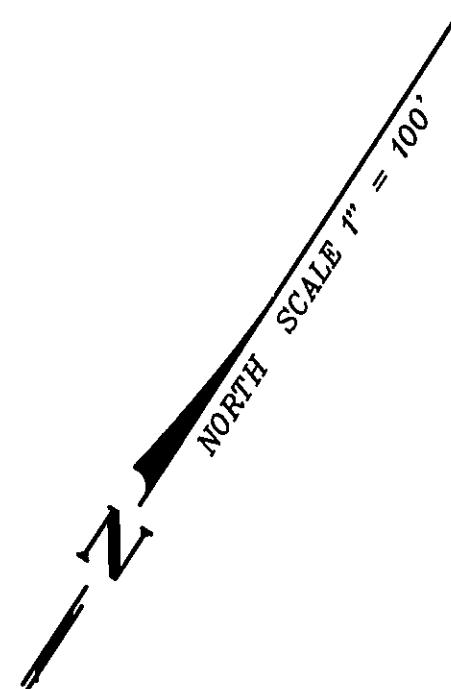
11

12

11

488.23'
S 33°15'05" E DEED
S 33°14'51" E EXIST

P.O.C. NORTHEAST CORNER
SECTION 14, T-1-N, R-31-W



LEGEND

- R/W Right of way
P.O.B. Point of beginning
P.O.C. Point of commencement
● 1/2" Capped iron rod set #7073
○ 1/2" Capped iron rod found # noted
○ 2" Iron pipe found
■ Concrete monument found #0340

SURVEYOR'S NOTES

- 1 Subject to setbacks, easements and restrictions of record
- 2 This survey is subject to any facts that may be disclosed by a full and accurate title search. No title work performed by this firm.
- 3 This survey does not reflect or determine ownership.
- 4 This drawing only reflects setback lines, which appear on the recorded plat. This property may also be subject to setback lines mandated by zoning ordinances and/or restrictive covenants of record.
- 5 Footers and foundations below natural grade not located.

LEGAL DESCRIPTION

A portion of Section 14, Township 1 North, Range 31 West, Escambia County, Florida, more particularly described as follows:

Commence at the northeast corner of said Section 14, thence South 33 degrees 15'05" East (South 33 degrees 14'51" East exist) along the east line of said Section 14 for a distance of 488.23 feet for the point of beginning.

Thence continue South 33 degrees 15'05" East (South 33 degrees 14'51" East exist) along the east line of said Section 14 for a distance of 1406.13 feet (1406.12 feet exist), thence South 61 degrees 01'23" West for a distance of 652.30 feet to the east line of parcel described in Official Record Book 3566 at page 373 of the public records of said County, thence North 29 degrees 44'37" West along said east line for a distance of 773.19 feet to the south line of parcel described in Official Record Book 5708, page 434, Tract III, thence North 60 degrees 15'23" East along said south line for a distance of 340.00 feet (340.18 feet exist) to the east line of parcel described in Official Record Book 5708, page 434, Tract III, thence North 29 degrees 44'37" West along said east line for a distance of 604.85 feet to the south line of parcel described in Official Record Book 5708, page 434, Tract II, thence North 56 degrees 01'40" East along said south line for a distance of 226.83 feet (226.74 feet exist) to the point of beginning.

All lying and being in Section 14, Township 1 North, Range 31 West, Escambia County, Florida, containing 14.67 acres, more or less.

A BOUNDARY SURVEY AND
LEGAL DESCRIPTION

Measurements made in accordance with United States Standards

Bearing Reference NORTH BASED ON THE EAST LINE OF SECTION 14

AS S 33°14'51" E
Ordered By MR. DAVID WHITEHOUSE, Elevation Reference
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 Land Surveyors in Chapter 61G17-6, Florida Administration Code, pursuant to Section 472.027 Florida Statutes.

Walter J. Glaze
PSM #190
David D. Glaze
PSM #5605

SHEET
1
OF
1

NOT VALID
UNLESS IMPRINTED
WITH EMBOSSED
SEAL AND SIGNED
BY SURVEYOR

SCALE 1" = 100'
FILE NO E-3749
JOB NO 33748-08
FB 1333 PG 59-68
FB PG

Date of Survey 8-26-08
Date of Plat 8-28-08
Encroachments

Drawn by PMJ

REC'D JAN 31 2014

PITTMAN, WILKINSON & ASSOCIATES, INC.
LAND SURVEYORS
700 NORTH NINTH AVENUE
PENSACOLA, FLORIDA 32501
(904) 434-6666 FAX (904) 434-6661
EMAIL: pgsurvey@bellsouth.net



**Development Services Department
Building Inspections Division**

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

RECEIPT

Receipt No. : **599145**

Date Issued. : 02/04/2014

Cashier ID : CASTILLS

Application No. : PRZ140100003

Project Name : Z-2014-03

PAYMENT INFO

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

Credit Card

MC 2909

\$1,270.50

App ID : PRZ140100003

\$1,270.50

Total Credit Card

Received From : TINA PADALINO

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

Change Due : \$0.00

APPLICATION INFO

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

PRZ140100003	690846	1,270.50	\$0.00	106 STONE BLVD, CANTONMENT, FL, 32533
--------------	--------	----------	--------	---------------------------------------

Total Amount :

1,270.50

\$0.00

Balance Due on this/these
Application(s) as of 2/5/2014

BLACK GOLD OF NORTHWEST
FLORIDA
106 STONE BLVD
CANTONMENT, FL 32533

SCHWARTZ DAVID L &
411 BECKS LAKE RD
CANTONMENT, FL 32533

BLACK GOLD OF NORTHWEST FLORIDA
LLC
110 STONE BLVD
CANTONMENT, FL 32533

SCHWARTZ DAVID L & MELINDA W
411 BECK'S LAKE RD
CANTONMENT, FL 32533

INTERNATIONAL PAPER COMPANY
PO BOX 2118
MEMPHIS, TN 38101

SEAWAY WAREHOUSING LLC
1841 OLD CHEMSTRAND RD
CANTONMENT, FL 32533

GADDIS MICHAEL R &
711 GREENBERRY DR
CANTONMENT, FL 32533

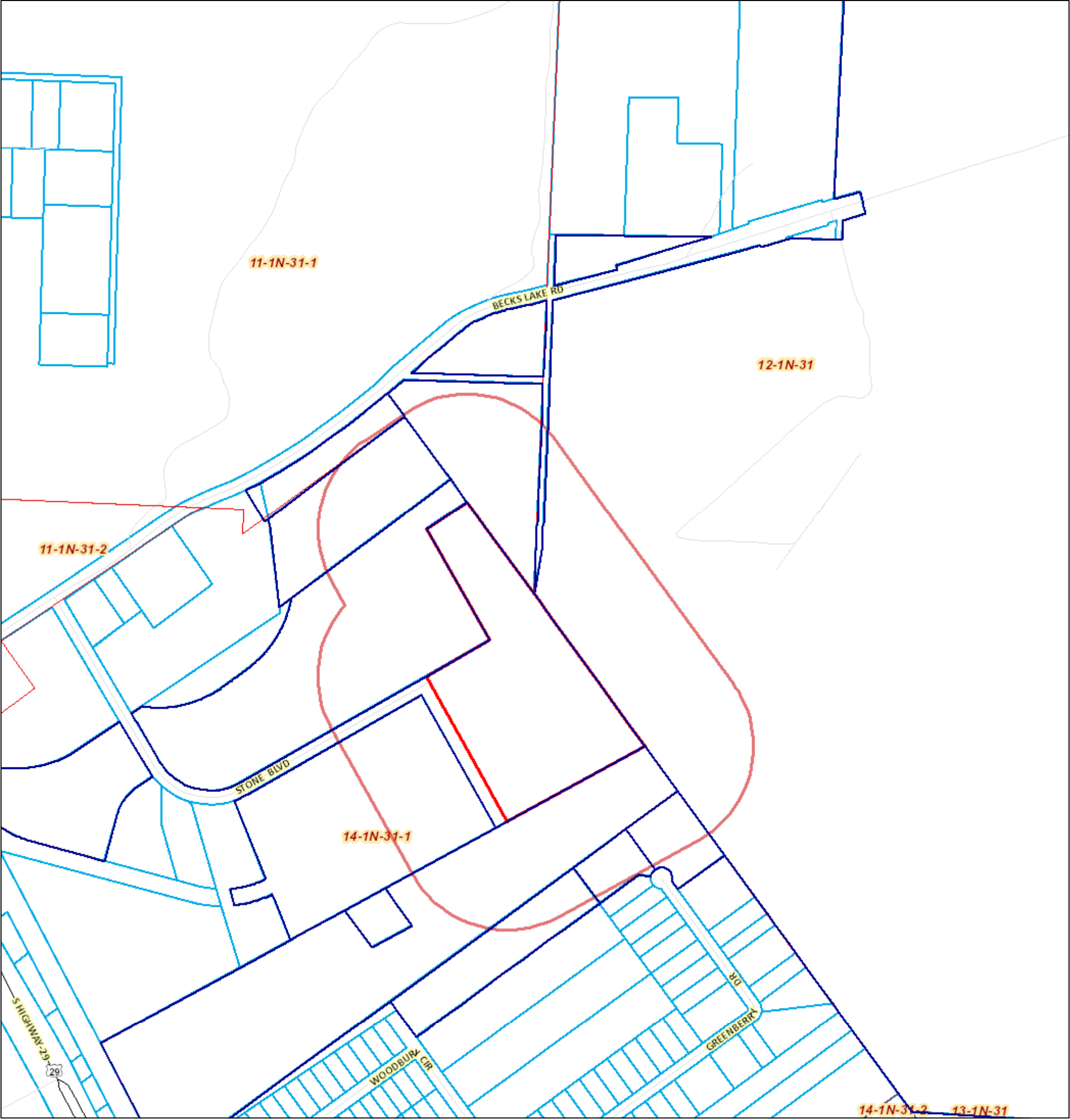
JAQUISH DAN
5720 N W ST
PENSACOLA, FL 32505

THOMPSON WILLARD C
3080 WOODBURY CIR
CANTONMENT, FL 32533

EMERALD COAST UTILITIES
AUTHORITY
PO BOX 15311
PENSACOLA, FL 32514

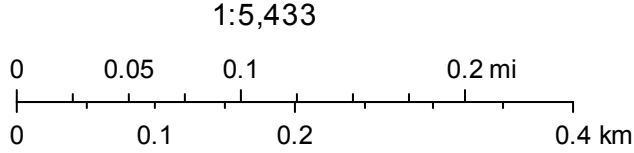
SEVEN STATES TIMBERLANDS LLC
654 NORTH STATE ST
JACKSON, MS 39202

Chris Jones Escambia County Property Appraiser



February 7, 2014

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



Planning Board-Rezoning

5. C.

Meeting Date: 03/04/2014
CASE : Z-2014-04
APPLICANT: Ronald D. Bailey, Trustee for Ronald D. Bailey Trust
ADDRESS: 12501 Lillian Hwy
PROPERTY REF. NO.: 02-2S-32-6000-002-002
MU-U, Mixed-Use
FUTURE LAND USE: Urban
DISTRICT: 1
OVERLAY DISTRICT: N/A
BCC MEETING DATE: 04/03/2014

SUBMISSION DATA:

REQUESTED REZONING:

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

TO: R-6, Neighborhood Commercial and Residential District, (cumulative) High Density (25 du/acre)

RELEVANT AUTHORITY:

- (1) Escambia County Comprehensive Plan
- (2) Escambia County Land Development Code
- (3) Board of County Commissioners of Brevard County v. Snyder, 627 So. 2d 469 (Fla. 1993)
- (4) Resolution 96-34 (Quasi-judicial Proceedings)
- (5) Resolution 96-13 (Ex-parte Communications)

CRITERION (1)

Consistent with the Comprehensive Plan.

