

AGENDA
ESCAMBIA COUNTY BOARD OF ADJUSTMENT
November 18, 2015–8:30 a.m.
Escambia County Central Office Complex
3363 West Park Place, Room 104

1. Call to Order.
2. Swearing in of Staff and acceptance of Staff as expert witnesses.
3. Acceptance of the BOA Meeting Package with the Development Services Staff Findings-of-Fact, into evidence.
4. Proof of Publication and waive the reading of the legal advertisement.
5. Approval of the October 21, 2015 meeting Resume' Minutes.
6. **Consideration of the following cases:**
 0. **Case No.:** V-2015-13
Address: 128 Shadow Lawn Lane
Request: Fence Height
Requested by:Edward Robinson, Owner
 2. **Case No.:** V-2015-14
Address: 4615 Mobile Hwy.
Request: Sign Variance
Requested by: Nader Ghobrial, Agent for Fadi Mubarak, Owner
7. Discussion Items.
8. Old/New Business.

9. Announcement.

The next Board of Adjustment Meeting is scheduled for Wednesday, December 16, 2015 at 8:30 a.m., at the Escambia County Central Office Complex, Room 104, 3363 West Park Place.

10. Adjournment.

Board of Adjustment
Meeting Date: 11/18/2015

5.

Attachments

10-21-15 Draft Resume'

DRAFT

RESUMÉ OF THE MEETING OF THE BOARD OF ADJUSTMENT HELD October 21, 2015

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

Present: Auby Smith
Bill Stromquist
Jesse Casey
Judy Gund
Frederick J. Gant
Jennifer Rigby

Absent: Blaise Adams

Staff Present: Kristin Hual, Assistant County Attorney
Horace Jones, Director, Development Services
Andrew Holmer, Division Manager, Planning & Zoning
Brenda Wilson, Urban Planner, Planning & Zoning
Debbie Lockhart, Administrative Assistant

REGULAR BOA AGENDA

1. The meeting was called to order at 8:30 A.M.
2. Staff was sworn in and accepted as expert witnesses.
3. Acceptance of the BOA Meeting Package with the Development Services Staff Findings-of-Fact, into evidence.

Motion by Vice Chairman Bill Stromquist, Seconded by Board Member Frederick J. Gant
Motion made to accept the meeting package as submitted.
Vote: 6 - 0 Approved - Unanimously
4. Proof of Publication and waive the reading of the legal advertisement.

Motion by Vice Chairman Bill Stromquist, Seconded by Board Member Frederick J. Gant
Motion made to waive the reading of the advertisement.

Vote: 6 - 0 Approved - Unanimously

5. Approval of the September 16, 2015 Resume Minutes.

Motion by Vice Chairman Bill Stromquist, Seconded by Board Member Judy Gund

Motion made to approve the minutes from the 09/16/15 Board meeting.

Vote: 6 - 0 Approved - Unanimously

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

1. **Case No.:** V-2015-12

Address: Barrancas Avenue and Bayou Chico

Request: Building Set Backs

Requested by: Davis S. Lamar, Agent for William D. Nobles, Owner

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

No BOA member acknowledged visiting the site.

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

Motion by Vice Chairman Bill Stromquist, Seconded by Board Member Frederick J. Gant

Motion made to accept Staff findings and approve the Variance request as submitted.

Vote: 6 - 0 Approved - Unanimously

2. **Case No.:** CU-2015-08

Address: 14116 & 14120 River Road

Request: Conditional Use to Allow a Commercial Recreation Facility

Requested by: Hammond Engineering Inc., Agent for Nelson Box

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

No BOA member acknowledged visiting the site.

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

Motion by At Large Member Jesse Casey, Seconded by Vice Chairman Bill Stromquist Motion made to adopt Staff findings and approve the conditional use as submitted.

Vote: 6 - 0 Approved - Unanimously

7. Sunshine Law presentation by Kristin Hual, Assistant County Attorney.

8. Old/New Business.

9. Announcement.

The next Board of Adjustment Meeting is scheduled for Wednesday, November 18, 2015 at 8:30 a.m., at the Escambia County Central Office Complex, Room 104, 3363 West Park Place.

10. The meeting adjourned at 10:10 A.M.

Board of Adjustment

6. 0.

Meeting Date: 11/18/2015
CASE: V-2015-13
APPLICANT: Edward Robinson, Owner
ADDRESS: 128 Shadow Lawn Ln.
PROPERTY REFERENCE NO.: 38-2S-30-1001-130-018
ZONING DISTRICT: MDR, Medium Density Residential
FUTURE LAND USE: MU-U, Mixed Use Urban

SUBMISSION DATA:

REQUESTED VARIANCE:

The Applicant is seeking a variance to allow an eight (8) foot high privacy fence in the front yard. The Land Development Code (LDC) limits opaque fences to three (3) feet in the front yard.

RELEVANT AUTHORITY:

Land Development Code of Escambia County, Florida (Ordinance No. 96-3 as amended), Section: 5-9.4 (a)

Opaque Materials Obstruct Light, Air and Visibility	Transparent Materials Which Do Not
Front Yard 3 Feet	4 Feet

CRITERIA

Land Development Code of Escambia County, Florida (Ordinance No. 96-3 as amended), Section 2-6.3

CRITERION (1)

Special conditions and circumstances exist which are peculiar to the land, structure or building and which are not applicable to other lands, structures or buildings in the same zoning district.

FINDINGS-OF-FACT

The property in question is unique for residential properties along Shadow Lawn Lane in that the rear driveway for a commercial property is directly across the street to the south. Traffic exiting the rear driveway of this commercial site onto Shadow Lawn will point headlights directly towards the subject property. This feature is not shared by adjoining residential properties.

CRITERION (2)

The special conditions and circumstances do not result from the actions of the applicant.

FINDINGS-OF-FACT

Staff has found that a temporary land use certificate was issued for this property in March of 2000. While this was the type of permit a fence would fall under, staff has no record of any variance that would have allowed a privacy fence higher than three (3) feet. Without any record of a variance to allow the additional height, staff cannot prove that the applicant meets this criterion.

CRITERION (3)

Granting the variance requested will not confer on the applicant any special privilege that is denied by this land development code to other lands, buildings or structures in the same zoning district.

FINDINGS-OF-FACT

Given the unique nature of the site, granting the variance requested will not confer on the applicant any special privilege that is denied by this land development code to other lands, buildings or structures in the same zoning district that lack the unique condition.

CRITERION (4)

Strict application of the provisions of the land development code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development code and would create an unnecessary and undue hardship on the applicant. .

FINDINGS-OF-FACT

Strict application of the provisions of the land development code would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning district.