Whether the proposed amendment is consistent with the Comprehensive Plan.

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

CPP FLU 1.1.9 Buffering. In the LDC, Escambia County shall ensure the compatibility of adjacent land uses by requiring buffers designed to protect lower intensity uses from more intensive uses, such as residential from commercial. Buffers shall also be used to protect agricultural activities from the disruptive impacts of nonagricultural land uses and protect nonagricultural uses from normal agricultural activities.

CPP FLU 1.3.1 Future Land Use Categories. The Mixed-Use Urban (MU-U) Future Land Use (FLU) category is intended for an intense mix of residential and nonresidential uses while promoting compatible infill development and the separation of urban and suburban land uses

within the category as a whole. Range of allowable uses include: Residential, Retail and Services, Professional Office, Light Industrial, Recreational Facilities, Public and Civic. The minimum residential density is 3.5 dwelling units per acre and the maximum residential density is 25 dwelling units per acre.

CPP FLU 1.5.3. New Development and Redevelopment in Built Areas. To promote the efficient use of existing public roads, utilities and service infrastructure, the County will encourage redevelopment in underutilized properties to maximize development densities and intensities located in the Mixed Use-Suburban, Mixed Use-Urban, Commercial and Industrial Future Land Use districts categories (with the exception of residential development).

FINDINGS

The proposed amendment to R-6 **is consistent** with the intent and purpose of Future Land Use category MU-U as stated in CPP FLU 1.3.1 This FLU category is intended for an intense mix of residential and nonresidential uses while promoting compatible infill development. The legal, non-conforming use of this parcel falls under the allowed uses in the FLU category and the proposed amendment will utilize the existing roads and infrastructure as stated in CPP FLU 1.5.3.

CRITERION (2)

Consistent with The Land Development Code.

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

6.05.11. R-4 Multiple-Family District, (cumulative) Medium High Density.

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

6.05.13. R-6 Neighborhood Commercial and Residential District, (cumulative) High Density. This district is intended to provide for a mixed use area of residential, office and professional, and certain types of neighborhood convenience shopping, retail sales and services which permit a reasonable use of property while preventing the development of blight or slum conditions. This district shall be established in areas where the intermixing of such uses has been the custom, where the future uses are uncertain and some redevelopment is probable.

FINDINGS

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

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

While this proposed change would create an isolated district on the map, it would serve to remedy the existing legal, non-conforming status of the parcel. The historical use of the property is similar to other sites along Lillian Hwy. that were granted original R-6 zoning to reflect their existing uses. This is seen on the map as the nodes of R-6 along Lillian Hwy. from Dog Track Rd. to the Lillian bridge. In addition, this parcel is located along an arterial roadway within one-quarter mile of a collector/arterial intersection and meets the R-6 locational criteria.

CRITERION (3)

Compatible with surrounding uses.

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

FINDINGS

The proposed amendment is compatible with surrounding existing uses in the area given the pre-existing legal use of the parcel. Within the 500' radius impact area, staff observed properties with zoning districts R-2 and R-4. In the area staff noted 22 single family residences, 10 vacant parcels and 2 mobile homes. The mixed residential and neighborhood commercial uses allowed by the proposed R-6 zoning could be compatible with these surrounding residential zonings and uses.

CRITERION (4)

Changed conditions.

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

FINDINGS

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

CRITERION (5)

Effect on natural environment.

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

FINDINGS

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

CRITERION (6)

Development patterns.

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

FINDINGS

The proposed amendment **would** result in a logical and orderly development pattern. The proposed rezoning from R-4 to R-6 would not be out of character given the existing legal, non-conforming use of the parcel along with the other nodes of R-6 zoning along Lillian Highway.

Attachments

Z-2014-04

Z-2014-04



PERDIDO BAY

TRACY RD

MIRAMAR DR

HALCYON CIR

LILLIAN HWY

HARTUNG AVE



JOAQUIN RD

BRONSON RD

AILANTHUS DR

ER RD



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

Andrew Holmer
Planning and Zoning Dept.

Z-2014-04 LOCATION MAP



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



PERDIDO BAY

R-2

R-2

R-2

JOAQUIN RD

LILLIAN HWY

R-4

R-4

R-4

BRONSON RD

JUAN RD

JOAQUIN RD

R-4

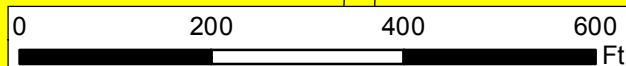
R-4



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

Andrew Holmer
Planning and Zoning Dept.

Z-2014-04 500' RADIUS ZONING



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



PERDIDO BAY

MU-S

MU-S

JOAQUIN RD

LILLIAN HWY

MU-U

MU-S

MU-U

BRONSON RD

JUAN RD

JOAQUIN RD

MU-S

MU-S

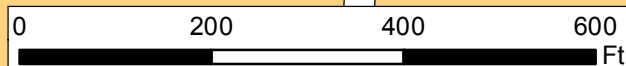
MU-S



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

Andrew Holmer
Planning and Zoning Dept.

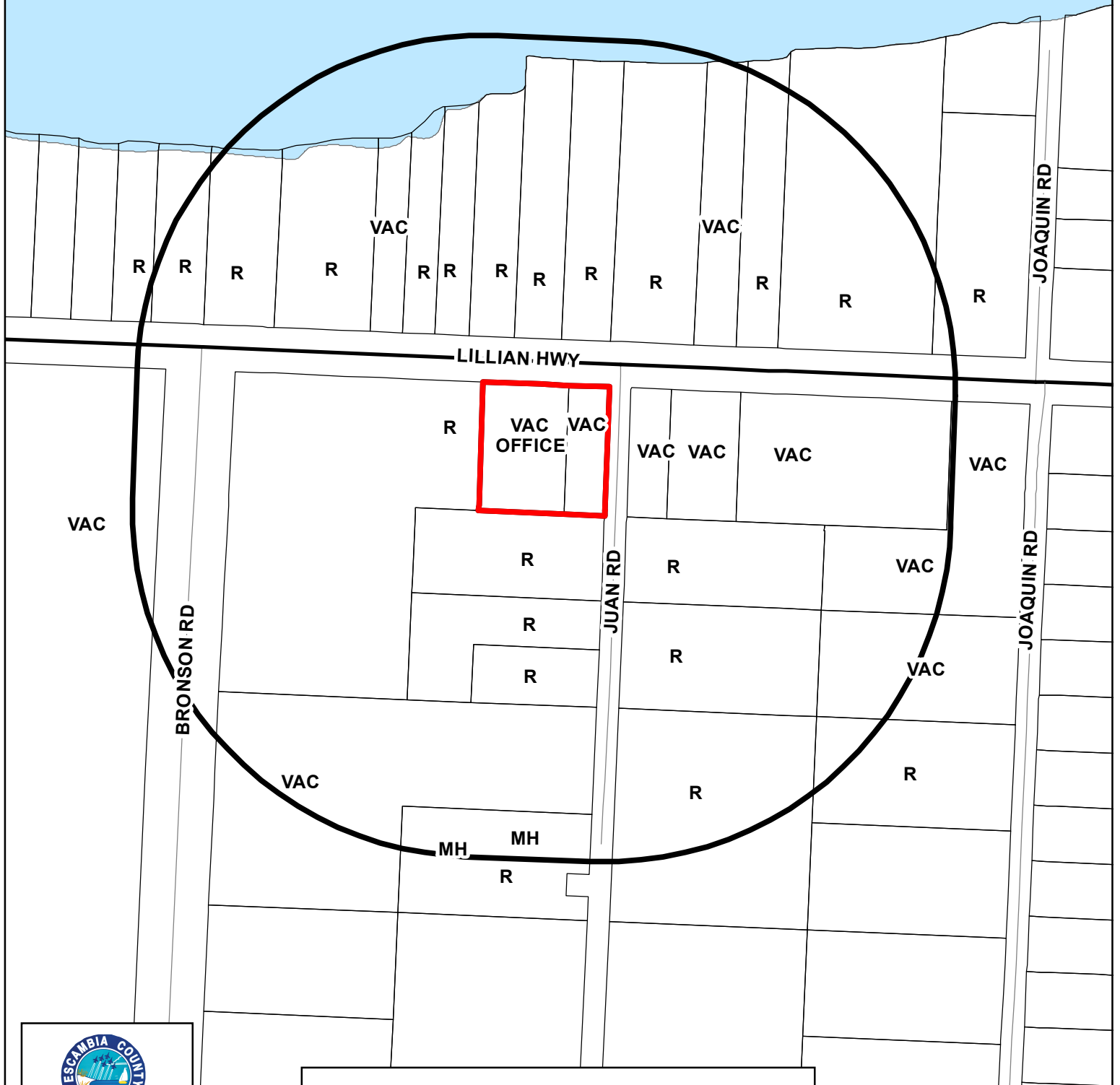
Z-2014-04 FUTURE LAND USE



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



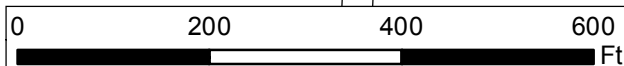
PERDIDO BAY



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

Andrew Holmer
Planning and Zoning Dept.

Z-2014-04 EXISTING LAND USE



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



LILLIAN HWY

JUAN RD



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

Andrew Holmer
Planning and Zoning Dept.

Z-2014-04 AERIAL MAP

0 50 100 150
Ft

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



REZONING

CASE NO.:

Z-2014-04

CURRENT

ZONING:

R-4

PROPOSED

ZONING:

R-6

PLANNING BOARD

DATE

03/04/14

TIME

8:30 AM

LOCATION OF HEARING

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

BOARD OF COUNTY COMMISSIONERS

DATE

04/03/14

TIME

5:45 PM

LOCATION OF HEARING

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

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

PLEASE DO NOT REMOVE THIS SIGN
PROPERTY OF ESCAMBIA COUNTY

Public Hearing Sign



Wt Halford
AVAILABLE
850 433-0577
KEN ELLZEY

Red sign with text and graphics, partially obscured by leaves.

TRC
Ron Bailey
Construction, Inc.
(850) 456-9294

Looking East on Lillian



Looking South on Juan



Looking South



Looking West on Lillian



Development Services Department

Escambia County, Florida

APPLICATION

Please check application type:

☐ Administrative Appeal

☐ Development Order Extension

☐ Conditional Use Request for: _____

☐ Variance Request for: _____

☒ Rezoning Request from: R-4 to: R-6

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

Owner(s) Name: Ronald D. Bailey, Trustee for Ronald D. Bailey, Trust Phone: 850-380-6675

Address: P.O. Box 3261, Pensacola, FL 32516 Email: RONDBAILE@AOL.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: 12501 Lillian Hwy. Pensacola, FL 32506

Property Reference Number(s)/Legal Description: 02-25-32-6000-002-002

Lots 1,2,3,4, Block B of Subdivision No. 1 to Perdido Heights Plat BK 1, Pg. 3

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.

Ronald D. Bailey
Signature of Owner/Agent

Ronald D. Bailey, Trustee
Printed Name Owner/Agent

3 FEB 2014
Date

Signature of Owner

Printed Name of Owner

Date

STATE OF Florida

COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 3 day of February 20 14,
by Ronald D. Bailey.

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

8400-724-43-375-0

Judy Denise Halstead
Signature of Notary
(notary seal must be affixed)

Judy Denise Halstead
Printed Name of Notary



FOR OFFICE USE ONLY

CASE NUMBER: 2-2014-54

Meeting Date(s): PB 3/4/14, BCC - 4/3/14 Accepted/Verified by: A Cam Date: 2/4/14

Fees Paid: \$ _____ Receipt #: _____ Permit #: PR2 140200004



Development Services Department
Escambia County, Florida

FOR OFFICE USE:

CASE #: 2-2014-04

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

For Rezoning Requests Only

Property Reference Number(s): 02-25-32-6000-~~000~~⁰⁰²-002

Property Address: 12501 Lillian Hwy, Pensacola, FL 32506

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

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

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

- The necessary facilities or services are in place at the time a development permit is issued.
- A development permit is issued subject to the condition that the necessary facilities and services will be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- For parks and recreation facilities and roads, the necessary facilities are under construction at the time the development permit is issued.
- For parks and recreation facilities, the necessary facilities are the subject of a binding executed contract for the construction of the facilities at the time the development permit is issued and the agreement requires that facility construction must commence within one year of the issuance of the development permit.
- The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, F.S., or as amended, or an agreement or development order issued pursuant to Chapter 380, F.S., or as amended. For transportation facilities, all in-kind improvements detailed in a proportionate fair share agreement must be completed in compliance with the requirements of Section 5.13.00 of the LDC. For wastewater, solid waste, potable water, and stormwater facilities, any such agreement will guarantee the necessary facilities and services to be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- For roads, the necessary facilities needed to serve the development are included in the first three years of the applicable Five-Year Florida Department of Transportation (FDOT) Work Program or are in place or under actual construction no more than three years after the issuance of a County development order or permit.

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS 3rd DAY OF FEB, YEAR OF 2014.


Signature of Property Owner

Ronald D. Bailey, Trustee
Printed Name of Property Owner

3 FEB 2014
Date

Signature of Property Owner

Printed Name of Property Owner

Date



Development Services Department

Escambia County, Florida

FOR OFFICE USE:

CASE #: 2-2614-04

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at _____,

Florida, property reference number(s) _____

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

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

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

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

Agent Name: _____ Email: _____

Address: _____ Phone: _____

Signature of Property Owner

Printed Name of Property Owner

Date

Signature of Property Owner

Printed Name of Property Owner

Date

STATE OF _____

COUNTY OF _____

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

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

Signature of Notary

Printed Name of Notary

(Notary Seal)



Development Services Department
Escambia County, Florida

FOR OFFICE USE:

CASE #: _____

**APPLICATION
ATTACHMENTS CHECKLIST**

- N/A 1. For BOA, original letter of request, typed or written in blue ink & **must** include the reason for the request and address all criteria for the request as outlined in LDC Article 2.05 (dated, signed & notarized – notarization is only necessary if an agent will be used).
- _____ 2. Application/Owner Certification Form - Notarized Original (page 1) (signatures of ALL legal owners or authorized agent are required)
- _____ 3. Concurrency Determination Acknowledgment form - Original (if applicable) (page 2)
- _____ 4. Affidavit of Owner & Limited Power of Attorney form - Notarized Original (if applicable) (page 3) (signatures of ALL legal owners are required)
- ✓ 5. Legal Proof of Ownership (e.g. copy of Tax Notice or Warranty Deed). Include Corporation/LLC documentation or a copy of Contract for Sale if applicable.
- ✓ 6. Legal Description of Property Street Address / Property Reference Number
- ✓ 7. a. Rezoning: Boundary Survey of subject property to include total acreage, all easements, and signed & sealed by a surveyor registered in the state of Florida.
b. ~~BOA: Site Plan drawn to scale.~~
- N/A 8. For Rezoning requests: If the subject parcel does not meet the roadway requirements of Locational Criteria (Comprehensive Plan 7.A.4.13 & LDC 7.20.00.), a compatibility analysis to request a waiver or an exemption to the roadway requirements will need to be submitted as part of the application.
- N/A 9. Pre-Application Summary Form, Referral Form, Zoning Verification Request Form and/or copy of citation from Code Enforcement Department if applicable.
- _____ 10. Application fees. (See Instructions page for amounts) Payment cannot be accepted after 3:00pm.

Please note: Forms with signatures dated more than sixty (60) days prior to application submittal will not be accepted as complete.

Please make the following three appointments with the Coordinator.

Appointment for pre-application meeting: _____

Appointment to turn in application: _____

Appointment to receive findings-of-fact: _____

WARRANTY DEED

STATE OF FLORIDA)
COUNTY OF ESCAMBIA)

KNOW ALL MEN BY THESE PRESENTS: That H. PAUL BAILEY and RONALD D. BAILEY as the Sole Surviving Directors and Stockholders of H. PAUL BAILEY & SON BUILDERS, INC., A DISSOLVED FLORIDA CORPORATION, Grantor, for and in consideration of Ten Dollars and other good and valuable considerations, the receipt whereof is hereby acknowledged, do bargain, sell, convey and grant unto RONALD D. BAILEY, TRUSTEE, or his successor in trust under the RONALD D. BAILEY TRUST, dated February 14 2001, and any amendments thereto, Grantee.

(Use of the terms "grantor" and "grantee" shall include singular or plural, the masculine or the feminine, where appropriate, and shall also include, but not be limited to, their heirs, assigns or successors in interest).

The following described real property, situate, lying and being, in the State of Florida, and County of Escambia, to wit:

Lots 1, 2, 3, and 4, Block "B" of Subdivision No. 1 to Perdido Heights, and being Lot 6 of Fractional Section 2, Township 2 South, Range 32 West, Escambia County, Florida, according to plat recorded in Plat Book 1 at Page 3 of the public records of said County.

LOT 1: 02-25-32-6000-001-002 Lots 2,3,4: 02-25-32-6000-002-002.

Subject to taxes for current year and to valid easements, mineral reservations and restrictions of record affecting the above property, if any.

To have and to hold the same, together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, free from all exemptions and right of homestead.

And the grantor covenants that he is well seized of an indefeasible estate in fee simple in the said property, and has a good right to convey the same; that it is free of lien or encumbrance, and that he, his heirs, executors and administrators, the said grantee, his heirs, executors, administrators and assigns, in the quiet and peaceable possession and enjoyment thereof, against all persons lawfully claiming the same, shall and will forever fully warrant and defend.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the 9th day of April, 2002.

Signed, sealed and delivered
in the presence of:
Witnesses as to H. Paul Bailey

Linda M. Ghee
Peggy Bailey

Witnesses as to Ronald D. Bailey

Linda M. Ghee
Peggy Bailey

H. Paul Bailey (Seal)
H. Paul Bailey

Ronald D. Bailey (Seal)
Ronald D. Bailey

All of the above being the sole surviving directors and stockholders of H. Paul Bailey & Son Builders, Inc., a dissolved Florida corporation.

This instrument prepared by:
Peggy Bailey
P. O. Box 3261
Pensacola, FL 32516

This in-
Peggy Bai
P. O. Box
Pensacola, F

DR BK 4950 PG0521
Escambia County, Florida
INSTRUMENT 2002-992735

STATE OF FLORIDA)
COUNTY OF ESCAMBIA)

The foregoing warranty deed was acknowledged before me this 9th
day of April, 2002 by H. Paul Bailey, one of the Sole Surviving
Directors and Stockholders of H. Paul Bailey & Son Builders, Inc.,
a dissolved Florida corporation.


Notary Public

STATE OF FLORIDA)
COUNTY OF ESCAMBIA)

MICHAEL A. BEATON
Notary Public, State of Florida
My comm. exp. Apr. 23, 2002
Comm. No. CC736250

The foregoing warranty deed was acknowledged before me this 9th
day of April, 2002 by Ronald D. Bailey, one of the Sole Surviving
Directors and Stockholders of H. Paul Bailey & Sons Builders, Inc., a
dissolved Florida corporation.


Notary Public

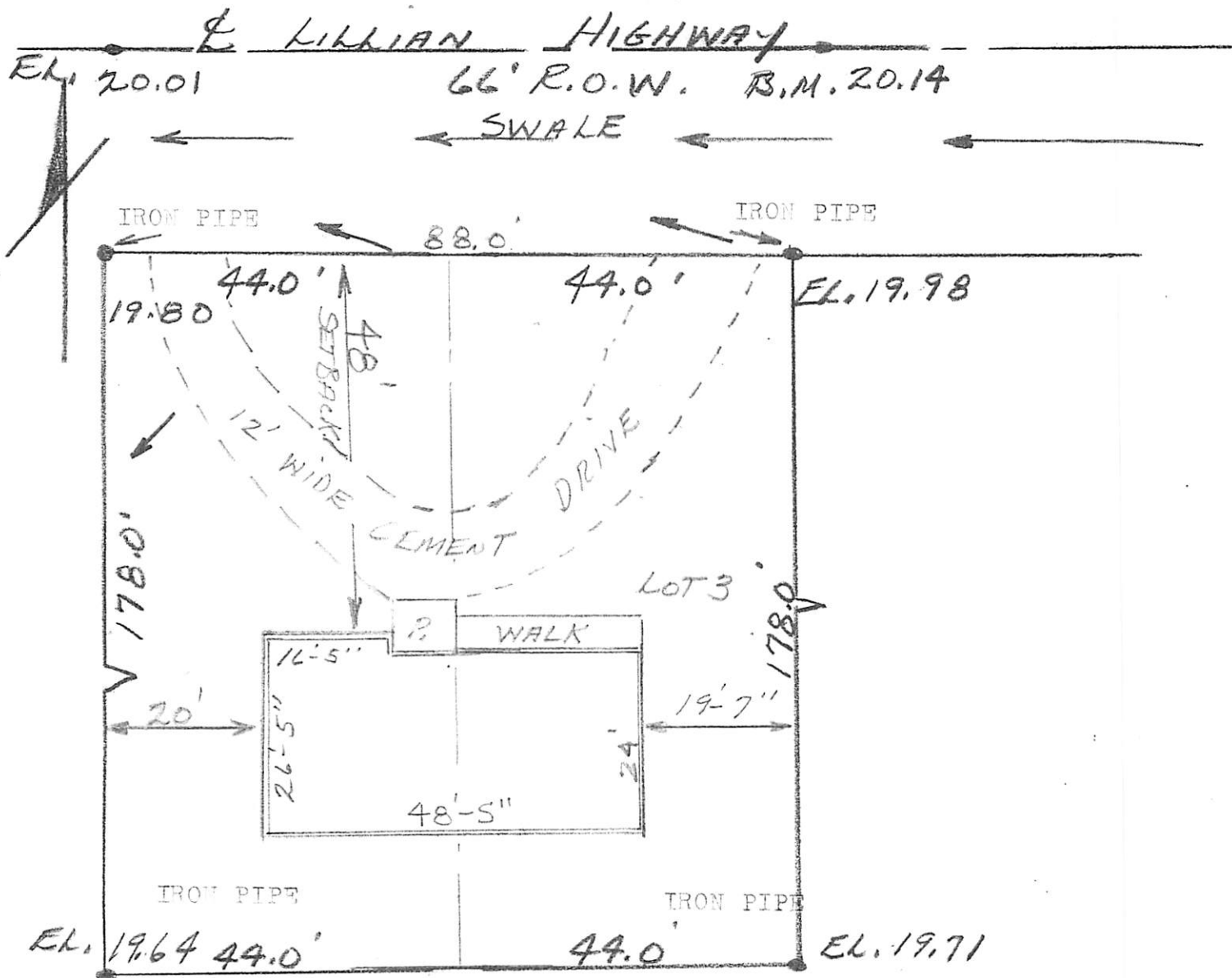
MICHAEL A. BEATON
Notary Public, State of Florida
My comm. exp. Apr. 23, 2002
Comm. No. CC736250

RCD Aug 06, 2002 10:10 am
Escambia County, Florida

ERNIE LEE MAGAHA
Clerk of the Circuit Court
INSTRUMENT 2002-992735

After recording return to:
Peggy Bailey
P.O. Box 3261
Pensacola, Florida 32516

FOR PENSACOLA HOME AND SAVINGS, PENSACOLA, FLA.