CRITERION (5)

The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

FINDINGS-OF-FACT

The requested fence height of eight (8) feet is not the minimum necessary to make reasonable use of the land. Shielding of the site from the commercial traffic could be accomplished with a shorter privacy fence.

CRITERION 6

The granting of the variance will be consistent with the general intent and purpose of the land development code and that such variance will not be injurious to the area or otherwise detrimental to the public welfare.

FINDING OF FACT:

The granting of the variance will be consistent with the general intent and purpose of the land development code and will not be injurious to the area or otherwise detrimental to the public welfare.

STAFF RECOMMENDATION

Staff finds that the Applicant can not meet all of the required criteria, specifically criteria 4 and 5, and recommends denial of the request as submitted.

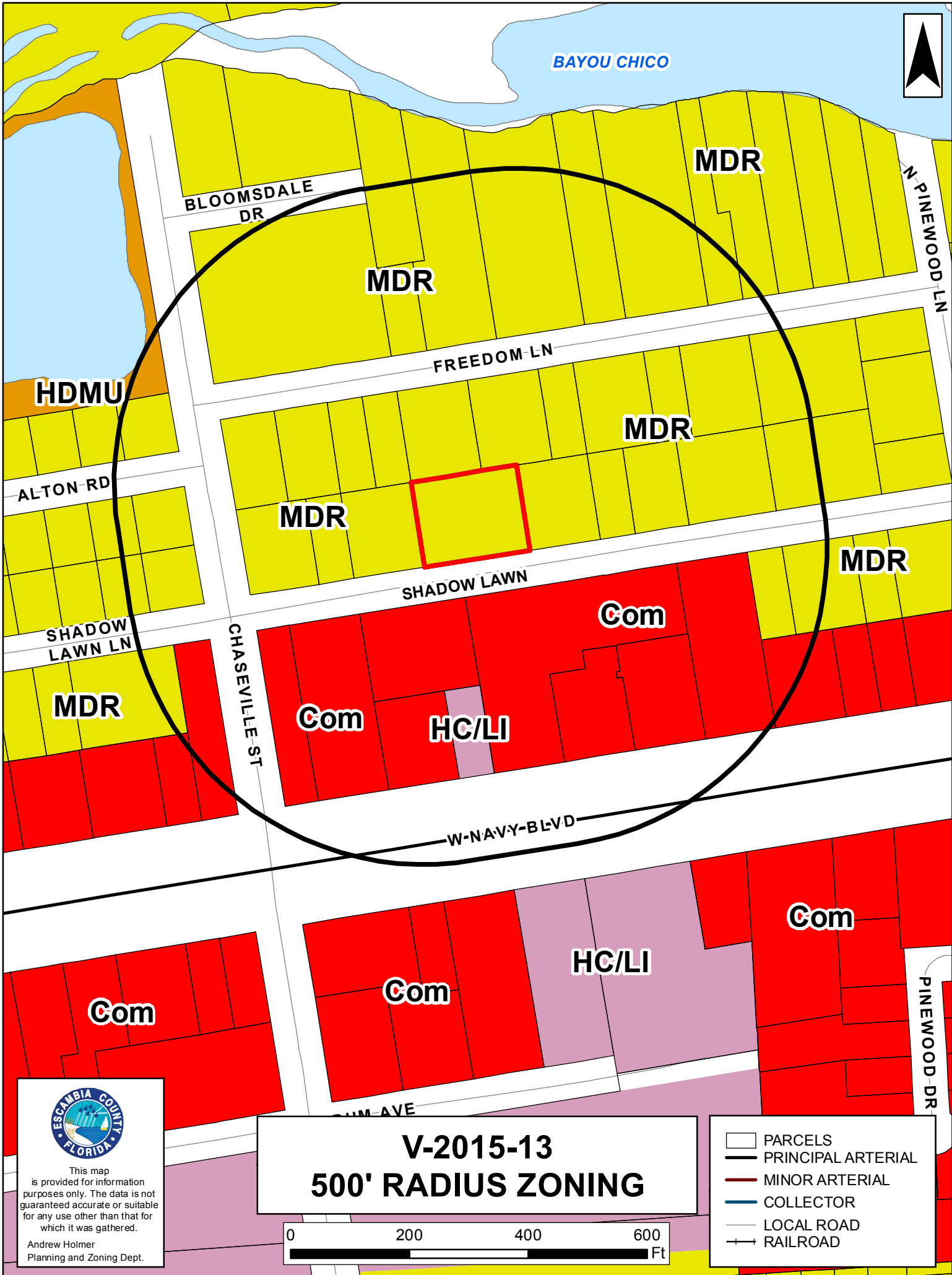
BOA DECISION

Attachments

Working Case File V-2015-13

V-2015-13

128 Shadow Lawn Lane



BAYOU CHICO

MDR

BLOOMSDALE DR

N-PINEWOOD LN

MDR

FREEDOM LN

HDMU

MDR

ALTON RD

MDR

MDR

SHADOW LAWN

SHADOW LAWN LN

Com

CHASEVILLE ST

Com

HC/LI

W-NAVY-BLVD

MDR

Com

HC/LI

PINEWOOD DR

Com

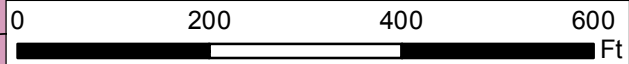
Com



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

Andrew Holmer
Planning and Zoning Dept.

V-2015-13
500' RADIUS ZONING



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



BAYOU CHICO

BLOOMSDALE DR

MU-U

N-PINEWOOD LN

MU-U

FREEDOM LN

MU-U

ALTON RD

MU-U

SHADOW LAWN

SHADOW LAWN LN

MU-U

CHASEVILLE ST

W-NAVY-BLVD

G

G

G

G

G

G

PINEWOOD DR



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Andrew Holmer
Planning and Zoning Dept.

V-2015-13 FUTURE LAND USE



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

BROWNSVILLE

BAYOU CHICO



BLOOMSDALE DR

N PINWOOD LN

WARRINGTON

FREEDOM LN

ALTON RD

SHADOW LAWN

SHADOW LAWN LN

CHASEVILLE ST

WARRINGTON

W-NAVY-BLVD

WARRINGTON

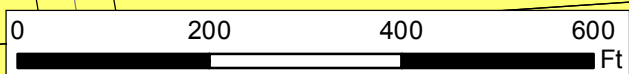
PINWOOD DR



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Andrew Holmer
Planning and Zoning Dept.

V-2015-13 CRA DISTRICTS



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



SHADOW LAWN LN









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Andrew Holmer
Planning and Zoning Dept.