SURVEY FOR H. PAUL BAILEY, BUILDER

CORRECT LEGAL DESCRIPTION: LOTS 3 AND 4, BLOCK B, RESUBDIVISION OF SUBDIVISION NUMBER ONE, PERDIDO HEIGHTS, FRAC. SECTION 2, TOWNSHIP 2 SOUTH, RANGE 32 WEST, ESCAMBIA COUNTY, FLORIDA ACCORDING TO PLAT RECORDED IN PLAT BOOK 1, PAGE 3.

DATE: OCTOBER 11, 1973 SCALE: 1 INCH EQUALS 20 FEET

I HEREBY CERTIFY THE SURVEY SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Thomas H. Allen

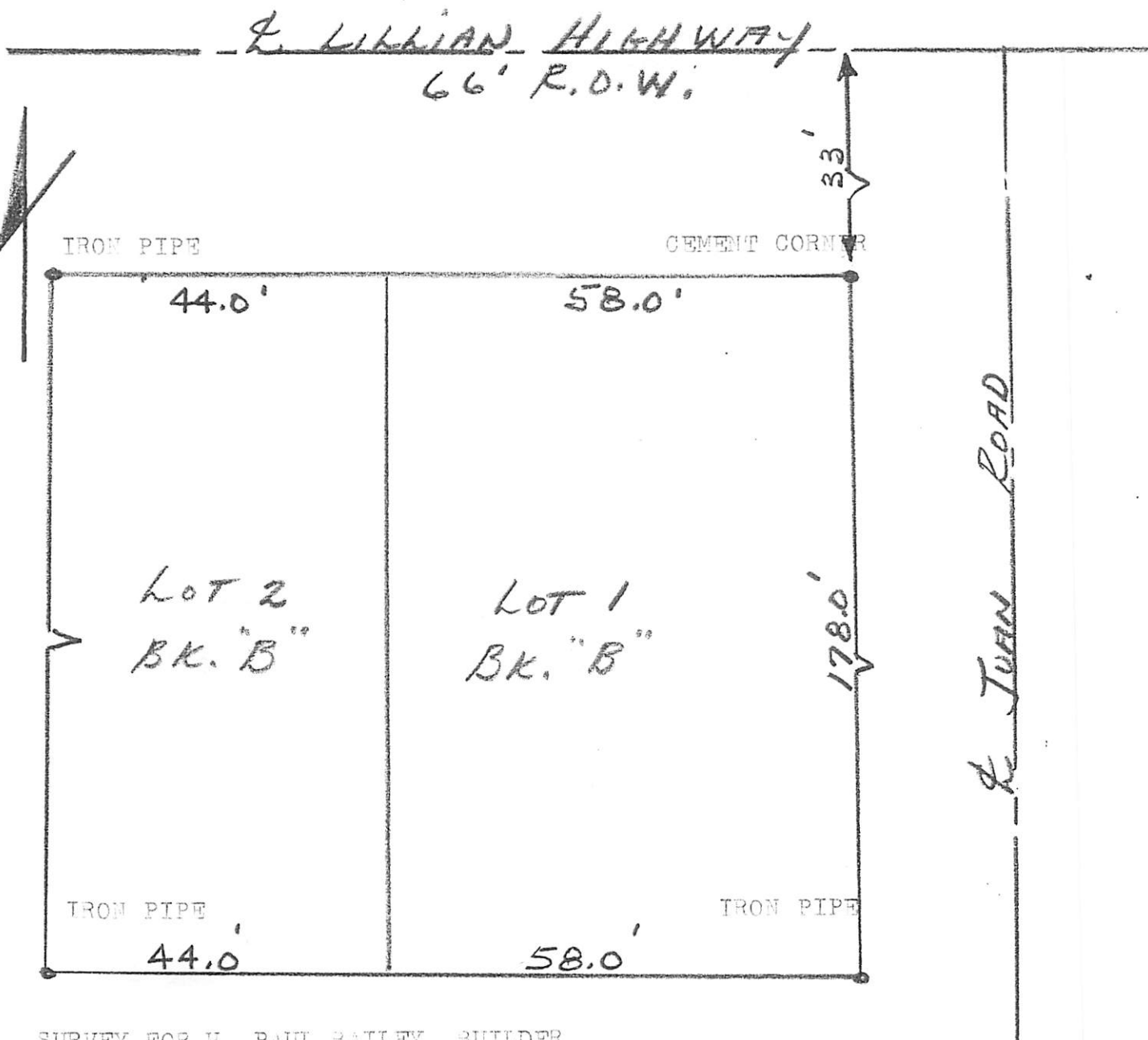
THOMAS H. ALLEN, REG. FLA. LAND SURVEYOR
NO. 1663

BLDG. LOCATED AS SHOWN.

RE-CERTIFIED JAN. 30 - 1974.

T.H. Allen
Surveyor





SURVEY FOR H. PAUL BAILEY, BUILDER

CORRECT LEGAL DESCRIPTION: LOTS 1 AND 2, BLOCK B, RESUBDIVISION OF SUBDIVISION NUMBER ONE, PERDIDO HEIGHTS, FRAC. SECTION 2, TOWNSHIP 2 SOUTH, RANGE 32 WEST, ESCAMBIA COUNTY, FLORIDA ACCORDING TO PLAT RECORDED IN PLAT BOOK 1, PAGE 3.

DATE: OCTOBER 11, 1973 SCALE: 1 INCH EQUALS 20 FEET

I HEREBY CERTIFY THE SURVEY SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Thomas H. Allen

THOMAS H. ALLEN, REG. FLA. LAND SURVEYOR NO. 1663





Chris Jones, CFA

Escambia County Property Appraiser

Office Phone: (850) 434-2735

Website: escpa.org

ECPA Form: CSR 1/2013

Effective for Tax Year

2014

Received by: _____

Date: _____

Downtown Office

221 Palafox Place, Suite 300

Pensacola, FL 32502

Deeds Fax: (850) 434-2162

Molino Office

6440 Hwy 95-A, Suite B

Molino, FL 32577

Fax: (850) 587-3290

General Instructions for Combination and Split Requests

Prior legal approval from the appropriate zoning/planning/community development agency in your jurisdiction is required. Your Escambia County Property Appraiser's Office does not issue determinations regarding the legality of split requests and will not advise owners on such matters

The Property Appraiser's Office strives to maintain excellence in customer service satisfaction and strives to prevent adverse affects that can occur once a Combination or Split Request is processed. All applicants should review the requirements prior to submitting such a request.

- Only **one request per year** is permitted for any property included in a Combination or Split Request.
- The **deadline to submit a Combination or Split Request is June 1st of the current year.**
- List **all** current parcel number(s) under the column titled **Parcel Number.**
- **Split Requests** require that you submit a survey with a legal description which clearly defines the new property boundaries at the time of the request. This office will not create or draft property descriptions.
- **Combination Requests** do not require a survey, sketch or legal description. However, such documents are always beneficial and appreciated. Combination Requests are required to meet the following criteria:
 - All parcels must be titled in the same name(s) as of January 1st of the requesting year.
 - All parcels must lie in the same jurisdictional boundary, i.e., city or county limits.
 - All parcels must be contiguous.
 - This office may request a **Homestead Affidavit** be filed if the parcel(s) has two or more dwellings/living units. Our Office reserves the right to inspect and investigate the premises to confirm its status.
 - If one parcel is currently receiving the benefit of homestead exemption, the property owner(s) must file a new **Homestead Application** to add new lands to the original parcel. The first year in which the legal descriptions are "combined" shall constitute the base year for the new lands and **any** cap protection from prior years will reset at full market value.
- Forms must be signed by the current owner(s). Forms signed by "prospective buyers" *will not* be processed.
- You may fax or personally deliver the completed form and its attachments to the Downtown or Molino Office. You may schedule an appointment with a Mapping Department staff member by calling the office.

Please allow 3-9 weeks to completely process your request. Our processing time should not hinder the sale of a parcel. You may use the fully executed form to provide information for permitting, closings, etc. Our Office will review and pre-issue a new parcel number(s) as quickly as possible. Questions regarding applications submitted to the Downtown office should be directed to Debby Cooper, ext. 123. Questions regarding applications submitted to Molino office should be directed to Lisa Arredondo, ext. 203.

The Property Appraiser's Office makes no representations or guarantees of the usability of a parcel once a Combination or Split request is completed. Property owner(s) should contact any lenders or mortgagors to verify the request is permitted by the lien holder.

Should you have any questions or concerns, please contact our Office at (850) 434-2735.

"Our mission is to place the public first while providing prompt, efficient service in a friendly, professional manner."



Chris Jones, CFA

Escambia County Property Appraiser
221 Palafox Place, Suite 300 • Pensacola, FL 32502
Phone: (850) 434-2735
Website: escpa.org

ECPA Form CSR 1/2013

Year: 2014

Page 3 of 4

PROPERTY APPRAISER TO BE HELD HARMLESS

[Note: If this section is not completed by all owners, the request will not be processed.]

It is the responsibility of the owner(s) to ensure that any and all tax amounts, prior and current, on any parcels involved in a combination or split request are paid in full to the Tax Collector. This agency is not responsible for any delinquent taxes, penalties, interest or fees which can occur and accrue due to negligence on the part of the property owner(s) or other interested parties involved with the said request.

Furthermore, if the property is encumbered by a mortgage or lien, it is the owner's responsibility to seek approval from the mortgagor or lien holder prior to submitting any changes to the property involving a split or combination request.

By all owner(s) signing below, I/we acknowledge I/we have read and understand all the aforementioned guidelines, potential consequences and requirements and have availed ourselves of the opportunity to seek clarification and obtain additional information or counsel prior to this action being taken.

Owner: *Ronald D. Bailey*
Signature
Ronald D. Bailey Trustee
Print Name for Ronald D. Bailey Trust
850-380-0660 2-3-14
Daytime Phone Date

Owner: _____
Signature

Print Name

Daytime Phone Date

Owner: _____
Signature

Print Name

Daytime Phone Date

Owner: _____
Signature

Print Name

Daytime Phone Date



Chris Jones, CFA

Escambia County Property Appraiser
221 Palafox Place, Suite 300 • Pensacola, FL 32502
Phone: (850) 434-2735
Website: escpa.org

ECPA Form CSR 1/2013

Year: 2014

Page 2 of 4

Parcel Split-Out and Combination Request

Owner Name(s): Bailey Ronald D Trust
For Ronald D Bailey Trust

Combination Request

Parcel Status	Homestead	Parcel Number	Folio Number
<input type="radio"/> Vac <input checked="" type="radio"/> Impr	Yes <input type="radio"/> No <input checked="" type="radio"/>	<u>02-25-32-6000-002-002</u>	<u>10-2714-000</u>
<input checked="" type="radio"/> Vac <input type="radio"/> Impr	Yes <input type="radio"/> No <input checked="" type="radio"/>	<u>02-25-32-6000-001-002</u>	<u>10-2713-000</u>
<input type="radio"/> Vac <input type="radio"/> Impr	Yes / No		

Split-Out Request

Parcel Status	Survey/Legal	Parent Parcel Number	Folio Number
<input type="radio"/> Vac <input type="radio"/> Impr	Yes / No		
New Parcel Identification Number (issued by the Mapping Department): _____			

Parcel Status	Survey/Legal	Parent Parcel Number	Folio Number
<input type="radio"/> Vac <input type="radio"/> Impr	Yes / No		
New Parcel Identification Number (issued by the Mapping Department): _____			

Notes:



Chris Jones, CFA

Escambia County Property Appraiser
221 Palafox Place, Suite 300 • Pensacola, FL 32502
Phone: (850) 434-2735
Website: escpa.org

ECPA Form CSR 1/2013

Year: 2014

Page 4 of 4

Zoning Review

[Note: If this section is not completed by the appropriate agency, the request will not be processed.]