V-2015-13 AERIAL MAP



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

Variance Request

1. Warehouse Frontage Echo's Sound Creating Vibrations AND Amplified Noise. SPOT ZONEING IN FRONT OF RESIDENCE CAUSES A PRIVATE PUBLIC NEUSANCE AFFECTING ONLY MY RESIDENCE. INGRESS EGRESS FROM NAVY BOULEVARD IS A CONFLICT OF INTEREST ZONEING. THE RECENT ZONEING OF 3720 NAVY HAS ADDED MORE NOISE INTRUSION. A COX CABLE BATTERY BACK UP SYSTEM INSTALLED ACROSS THE STREET ADDS ANOTHER NOISE FACTOR. THESE SPOT ZONEINGS HAS RENDERED A UNUSUAL HARDSHIP FOR REASONABLE RESIDENTIAL USE AN EXPECTATION OF PRIVACY. A VARIANCE WOULD BUFFER SOME OF THE INTRUSION AND DEPRECIATION VALUE OF PROPERTY AND PRIVACY.

2. NO

3. UNDERSTOOD

4. DIRECTING COMMERCIAL TRAFFIC OFF NAVY Blvd. IN FRONT OF RESIDENCE HAS CREATED AN UNNECESSARY HARDSHIP.

5. GRANTING MINIMUM VARIANCE FOR REASONABLE USE OF LAND WOULD BE A REASONABLE ^{GRANT} REQUEST APPROVAL

6. GRANTING VARIANCE WILL NOT BE INJURIOUS TO AREA OR PUBLIC WELFARE.

Thank You Consideration

Edward Robinson



Development Services Department

Escambia County, Florida

APPLICATION

Please check application type:

Administrative Appeal

Development Order Extension

Conditional Use Request for: _____

Variance Request for: 8FT PRIVACY FENCE FRONT AND EAST SIDE

Rezoning Request from: _____ to: _____

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

Owner(s) Name: Edward Robinson Phone: 850 453-2842
 Address: 128 Shadow Lawn Ln Email: None

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: 128 Shadow Lawn Ln.
 Property Reference Number(s)/Legal Description: 3825301001130018

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.

Edward Robinson Signature of Owner/Agent Edward Robinson Printed Name Owner/Agent 10-13-15 Date

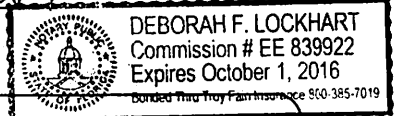
Signature of Owner _____
Printed Name of Owner _____
Date

STATE OF Florida COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 13th day of October 2015.
 by Edward G. Robinson

Personally Known OR Produced Identification . Type of Identification Produced: FL DR. License R152-227-63-183-0 Exp. 06-23-19

Deborah F. Lockhart Signature of Notary (notary seal must be affixed) Deborah F. Lockhart Printed Name of Notary



FOR OFFICE USE ONLY CASE NUMBER: V-2015-13

Meeting Date(s): 11-18-15 Accepted/Verified by: DA DFL Date: 10-13-15

Fees Paid: \$ N/A Receipt #: Fee Waived Permit #: PBA151000015



Chris Jones
Escambia County Property Appraiser

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

[Back](#)

← Navigate Mode Account Reference →

[Printer Friendly Version](#)

General Information	Assessments																				
Reference: 382S301001130018 Account: 074468100 Owners: ROBINSON EDWARD G Mail: 128 SHADOW LAWN LN PENSACOLA, FL 32507 Situs: 128 SHADOW LAWN LN 32507 Use Code: MOBILE HOME Taxing Authority: COUNTY MSTU Tax Inquiry: Open Tax Inquiry Window Tax Inquiry link courtesy of Janet Holley Escambia County Tax Collector	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Year</th> <th>Land</th> <th>Imprv</th> <th>Total</th> <th>Cap Val</th> </tr> </thead> <tbody> <tr> <td>2015</td> <td>\$20,520</td> <td>\$2,627</td> <td>\$23,147</td> <td>\$16,363</td> </tr> <tr> <td>2014</td> <td>\$20,520</td> <td>\$2,395</td> <td>\$22,915</td> <td>\$16,234</td> </tr> <tr> <td>2013</td> <td>\$20,520</td> <td>\$2,275</td> <td>\$22,795</td> <td>\$15,995</td> </tr> </tbody> </table> <p style="text-align: center;">Disclaimer</p> <p style="text-align: center;">Amendment 1/Portability Calculations</p>	Year	Land	Imprv	Total	Cap Val	2015	\$20,520	\$2,627	\$23,147	\$16,363	2014	\$20,520	\$2,395	\$22,915	\$16,234	2013	\$20,520	\$2,275	\$22,795	\$15,995
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2014	\$20,520	\$2,395	\$22,915	\$16,234																	
2013	\$20,520	\$2,275	\$22,795	\$15,995																	

Sales Data	2015 Certified Roll Exemptions																		
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Sale Date</th> <th>Book</th> <th>Page</th> <th>Value</th> <th>Type</th> <th>Official Records (New Window)</th> </tr> </thead> <tbody> <tr> <td>03/1992</td> <td>3155</td> <td>755</td> <td>\$100</td> <td>WD</td> <td>View Instr</td> </tr> <tr> <td>01/1966</td> <td>290</td> <td>294</td> <td>\$3,000</td> <td>WD</td> <td>View Instr</td> </tr> </tbody> </table> <p>Official Records Inquiry courtesy of Pam Childers Escambia County Clerk of the Circuit Court and Comptroller</p>	Sale Date	Book	Page	Value	Type	Official Records (New Window)	03/1992	3155	755	\$100	WD	View Instr	01/1966	290	294	\$3,000	WD	View Instr	HOMESTEAD EXEMPTION Legal Description BEG AT SW COR OF BLK 2 OF WEST ERLY HEIGHTS NLY ALG W LI OF B LK 360 FT ELY PARL TO S LI OF BLK 300 FT FOR POB ELY 180 FT...
Sale Date	Book	Page	Value	Type	Official Records (New Window)														
03/1992	3155	755	\$100	WD	View Instr														
01/1966	290	294	\$3,000	WD	View Instr														
	Extra Features CARPORT																		

Parcel Information [Launch Interactive Map](#)

Section Map Id:
CA160

Approx. Acreage:
0.6000

Zoned:
MDR

Evacuation & Flood Information
[Open Report](#)


[View Florida Department of Environmental Protection\(DEP\) Data](#)

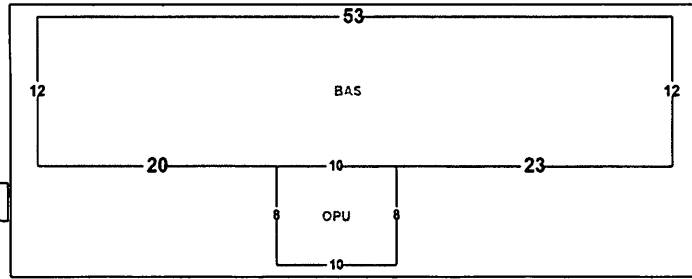
Buildings

Address: 128 SHADOW LAWN LN, Year Built: 1966, Effective Year: 1966

Structural Elements
DWELLING UNITS-1
MH EXTERIOR WALL-VINYL/METAL
MH FLOOR FINISH-CARPET
MH FLOOR SYSTEM-TYPICAL
MH HEAT/AIR-UNIT HEAT/FLOOR FURNACE
MH INTERIOR FINISH-PANEL PLYWOOD

MH MILLWORK-TYPICAL
MH ROOF COVER-METAL
MH ROOF FRAMING-FLAT/SHED
MH STRUCTURAL FRAME-TYPICAL
NO. PLUMBING FIXTURES-3
NO. STORIES-1
STORY HEIGHT-0

 Areas - 716 Total SF
BASE AREA - 636
OPEN PORCH UNF - 80



Images

None

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.

Last Updated: 10/13/2015 (10:4:59)

Site Plan





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

**ROBINSON EDWARD G
128 SHADOW LAWN LN
PENSACOLA, FL 32507**

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



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

**ACREE JAMES E
4681 CERNEY RD LOT 1
PENSACOLA, FL 32526**

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

**POWELL ANNIE
309 FREEDOM LN
PENSACOLA, FL 32507**

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

**WILLIAMS WILLIAM T & CATHERINE Z
225-B FREEDOM LN
PENSACOLA, FL 32507**

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



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

**TRONU JOHN R & DINAH S
6110 SIGUENZA DR
PENSACOLA, FL 32507**

**ROUGHTON JAMES
130 SHADOWLAWN LN
PENSACOLA, FL 32507**

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

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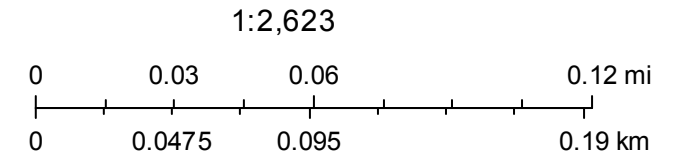
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Chris Jones Escambia County Property Appraiser



October 29, 2015

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

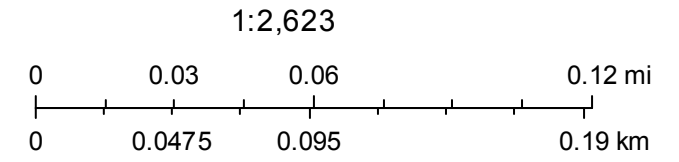


Chris Jones Escambia County Property Appraiser



October 29, 2015

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



Board of Adjustment

6. 2.

Meeting Date: 11/18/2015
CASE: V-2015-14
APPLICANT: Nader Ghobrial, Agent for Fadi Mubarak, Owner
ADDRESS: 4615 Mobile Hwy.
PROPERTY REFERENCE NO.: 14-2S-30-8001-001-001
ZONING DISTRICT: COM, Commercial
FUTURE LAND USE: C, Commercial

SUBMISSION DATA:

REQUESTED VARIANCE:

The Applicant is seeking an after the fact variance to increase the allowed signage on an existing commercial site.

RELEVANT AUTHORITY:

**Land Development Code of Escambia County, Florida (Ordinance No. 96-3 as amended),
Section: 5-8.1**

CRITERIA

**Land Development Code of Escambia County, Florida (Ordinance No. 96-3 as amended),
Section 2-6.3**

CRITERION (1)

Special conditions and circumstances exist which are peculiar to the land, structure or building and which are not applicable to other lands, structures or buildings in the same zoning district.

FINDINGS-OF-FACT

Staff was not provided with enough information to make a finding on this criterion.

CRITERION (2)

The special conditions and circumstances do not result from the actions of the applicant.

FINDINGS-OF-FACT

The signs were installed without a permit from the county.

CRITERION (3)

Granting the variance requested will not confer on the applicant any special privilege that is denied by this land development code to other lands, buildings or structures in the same zoning district.

FINDINGS-OF-FACT

Staff was not provided with enough information to make a finding on this criterion.

CRITERION (4)

Strict application of the provisions of the land development code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development code and would create an unnecessary and undue hardship on the applicant. .

FINDINGS-OF-FACT

Staff was not provided with enough information to make a finding on this criterion.

CRITERION (5)

The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

FINDINGS-OF-FACT

Staff was not provided with enough information to make a finding on this criterion.

CRITERION 6

The granting of the variance will be consistent with the general intent and purpose of the land development code and that such variance will not be injurious to the area or otherwise detrimental to the public welfare.

FINDING OF FACT:

Staff was not provided with enough information to make a finding on this criterion.

STAFF RECOMMENDATION

Staff is unable to make a finding based on the information submitted and requests a one month continuance to allow the Applicant to meet with staff and clarify the requested variance.