As an agent of the appropriate jurisdictional agency where the parcel(s) exist in Escambia County Florida, I have reviewed this request from the parcel owner(s) and made the following determination:

- ☐ The Split Request is consistent with current zoning for the affected parcel(s).
- ☐ The Split Request is *not* consistent with current zoning for affected parcels for the following reason(s):
-
- ☒ The Combination Request is consistent with current zoning for the affected parcel(s).
- ☐ The Combination Request is *not* consistent with current zoning for the affected parcels for the following reason(s):
-

The information provided in this section does not constitute review or approval of any development or the confirmation of any development or land use rights for the affected parcels. Additional information on these issues may be obtained by contacting the County or City planning agencies at the addresses and telephone numbers below. *RJB*

☒ **Escambia County Planning and Zoning**

3363 West Park Place
(850) 595-3475

☐ **City of Pensacola Planning Division**

222 West Main Street, 5th Floor, City Hall
(850) 435-1670

Agent: Brenda L Wilson
Signature

Brenda L Wilson
Print Name

Brenda-Wilson@co.escambia.fl.us
Email Address

Title: Urban Planner I

Date: 2-3-2014

Phone: (850) 595 4575

**Chris Jones, CFA**

Escambia County Property Appraiser
221 Palafox Place, Suite 300 • Pensacola, FL 32502
Phone (850) 434-2735
Website: escpa.org

Page 1 of 4

Date Received ____ / ____ / ____

Received by: _____

Total Number of Pages: _____
(including required attachments)**IMPORTANT NOTICE**

Pursuant to Florida Statute 197.192, the Property Appraiser's Office will not split or combine parcels until all taxes due have been paid to the Tax Collector's Office.

It should be noted that a Combination or Split request processed by the Property Appraiser's Office is for taxing purposes only and does not imply legality of the land division being requested, nor the legality for such parcel(s) to be conveyed via land title, nor the suitability for such parcel(s) to be developed. Applicants should contact the appropriate land development, zoning and planning agency within your jurisdiction for questions concerning current and future property development regulations.

HOMESTEAD and NON-HOMESTEAD PROPERTIES AFFECTED BY ASSESSMENT LIMITATION

[Note: If this section is not completed, the request will not be processed.]

I or We, understand that combining or splitting property may affect the property's capped value resulting in an increase in my/our property taxes.

If I or We desire to reverse the process in the future, the "cap value" will not be restored to its former value.

I or We, understand that combining additional lands to a parcel that is currently benefiting from homestead exemption will not decrease parcel value. The homestead "cap" will remain on the original homestead parcel. According to Florida Statute, the newly added parcel's cap will reset at full market value. This will result in taxes based on full market value.

I or We acknowledge that I/we have read the foregoing cautionary message and do hereby acknowledge I/we understand the requirements and consequences of this request by initialing and printing my/our names as designated below:

Initials_____
Printed Name of Owner_____
Initials_____
Printed Name of Owner_____
Initials_____
Printed Name of Owner_____
Initials_____
Printed Name of Owner



Development Services Department

Building Inspections Division

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

RECEIPT

Receipt No. : **599116**

Date Issued. : 02/04/2014

Cashier ID : CASTILLS

Application No. : PRZ140200004

Project Name : Z-2014-04

PAYMENT INFO

Method of Payment	Reference Document	Amount Paid	Comment
Check	6437	\$1,270.50	App ID : PRZ140200004
		\$1,270.50	Total Check

Received From : RONALD BAILEY

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

Change Due : \$0.00

APPLICATION INFO

Application #	Invoice #	Invoice Amt	Balance	Job Address
PRZ140200004	691068	1,270.50	\$0.00	12501 LILLIAN HWY, PENSACOLA, FL

Total Amount : **1,270.50**

\$0.00 Balance Due on this/these
Application(s) as of 2/5/2014

BAILEY RONALD D TRUSTEE
PO BOX 3261
PENSACOLA, FL 32516

KEE ETHEL J LIFE EST
12060 LILLIAN HWY
PENSACOLA, FL 32506

FAYARD JOHN D & BETTY C TRUSTEES
704 N 74TH AVE
PENSACOLA, FL 32506

FAYARD ELIZABETH C TRUSTEE 3/4 INT
704 N 74TH AVE
PENSACOLA, FL 32506

PARRIOTT JAMES D
1030 JUAN RD
PENSACOLA, FL 32506

CARR EMILY & MCLANE WILLIAM
1031 JUAN RD
PENSACOLA, FL 32506

SASSER JOHN
520 RIOLA PLACE
PENSACOLA, FL 32506

CATCHOT JOHN J & BETTY JEAN
12520 LILLIAN HWY
PENSACOLA, FL 32506

SERAFIN GARY A &
674 WOODLAND BAYOU DR
SANTA ROSA BEACH, FL 32459

DEGRUCCIO JAMES G & TANYA J
12530 LILLIAN HWY
PENSACOLA, FL 32506

GECI WADE N
12500 LILLIAN HWY
PENSACOLA, FL 32506

COOK MARY MARGARET &
1661 W GARDEN ST
PENSACOLA, FL 32501

MCCREARY ANDREW J JR LIFE EST
1010 FAIRNIE AVE
PENSACOLA, FL 32503

FAYARD BETTY C TRUSTEE 3/4 INT &
704 N 74TH AVE
PENSACOLA, FL 32506

MCLAUGHLIN WILLIAM R &
8839 MEADOWBROOK DR
PENSACOLA, FL 32514

LENN DONALD S & BARBARA L
12490 LILLIAN HWY
PENSACOLA, FL 32506

SANTA CRUZ MICHAEL L &
12580 LILLIAN HWY
PENSACOLA, FL 32506

DUMAS MACK L
12570 LILLIAN HWY
PENSACOLA, FL 32506

KELLY JAMES R &
12560 LILLIAN HWY
PENSACOLA, FL 32506

PENSACOLA CHRISTIAN COLLEGE INC
PO BOX 18000
PENSACOLA, FL 32523

REYNOLDS BOBBY GENE SR &
12511 LILLIAN HWY
PENSACOLA, FL 32506

BAILEY RONALD D TRUSTEE
PO BOX 3261
PENSACOLA, FL 32516

FAYARD JOHN D & BETTY C
704 N 74TH AVE
PENSACOLA, FL 32506

CARR MILTON & EMILY
1031 JUAN RD
PENSACOLA, FL 32506

DUMAS MACK & KAREN
12570 LILLIAN HWY
PENSACOLA, FL 32506

KIRCHHARR CAROLYN
1051 JUAN RD
PENSACOLA, FL 32506

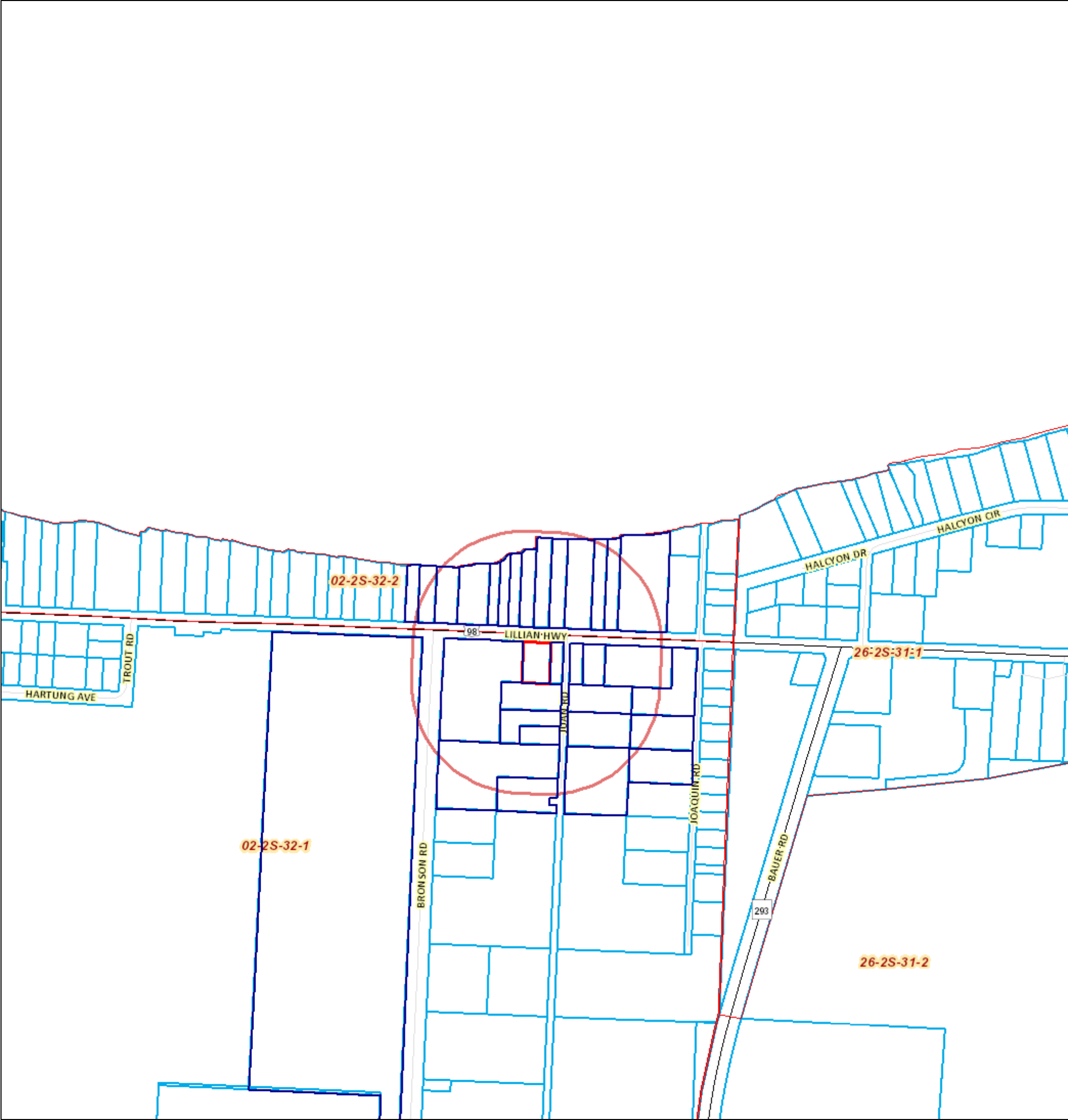
STEWART ELEANOR M
12650 LILLIAN HWY
PENSACOLA, FL 32506

CATTELL STEPHEN W & ROBIN M
1071 JUAN RD
PENSACOLA, FL 32506

FRETZ ROBERT C SR &
1051 JOAQUIN RD
PENSACOLA, FL 32506

CUNNINGHAM JAMES L &
1061 JOAQUIN RD
PENSACOLA, FL 32506

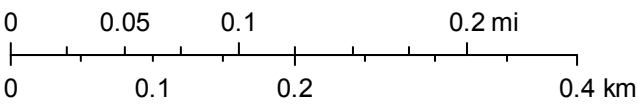
Chris Jones Escambia County Property Appraiser



February 7, 2014

1:5,332

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



Planning Board-Rezoning

5. D.

Meeting Date: 03/04/2014
CASE : Z-2014-05
APPLICANT: T. Heath Jenkins, Agent for Rodney Sutton, Owner
ADDRESS: 6841 Kemp Rd
PROPERTY REF. NO.: 24-1S-30-1600-000-001
MU-U, Mixed-Use
FUTURE LAND USE: Urban
DISTRICT: 3
OVERLAY DISTRICT: NA
BCC MEETING DATE: 04/03/2014

SUBMISSION DATA:

REQUESTED REZONING:

FROM: R-5, Urban Residential/Limited Office District, (cumulative) High Density (20 du/acre)

TO: C-2, General Commercial and Light Manufacturing District (cumulative) (25 du/acre)

RELEVANT AUTHORITY:

- (1) Escambia County Comprehensive Plan
- (2) Escambia County Land Development Code
- (3) Board of County Commissioners of Brevard County v. Snyder, 627 So. 2d 469 (Fla. 1993)
- (4) Resolution 96-34 (Quasi-judicial Proceedings)
- (5) Resolution 96-13 (Ex-parte Communications)

CRITERION (1)

Consistent with the Comprehensive Plan.

Whether the proposed amendment is consistent with the Comprehensive Plan.

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

CPP FLU 1.1.9 Buffering. In the LDC, Escambia County shall ensure the compatibility of adjacent land uses by requiring buffers designed to protect lower intensity uses from more intensive uses, such as residential from commercial. Buffers shall also be used to protect agricultural activities from the disruptive impacts of nonagricultural land uses and protect nonagricultural uses from normal agricultural activities.

CPP FLU 1.1.10 Locational Criteria. The LDC shall include locational criteria for broad categories of proposed non-residential land uses. The site criteria for such uses shall address the transportation classification of, and access to, adjoining streets, the proximity of street

intersections and large daily trip generators (i.e. college or university), the surrounding land uses, the ability of a site to accommodate the proposed use while adequately protecting adjoining uses and resources, and other criteria that may be appropriate to those categories of uses.

CPP FLU 1.3.1 Future Land Use Categories. The Industrial FLU category is intended for a mix of industrial development and ancillary office and commercial uses that are deemed to be compatible with adjacent or nearby properties. Industrial areas shall facilitate continued industrial operations within the County and provide jobs and employment security for present and future residents.

FINDINGS

The applicant has also submitted for a Small Scale Amendment (SSA) to the FLU Map from MU-U to Industrial. If the SSA is approved, then the request will be **consistent** with the intent and purpose of Future Land Use category Industrial, as stated in CPP FLU 1.3.1. All buffering requirements stated in CPP FLU 1.1.9, will be addressed under compatibility analysis with the LDC or during the Site Plan Review Process. as stated in CPP FLU 1.3.1, as the Industrial FLU category have allowances for light to intensive industrial uses. The proposal is also consistent with CPP FLU 1.5.3, as the parcel will be accessed using the existing public roads and the applicant is proposing the use of existing utilities and service infrastructure. Locational criteria will be addressed during the LDC compatibility review.

CRITERION (2)

Consistent with The Land Development Code.

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

FINDINGS

The proposed amendment **is consistent** with the intent and purpose of the Land Development Code. Borrow pits and reclamation activities are a permitted use under the C-2 zoning category. The request meets the locational criteria exemption requirements as stated in 7.20.03.B. Based on the site visit, it's staff's determination that over 50 percent of the Kemp Road block is currently zoned and used for commercial development (C-2), consequently, the proposed request to C-2 would be compatible with the Code and would achieve the purpose of infill development. The intensity of the proposed expansion will be of a comparable intensity of the zoning and development on the surrounding parcels.

CRITERION (3)

Compatible with surrounding uses.

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

FINDINGS

The proposed amendment **is compatible** with surrounding existing uses in the area. Within the 500' radius impact area, staff observed properties with zoning districts ID-1, C-2 and R-5. Within the zoning districts staff identified sixteen vacant residential parcels, nineteen mobile homes, thirty four single family residences, two large parcels with mineral extraction uses, one

vacant commercial and one non-agricultural acreage parcel.

CRITERION (4)

Changed conditions.

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

FINDINGS

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

CRITERION (5)

Effect on natural environment.

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

FINDINGS

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

CRITERION (6)

Development patterns.

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

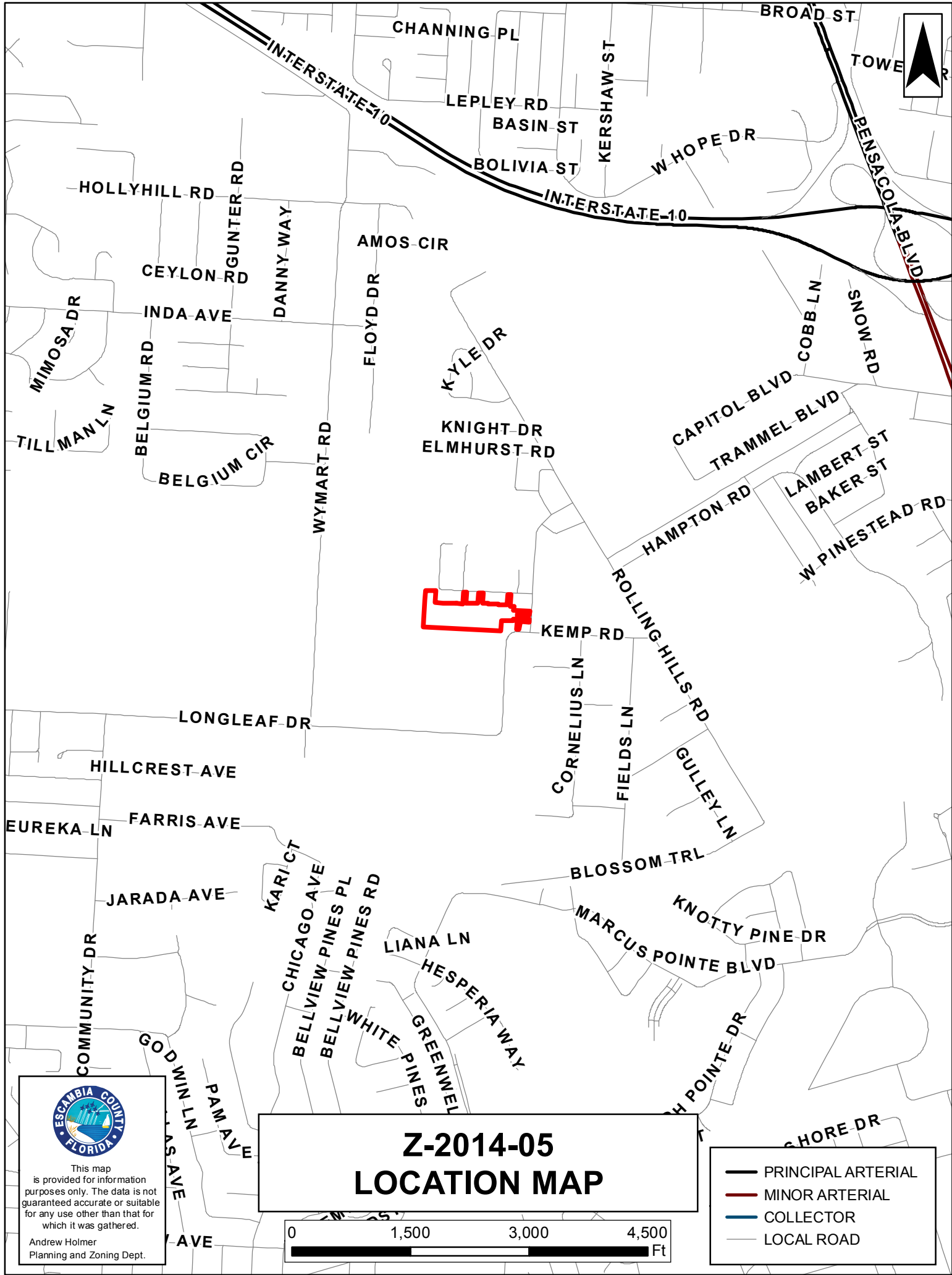
FINDINGS


The proposed amendment **would result** in a logical and orderly development pattern. Historically, the centralized location and ease of access to the rest of the County, has converted this into a prime area for the commercialization of mineral goods. As the site visit reveals, surrounding large tracks of land house similar commercial endeavors; this compatibility of uses does make the best use of existing roads and infrastructure possible. At the same time, it provides infill development and the consolidation of facilities that provide alike services.