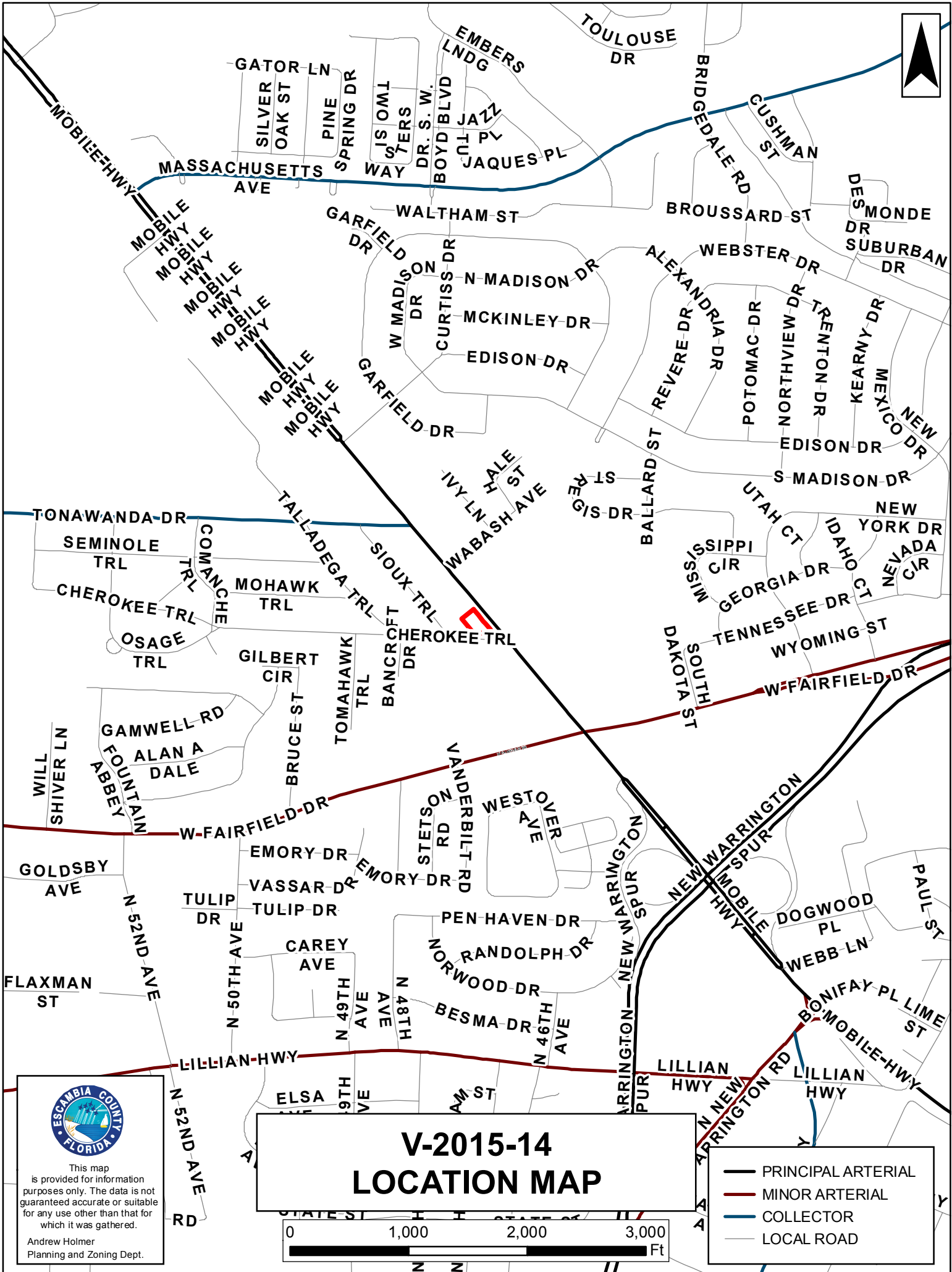
BOA DECISION

Attachments

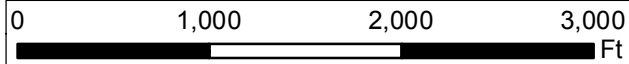
Working Case File #V2015-14

V-2015-14


4615 Mobile Hwy.



V-2015-14 LOCATION MAP

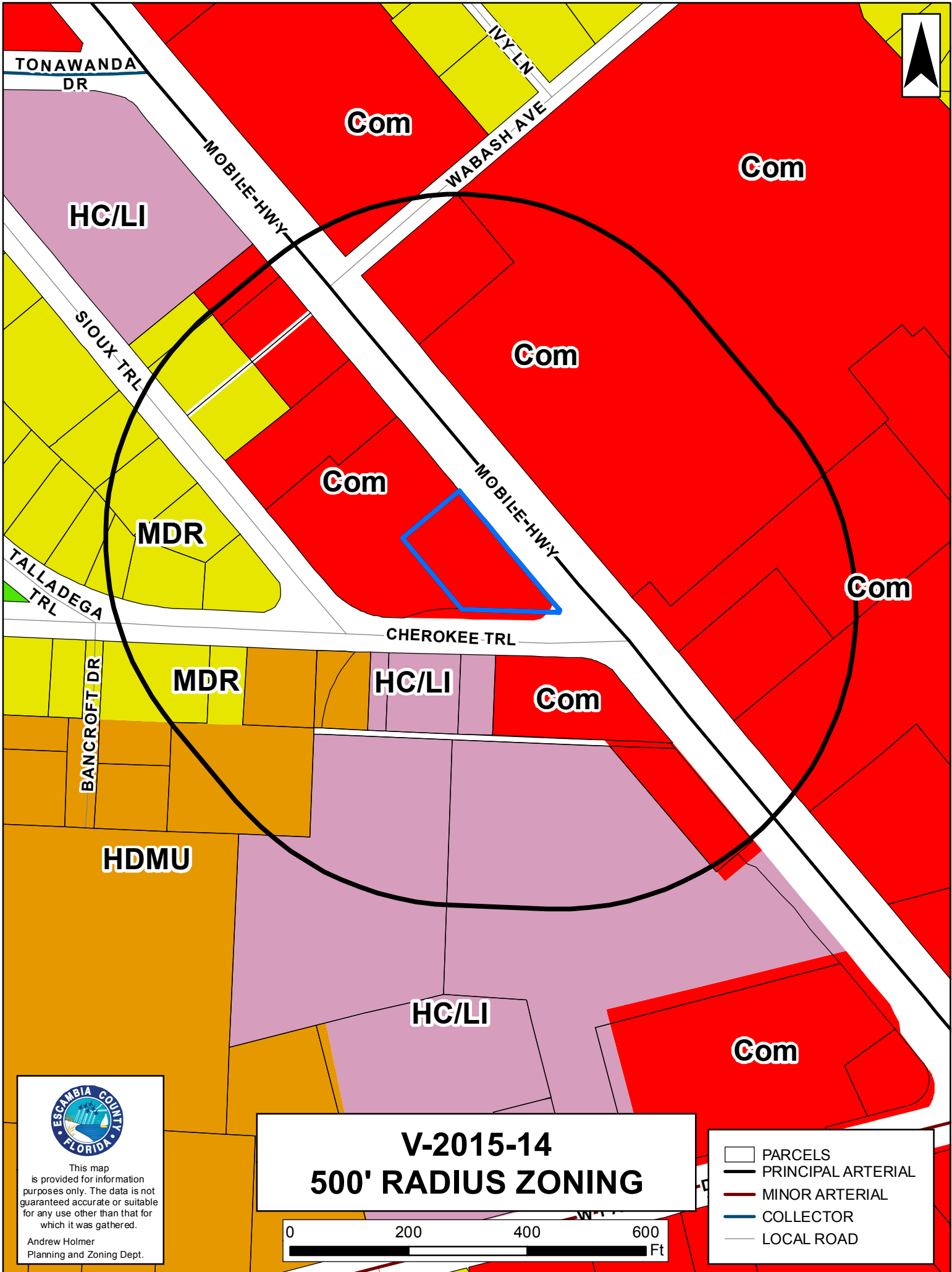


- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



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Andrew Holmer
Planning and Zoning Dept.