Attachments

Z-2014-05

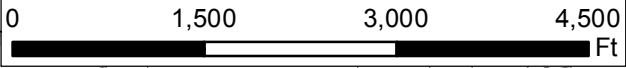
Z-2014-05




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

Z-2014-05 LOCATION MAP

- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD





R-R

ID-1

R-5

SAVAGE LN

ROLLING HILLS RD
YAWL CIR

R-5

LUDLOW ST

CUTTER ST

SAXON ST

TWIGGS LN

ID-1

R-5

R-5

C-2

KEMP RD

ID-1

FOUNTAIN PL

C-2

R-5

C-1

KEMP RD

LONGLEAF DR

CORNELIUS LN

R-2

ID-1



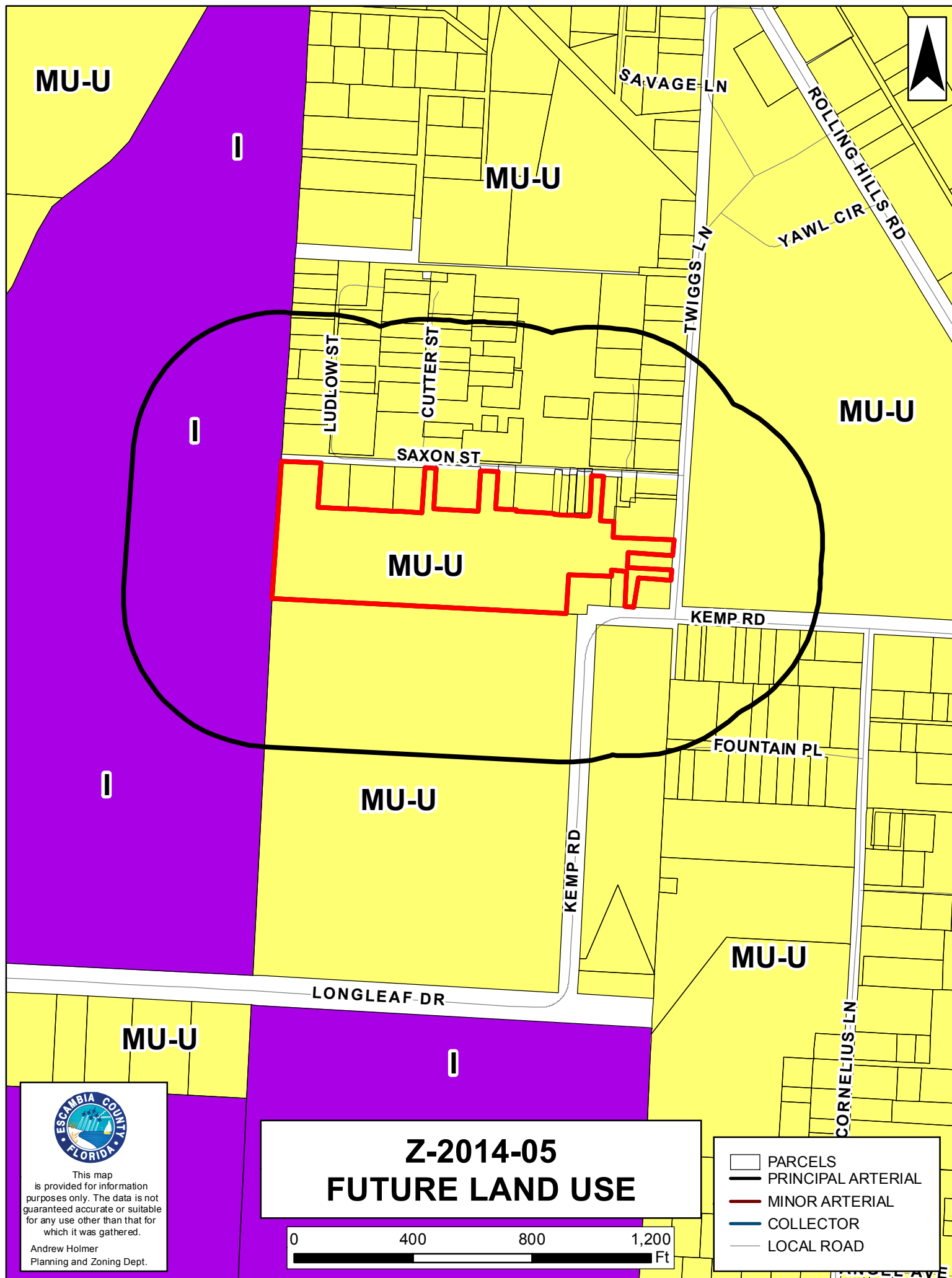
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2014-05 ZONING MAP

0 400 800 1,200
Ft

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





YAWL CIR

TWIGGS LN

CUTTER ST

LUDLOW ST

SAXON ST

KEMP RD

FOUNTAIN PL

KEMP RD

PIT/CELL TOWER

PIT/CELL TOWER

UTILITY/GAS/ELECTRIC

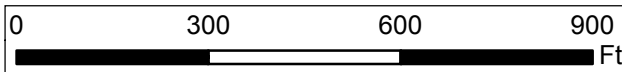
NON-AG ACREAGE



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

Andrew Holmer
Planning and Zoning Dept.

Z-2014-05 EXISTING LAND USE



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



LUDLOW ST

CUTTER ST

SAXON ST

TWIGG

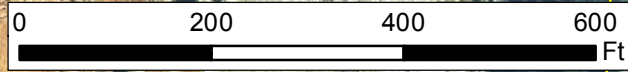
KEMP RD



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

Andrew Holmer
Planning and Zoning Dept.

Z-2014-05 AERIAL MAP



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



NOTICE OF PUBLIC HEARING REZONING

CASE NO.: **Z-2014-05**
CURRENT ZONING: **R-5** PROPOSED ZONING: **C-2**

PLANNING BOARD

DATE: **03/04/14** TIME: **8:30 AM**

LOCATION OF HEARING

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

BOARD OF COUNTY COMMISSIONERS

DATE: **04/03/14** TIME: **5:45 PM**

LOCATION OF HEARING

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

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

PLEASE DO NOT REMOVE THIS SIGN
PROPERTY OF ESCAMBIA COUNTY

Public Hearing Sign



Looking Northwest into Site



Looking Northwest



Looking South on Kemp



Looking West from Kemp



Looking West from Kemp



Development Services Department

Escambia County, Florida

APPLICATION

Please check application type:

☐ Administrative Appeal

☐ Development Order Extension

☐ Conditional Use Request for: _____

☐ Variance Request for: _____

☐ Rezoning Request from: R-5 to: C-2

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

Owner(s) Name: Sutton Properties, LLC Phone: 850-777-6630

Address: 102 Shoreline Dr., Gulf Breeze, FL 32561 Email: rodney.sutton@cluv.net

☐ 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: 6841 Kemp Rd., Pensacola, FL 32505

Property Reference Number(s)/Legal Description: 24-1S-30-1600-000-001

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

T. Heath Jenkins, P.E.

Printed Name Owner/Agent

2/10/14

Date

Signature of Owner

Rodney Sutton

Printed Name of Owner

2/10/14

Date

STATE OF Florida

COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 10th day of February 20 14.

by Rodney Sutton

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

Signature of Notary

Ashleigh McLean

Printed Name of Notary

(notary seal must be affixed)



FOR OFFICE USE ONLY

CASE NUMBER: _____

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

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



Development Services Department

Escambia County, Florida

FOR OFFICE USE:

CASE #: _____

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

For Rezoning Requests Only

Property Reference Number(s): 24-1S-30-1600-000-001

Property Address: 6841 Kemp Rd., Pensacola, FL 32505

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

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

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

- a. The necessary facilities or services are in place at the time a development permit is issued.
- b. A development permit is issued subject to the condition that the necessary facilities and services will be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- c. For parks and recreation facilities and roads, the necessary facilities are under construction at the time the development permit is issued.
- d. For parks and recreation facilities, the necessary facilities are the subject of a binding executed contract for the construction of the facilities at the time the development permit is issued and the agreement requires that facility construction must commence within one year of the issuance of the development permit.
- e. The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, F.S., or as amended, or an agreement or development order issued pursuant to Chapter 380, F.S., or as amended. For transportation facilities, all in-kind improvements detailed in a proportionate fair share agreement must be completed in compliance with the requirements of Section 5.13.00 of the LDC. For wastewater, solid waste, potable water, and stormwater facilities, any such agreement will guarantee the necessary facilities and services to be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- f. For roads, the necessary facilities needed to serve the development are included in the first three years of the applicable Five-Year Florida Department of Transportation (FDOT) Work Program or are in place or under actual construction no more than three years after the issuance of a County development order or permit.

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS 10th DAY OF February, YEAR OF 2014.



Signature of Property Owner



Printed Name of Property Owner

2-10-14

Date

Signature of Property Owner

Printed Name of Property Owner

Date



Development Services Department

Escambia County, Florida

FOR OFFICE USE:

CASE #: _____

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at 6841 Kemp Rd., Pensacola, FL 32505,
Florida, property reference number(s) 24-15-30-1600-000-001

I hereby designate T. Heath Jenkins, P.E. 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 10th 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: T. Heath Jenkins, P.E. Email: heath.jenkins@hatchmott.com

Address: 5111 N. 12th Ave., Pensacola, FL Phone: 850-602-9778

Signature of Property Owner

Rodney Sutton

Printed Name of Property Owner

2/10/14

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 10th day of February 20 14,
by Rodney Sutton.

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

Signature of Notary

Ashleigh McLean

Printed Name of Notary

(Notary Seal)





**Hatch Mott
MacDonald**

Hatch Mott MacDonald

5111 North 12th Ave

Pensacola, FL 32504

T 850.484.6011 www.hatchmott.com

January 27, 2014

AAC000035 EB0000155 LB00006783

Allyson Cain
Escambia County Development Review
3363 West Park Place
Pensacola, FL 32501

**Re: Rezoning Request – Parcel 24-1S-30-1600-000-001
HMM# 335130**

Dear Allyson,

On behalf of our client we are submitting a Rezoning Request for the referenced parcel. A Power of Attorney executed by Shannon Wright Johnson, Personal Representative of the Estate of Erma Averhart (Owner), is submitted with this application. Rodney Sutton, of Sutton Properties, LLC has signed the Application Documents as Owner as constituted in the Power of Attorney document.

This rezoning request was discussed with County Staff in a meeting held on February 5, 2013.

Submitted with this request is the following information.

- Ownership information provided by Property Appraiser's Website (No Official Records Listed)
- Power of Attorney from Estate of Erma Averhart (Owner)
- Application/Owner Certification Form
- Concurrency Determination Form
- Affidavit of Owner and Limited Power of Attorney Form
- Boundary Survey of the Referenced Parcel
- Compatibility Analysis
- Application Fee in the amount of \$1,270.50 (Check #1578)

Thank you for your assistance on this project.

Sincerely,

HATCH MOTT MACDONALD

T. Heath Jenkins, P.E.
Project Manager

cc: Rodney Sutton
file

EMMANUEL, SHEPPARD & CONDON
ATTORNEYS AT LAW SINCE 1913

POST OFFICE DRAWER 1271
PENSACOLA, FLORIDA 32591-1271

JOHN H. ADAMS
ALAN B. BOOKMAN *
GERALD L. BROWN
SARAH K. CARPENTER
ERICK M. DRUCKA ***
PATRICK G. EMMANUEL
PATRICK G. EMMANUEL, JR. *
ROBERT A. EMMANUEL **
GREGORY P. FAYARD
SALLY BUSSELL FOX *
VAN P. GEEKER
CHARLES P. HOSKIN
HOLLY V. JURNOVOY

30 SOUTH SPRING STREET
PENSACOLA, FLORIDA 32502-5612
esclaw.com pensacolalawyer.com
(850) 433-6581
TOLL FREE 1-800-433-6581
FAX (850) 434-7163

ANDREA C. LYONS
CRISTI A. MALONE
JOHN W. MONROE, JR. *
JOSEPH A. PASSERETTI
P. MICHAEL PATTERSON
WANDA W. RADCLIFFE
H. WESLEY REEDER **
T. SHANE ROWE
WARREN R. TODD
CECILY M. WELSH
CHARLES P. YOUNG **

ALAN C. SHEPPARD, RETIRED
A. G. CONDON, JR., 1934-2011

*BOARD CERTIFIED REAL ESTATE LAWYER **BOARD CERTIFIED CONSTRUCTION LAWYER ***BOARD CERTIFIED CIVIL TRIAL LAWYER

January 27, 2014

Via Hand Delivery


Mr. Rodney Sutton
120 E. Main Street
Pensacola, Florida 32502

Re: Sutton, Rodney (SNS) p/f Averhart Estate
Our File: 05118-120343

Dear Rodney:

Enclosed please find original Power of Attorney executed on January 23, 2014 by Shannon Wright Johnson as Personal Representative of the Estate of Erma Averhart, deceased, appointing you as her true and lawful attorney on her behalf.

Very truly yours,


Alan B. Bookman
For the Firm

ABB/smr
Enclosure
Cp311

POWER OF ATTORNEY

STATE OF FLORIDA
COUNTY OF ESCAMBIA

KNOW ALL MEN BY THESE PRESENTS, that I, SHANNON WRIGHT JOHNSON, as Personal Representative of the Estate of Erma Averhart, deceased, have made, constituted and appointed, and by these presents do make, constitute and appoint RODNEY SUTTON, as my true and lawful attorney to apply for and execute on my behalf any and all documentation reasonably required by Escambia County, Florida, in order to rezone and obtain a development order for that real property described in the attached Exhibit "A".

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 23rd day of January, 2014.

Witnesses:

Patricia P. Lambert

Name: PATRICIA P. LAMBERT

Shannon Wright Johnson

SHANNON WRIGHT JOHNSON

Kristina Trail

Name: Kristina Trail

STATE OF FLORIDA

COUNTY OF

The foregoing instrument was acknowledged before me this 23rd day of January, 2014, by Shannon Wright Johnson, who personally appeared before me and who is personally known to me or who produced _____ as identification.

Tonya Miller

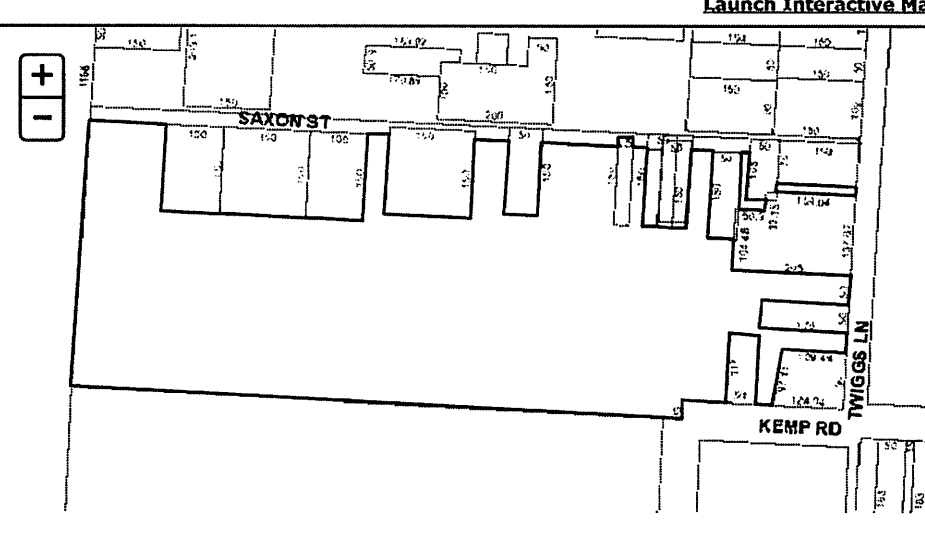
Name Printed: _____
Commission No.: _____
Expires: _____
[Seal]



TONYA MILLER
MY COMMISSION # EE 186730
EXPIRES: April 5, 2016
Bonded Thru Budget Notary Services

Source: Escambia County Property Appraiser

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

General Information Reference: 241S301600000001 Account: 030829000 Owners: AVERHART ERMA ESTATE OF Mail: 1540 SIR HORNE DR PENSACOLA, FL 32505 Situs: 6841 KEMP RD 32505 Use Code: SINGLE FAMILY RESID Taxing Authority: COUNTY MSTU Tax Inquiry: Open Tax Inquiry Window Tax Inquiry link courtesy of Janet Holley Escambia County Tax Collector	2013 Certified Roll Assessment Improvements: \$23,827 Land: \$41,280 Total: \$65,107 Save Our Homes: \$0 Disclaimer Amendment 1/Portability Calculations
Sales Data Sale Date Book Page Value Type Official Records (New Window) None Official Records Inquiry courtesy of Pam Childers Escambia County Clerk of the Circuit Court and Comptroller	2013 Certified Roll Exemptions None Legal Description S 15A OF E 1/2 OF LT 6 DB 345 P 160 OR 302 P 705 OR 6088 P 994 LESS DB 496 P 286-NEWTON... Extra Features None
Parcel Information Section Map Id: 24-1S-30-2 Approx. Acreage: 10.3900 Zoned: R-5 Evacuation & Flood Information Open Report	<div style="text-align: right;">Launch Interactive Map</div> 

Compatibility Analysis

**For Rezoning Request of
Parcel 24-1S-30-1600-000-001**

6841 Kemp Rd.
Pensacola, FL

**Hatch Mott MacDonald
HMM Project# 335130**

The designated zoning of the referenced parcel is R-5 (Urban Residential/Limited Office District, (Cumulative) High Density) with a request for rezoning to C-2 (General Commercial District). The following Compatibility Analysis is provided in support of the request. We respectfully request that the County grant a Waiver to the Roadway Requirement of the Locational Criteria as specified in LDC 7.20.02.

The property is bounded by C-2 (General Commercial District) zoning to the South, ID-1 (Industrial District (no residential uses allowed) on the West and R-5 (Urban Residential/Limited Office District, (Cumulative) High Density) to the North and East.

If the rezoning request is granted, the owner intends to expand the existing borrow pit immediately south of the property. The project will be designed and permitted according to the Escambia County Land Development Code (LDC) for development in C-2 zoning. The project will also be designed and permitted per requirements of the Florida Department of Environmental Protection (FDEP).

Surrounding Conditions

The development pattern in the area is primarily industrial; with existing borrow pits bordering the parcel on the west and south. Single family residential development exists to the north and east of the parcel. Waste Management owns the property approximately ¼ mile south of the subject parcel.

Project Compatibility

The project will be designed to comply with the Escambia County Land Development Code with buffer requirements applicable for the proposed activity. It is anticipated that a 100' natural vegetation buffer along with 6' fence will border the property as is currently in place for the existing borrow pit operation south of the parcel.

The project will also achieve long-term compatibility by maintaining the current borrow pit operations located in the area and is a logical expansion of ongoing activities in the area immediately adjacent the property.

Buildings	
Building 1 - Address:6841 KEMP RD, Year Built: 1958, Effective Year: 1958	
Structural Elements FOUNDATION -WOOD/NO SUB FLR EXTERIOR WALL -CONCRETE BLOCK NO. PLUMBING FIXTURES -3.00 DWELLING UNITS -1.00 ROOF FRAMING -WOOD FRAME/TRUS ROOF COVER -CORRUGATED METL INTERIOR WALL -PANEL-PLYWOOD INTERIOR WALL -DRYWALL-PLASTER NO. STORIES -1.00 FLOOR COVER -PINE/SOFTWOOD DECOR/MILLWORK -BELOW AVERAGE HEAT/AIR -UNIT HEATERS STRUCTURAL FRAME -WOOD FRAME	
<input type="checkbox"/> Areas - 1523 Total SF BASE AREA - 1025 BASE SEMI FIN - 410 OPEN PORCH FIN - 28 OPEN PORCH UNF - 60	
Images	



3/23/11

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



Development Services Department

Escambia County, Florida

PLANNING BOARD REZONING PRE-APPLICATION SUMMARY FORM

24-15-30-6000-000-001

Property Reference Number

Heath Jenkins

Name

6841 Kemp Rd

Address

☐ Owner

☒ Agent

Referral Form

Included? **Y** **N**

MAPS PREPARED

☒ Zoning

☒ FLU

☒ Aerial

☐ Other: _____

PROPERTY INFORMATION

Current Zoning: R-5 Size of Property: 10.39 +/-

Future Land Use: MU-U Commissioner District: 3

Overlay/AIPD: N/A Subdivision: 1

Redevelopment Area*: N/A

*For more info please contact the CRA at 595-3217 prior to application submittal.

COMMENTS

Desired Zoning: C-2

Is Locational Criteria applicable? yes If so, is a compatibility analysis required? _____

Applicant requests to rezone parcel to C-2 to expand existing use of adjacent parcel that is currently C-2 + used as C+DD
Will need to have a FLU change from MU-U to Industrial (I) prior to rezoning or same time (per HJ) suggestion from staff. 9.38 acs SSA

☐ Applicant will contact staff for next appointment

☐ Applicant decided against rezoning property

☐ Applicant was referred to another process

☐ BOA

☒ DRC

☐ Other: _____

Process Name

Staff present: Allyson Can

Date: 2/5/14 2/10/14

Applicant/Agent Name & Signature: _____

No comment made by any persons associated with the County during any pre-application conference or discussion shall be considered either as approval or rejection of the proposed development, development plans, and/or outcome of any process.



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

RECEIPT

Receipt No. : **599523**

Date Issued. : 02/10/2014

Cashier ID : VHOWENS

Application No. : PRZ140200006

Project Name : Z-2014-05

PAYMENT INFO

Method of Payment	Reference Document	Amount Paid	Comment
Check	1578	\$1,270.50	App ID : PRZ140200006
		\$1,270.50	Total Check

Received From : HEATH JENKINS HATCH MOTT MACDONALD

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

Change Due : \$0.00

APPLICATION INFO

Application #	Invoice #	Invoice Amt	Balance	Job Address
PRZ140200006	691473	1,270.50	\$0.00	6841 KEMP RD, PENSACOLA, FL, 32505
Total Amount :		1,270.50	\$0.00	Balance Due on this/these Application(s) as of 2/11/2014

AVERHART ERMA ESTATE OF
1540 SIR HORNE DR
PENSACOLA, FL 32505

MOORER MICHAEL &
1610 SAXON ST
PENSACOLA, FL 32505

PARRISH IRENE
6991 CUTTER ST
PENSACOLA, FL 32505

WIGGINS BONNER EST OF
6993 LUDLOW ST
PENSACOLA, FL 32505

STALLWORTH CLAUDE
6982 LUDLOW ST
PENSACOLA, FL 32505

SOLES JULIUS &
7830 REGIMENT AVE
PENSACOLA, FL 32534

WILLIAMS IDA BELL &
802 E JORDAN ST
PENSACOLA, FL 32503

MCDUFFIE MARTHA CHRISTINE
6971 TWIGGS LN
PENSACOLA, FL 32505

GANDY WANDA W &
711 PINESTEAD RD
PENSACOLA, FL 32505

WIGGINS JULIUS & MARZELLA
6980 LUDLOW ST
PENSACOLA, FL 32505

WIGGINS JOE JR & BERTA MAE
7520 WEAVER DR
PENSACOLA, FL 32514

BONNER ARTHUR & WILLIE MAE
6961 LUDLOW ST
PENSACOLA, FL 32505

SHOEMO LEILA BASSETT &
802 BRENTWOOD AVE
ALTAMONTE SPRINGS, FL 32701

MOORER HARVEY & ETHEL
1610 SAXON ST
PENSACOLA, FL 32505

BLANKENSHIP MATTIE L
6965 CUTTER ST
PENSACOLA, FL 32505

SALTER WANDA M WARD ANNETTE
711 PINESTEAD RD
PENSACOLA, FL 32505

DAVIS SEPREE & LIZZIE M
6607 HAMPTON RD
PENSACOLA, FL 32505

CABIN PROPERTIES LLC
5012 S 12TH ST
ARLINGTON, VA 22204

MOORER DOROTHY A
2202 WELCOME CIR
CANTONMENT, FL 32533

BILLIPS DOROTHY J
6972 CUTTER ST
PENSACOLA, FL 32505

HENDERSON HEROD
6974 CUTTER ST
PENSACOLA, FL 32505

HARRIS SHANTIA S
6951 TWIGGS LN
PENSACOLA, FL 32505

LAWRENCE ROBERTA
714 WENONAH ST
PENSACOLA, FL 32505

BLANKENSHIP MATTIE &
6965 CUTTER ST
PENSACOLA, FL 32505

MASON FRED E EST OF
1692 SAXON ST
PENSACOLA, FL 32505

MOORER HARVEY J
1610 SEXTON ST
PENSACOLA, FL 32505

BYRD DAVID &
9909 MARINE
EL PASO, TX 79924

HARRIS INEZ HUDSON LIFE EST
6941 TWIGGS LN
PENSACOLA, FL 32505

MOORER JILES
PO BOX 2573
PENSACOLA, FL 32513

JEFFERSON DIANNA F SHOEMO
802 BRENTWOOD AVE
ALTAMONTE SPRINGS, FL 32701

Chris Jones Escambia County Property Appraiser



February 11, 2014

1:2,833

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