V-2015-14 500' RADIUS ZONING

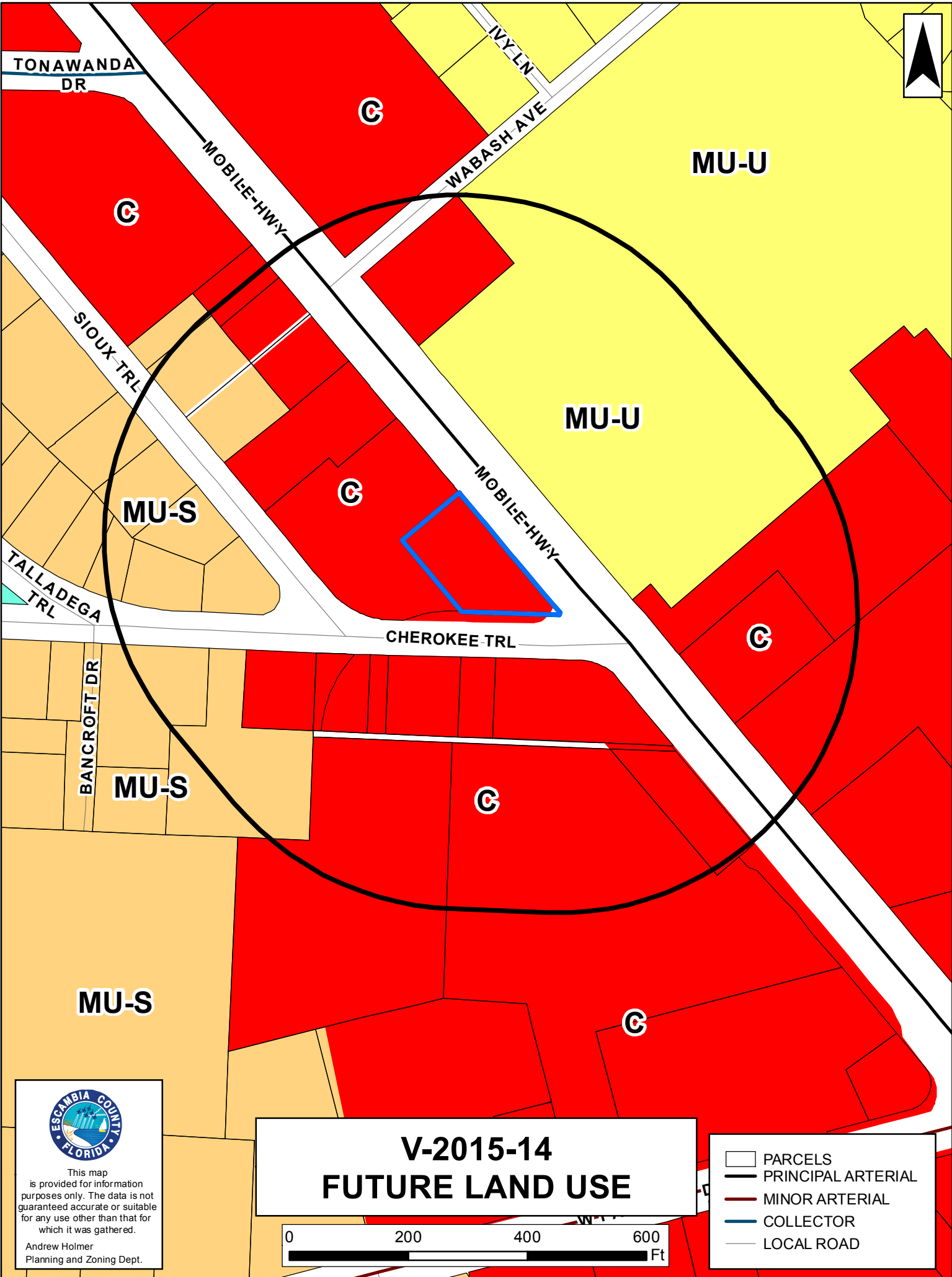


- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



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.



TONAWANDA DR

IVY LN

WABASH AVE

MOBILE-HWY

MU-U

G

G

SIOUX TRL

MU-U

MU-S

G

MOBILE-HWY

TALLADEGA TRL

CHEROKEE TRL

G


BANCROFT DR

MU-S

G

MU-S

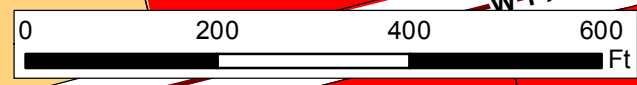
G








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

Andrew Holmer
Planning and Zoning Dept.

V-2015-14 FUTURE LAND USE



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



MOBILE HWY

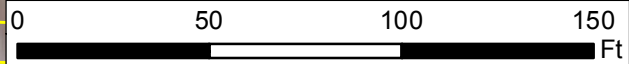
CHEROKEE TRL








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Andrew Holmer
Planning and Zoning Dept.

V-2015-14 AERIAL MAP



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

To whom it may concern,

We are requesting a variance for the 2 extra signs at our store located on 4615 Mobile Hwy, Pensacola, FL 32506. The building at the above address is situated in such a manner that the side of the building faces the major intersection adjacent to the building which is crucial for the survival of this location. When we purchased this location the standing building was already constructed and at no point did we make changes to where the building sits. We do not believe this would provide us with any advantage or special privileges as we have checked nearby businesses only to find that they also have signage on multiple sides of the building to accommodate for the angled placements of their buildings relative to intersection and adjacent roadways. We currently have 6 stores total in the Pensacola area and employ over 25 people and have plans to bring more business and jobs to the area. If we are not able to retain the current signage for this location and see a decrease in traffic through this store front we may have to look into possibly shutting the store down which would affect the other locations as well. Where the current signage sits on the building is the absolute minimum we would need to be visible to all angles of traffic and allows us to be recognized for customers looking for our store. The extra signs do not provide any detriment to the surrounding environment or the public welfare. It is our deepest belief that with this variance to retain the extra signage that we will be able to continue to remain standing and operate this location.

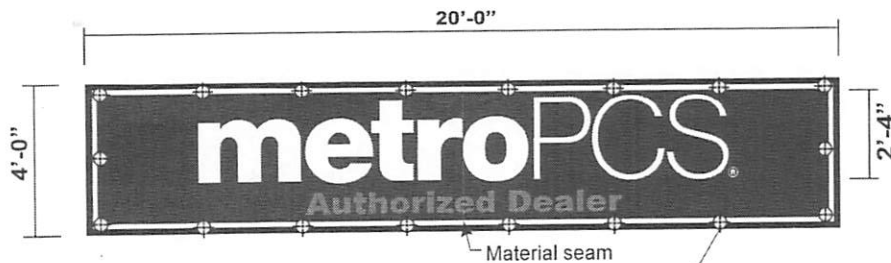
Sincerely,

Nader Ghobrial

4615 Mobile Hwy.
Pensacola, FL.



Storefront View: Proposed Channel Letter Sign



General Notes:

Cabinet is aluminum construction.
Face is pan formed, .177 Acrysteel with vinyl background.

Authorized dealer is flat vinyl application.
Face will be in 2 pieces, with butt seam, & overlapping flange on backside to prevent light leaks.

HANGING BAR, OR FACE FASTENED TO FRAME.

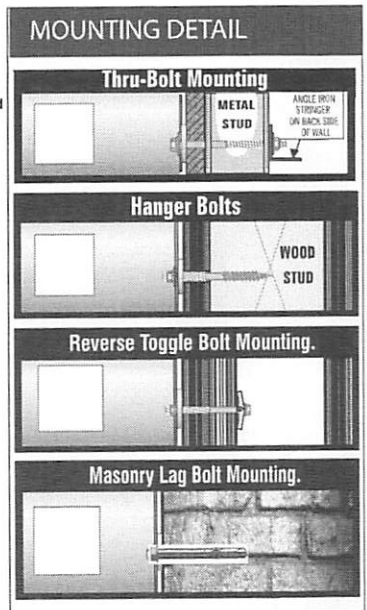
COLORS

MetroPCS is White.
Background is Arlon 2500-3412 Purple
A. Dealer is Arlon 2500-3411 Orange.
Cabinet & retainer color is Black.
Flange of face is White.

Cabinet frame mounted to fascia with eighteen (18) each of the fastener options shown.
Note: Fasteners will not be visible and are shown to illustrate number and approximate locations. Precise locations will be determined by installer.

Illumination is provided by internal fluorescent lamps. Electronic type ballasts placed where needed.
120V. 20 A. UL listed disconnect req'd.
Photocell to control time of lighting provided.
Existing electrical circuit to be re-used.

This sign conforms to the requirements of Florida Building Code 2010
Ultimate design wind speed V(ult) = 150 mph
Risk category = II
Exposure C



metro PCS cabinet sign
by The Sign Resource, Inc.
John J. Orlando PE LLC
165 Old Ridge Road
Macon, GA 31211 478 731 5394
Florida registration # 0044089
sheet 1 of 2
job 01214SR

APPLICATION

Please check application type:
Administrative Appeal
Development Order Extension
Conditional Use Request for:
Variance Request for: Extra Signage
Rezoning Request from: to:

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

Owner(s) Name: Fadi Mubarak Phone: 813-900-0000
Address: PO Box 290315 Tampa FL, 33687 Email: fadi.mubarak@celltouch.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: 4615 Mobile Hwy, Pensacola, FL 320506
Property Reference Number(s)/Legal Description: 142S308001001001 / MetroPCS retail store

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.

Handwritten signature of Nader Ghobrial
Signature of Owner/Agent
Signature of Owner

Nader Ghobrial
Printed Name Owner/Agent
Date: 10/21/2015
Fadi Mubarak
Printed Name of Owner
Date: 10/21/2015

STATE OF FL COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 21 day of October 2015 by Fadi Mubarak

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

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

Gina Lara
Printed Name of Notary

FOR OFFICE USE ONLY
CASE NUMBER: V-2015-14
Meeting Date(s): 11-18-15 Accepted/Verified by: DJH/DFL Date: 10-28-15
Fees Paid: \$423.50 Receipt #: 648314 Permit #: PBA151000016



AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at 4615 Mobile Hwy, Pensacola, FL 32506
Florida, property reference number(s) 142S308001001001

I hereby designate Nader Ghobrial 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) Variance on the above referenced property.

This Limited Power of Attorney is granted on this 21st day of October the year of, 2015, 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: Nader Ghobrial Email: nader.ghobrial@celltouch.net
Address: 5120 N. Palafox St, Pensacola, 32505 Phone: 727-504-0960

[Handwritten Signature]

Signature of Property Owner

Fadi Mubarak

Printed Name of Property Owner

10/21/2015
Date

Signature of Property Owner

Printed Name of Property Owner

Date

STATE OF FL COUNTY OF Hillsborough

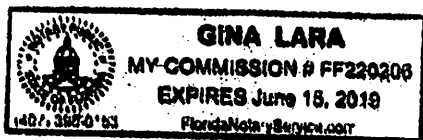
The foregoing instrument was acknowledged before me this 21 day of October, 2015
by Fadi Mubarak

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

[Handwritten Signature]
Signature of Notary

Gina Lara
Printed Name of Notary

(Notary Seal)



CONTRACT FOR SALE AND PURCHASE – Commercial Improved Property



This Contract for Purchase and Sale is entered into this the 7th day of February, 2014, by and between: Fadi Mubarak and/or Assigns and/or assigns, ("PURCHASER") and Circle K Stores, Inc., ("SELLER").

PURCHASER agrees to buy and SELLER agrees to sell the property described as follows:

Street Address: 4615 Mobile Hwy, Pensacola, FL 32506
Legal Description: See Exhibit "A," attached hereto.
Improvements: Approx. 1,000 SF retail building
Personal / Other Property: N/A

(all collectively known as the "Property" on the terms and conditions as set forth below. Time is of the essence in this contract. Throughout the contract, any date referenced shall end at 5:00 PM, Central Standard Time. Should a date fall on a weekend or official Holiday, the date shall be 5:00 PM Central Time on the first business day following said date.

- 1. TERMS: a Full Purchase Price: \$ 350,000
b Earnest Money Deposit (see Section 4; due within 48 hours of full execution): \$ 60,000
c Mortgage to be Applied for: \$
d Deferred Payments to Seller: \$
e Cash at Closing (1a less 1b, 1c and 1d, above): \$ 290,000

Cash Sale (No Financing Contingency) [X]

Subject to Third Party Financing (to be procured during the Inspection Period): []

2. TITLE: SELLER has the legal capacity to sell and shall convey marketable title to the Property by: General Warranty Deed free and clear of encumbrances of record or known to SELLER, but subject to property taxes and/or assessments for the year of the closing, covenants, zoning restrictions, prohibitions and any other requirements imposed by governmental authority, deed restrictions and public utility easements of record; and (list any other matters to which title will be subject: none known

provided there exists at closing no violation of the foregoing and none of them prevents PURCHASER'S intended use of the Property for: Any use allowed in C-1 zoning. (Immediate intention is to open a cellular phone retail store)

a. Evidence of Title: Unless otherwise agreed herein, the [] SELLER / [X] PURCHASER shall, at: [X] SELLER'S / [X] PURCHASER'S expense, and by [5] days [] from Effective Date, [5] from date PURCHASER meets or waives all contingencies (End of Inspection Period), deliver to PURCHASER a title insurance commitment by a Florida licensed title insurance and, upon PURCHASER recording the deed, an owner's policy in the amount of the purchase price for Fee Simple Title, subject only to the exceptions stated above.

PURCHASER shall, within 10 days from receipt of the title commitment, deliver written notice to SELLER of title defects. Title shall be deemed acceptable to PURCHASER if (1) PURCHASER fails to deliver proper notice of defects, (2) PURCHASER delivers proper notice and SELLER, at SELLER'S expense, cures the defects within 15 days from receipt of the notice ("Curative Period"). If the defects are cured within the Curative Period, closing shall occur within 10 days from the receipt by PURCHASER of notice of such curing. SELLER may elect not to cure defects if SELLER reasonably believes any defect cannot be cured within the Curative period. If the defects are not cured within the Curative Period, PURCHASER shall have 10 days from the receipt of notice of SELLER'S inability to cure the defects to elect whether to grant (in writing) SELLER more time to cure title, terminate this Contract, or accept title subject to existing defects and close the transaction without reduction in purchase price.

3. CLOSING DATE AND PROCEDURE: This transaction shall be closed in Escambia County, Florida, on or before 45 Days from full execution ("Closing Date"), unless otherwise extended herein. [] SELLER [X] PURCHASER shall designate the closing agent. PURCHASER and SELLER shall, within 3 days prior to Closing Date, deliver to Designated Closing Agent signed instructions which provide for closing procedure. If an institutional lender is providing purchase funds, lender requirements as to place, time of day, and closing procedures shall control over any contrary

EXHIBIT A

LEGAL DESCRIPTION

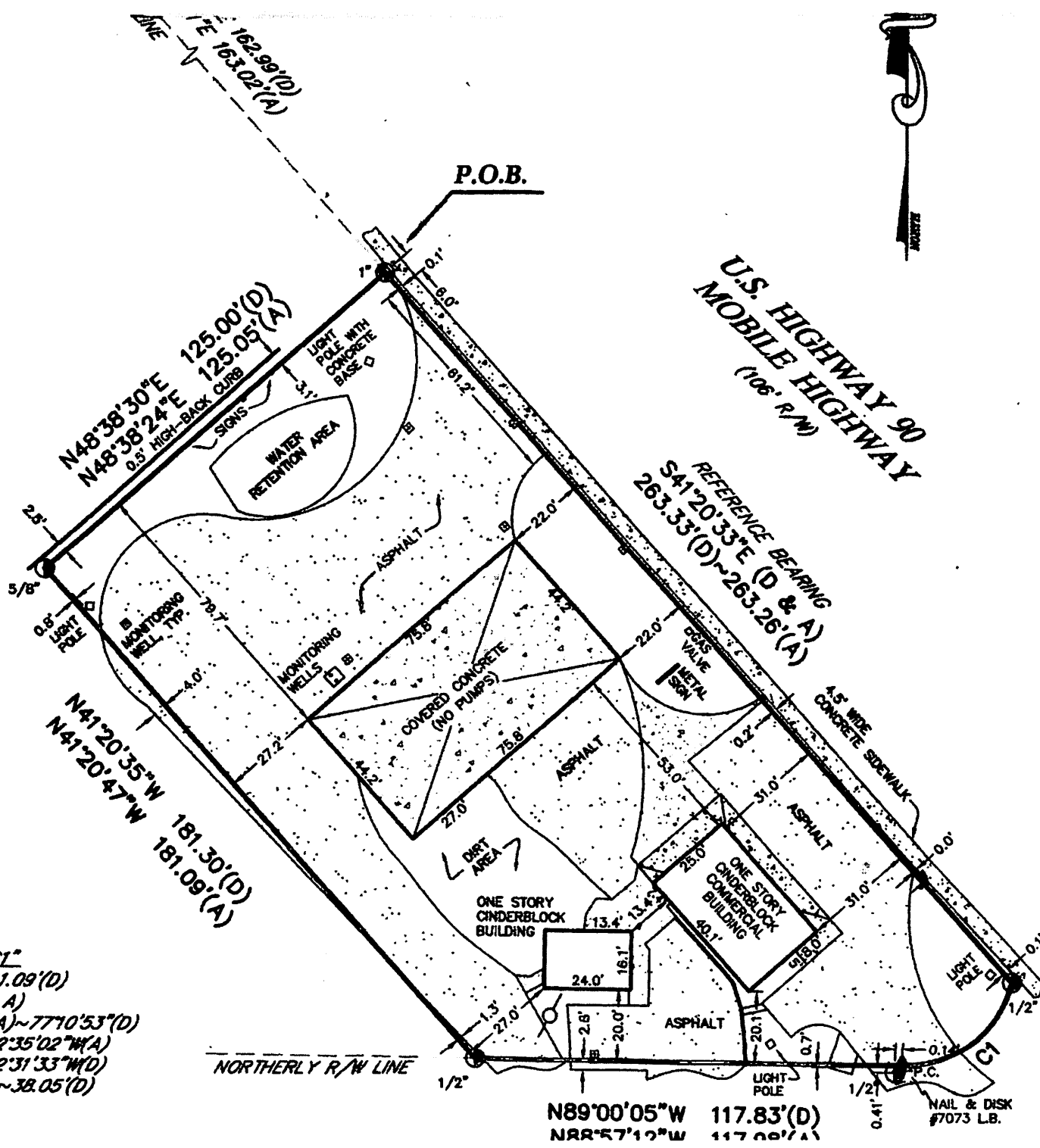
That portion of Lots 1, 2, 3, 36 and 37, Block 1 of Osceola Country Club Estates, according to Plat filed in Plat Book 1, Page 18 of the Public Records of Escambia County, Florida, described as follows: Commencing at an iron pipe at the Northwest corner of Lot 34 of said Block 1; thence North 48° 43' 15" East along the North line of said Lot 34, a distance of 126.58 feet to an iron pipe in the West right of way line of U.S. Highway 90 (right of way width 106 feet); thence South 41° 20' 30" East along said right of way line 162.99 feet to an iron pipe for the Point of Beginning; thence continue South 41° 20' 33" East along said right of way line, 295.22 feet to a point being in the extension of the North line of Cherokee Trail, according to said Plat; thence North 89° 00' 05" West along said North line, 169.07 feet to an iron pipe; thence North 41° 20' 35" West 181.30 feet to an iron pipe; thence North 48° 38' 30" East, 125.00 feet to the Point of Beginning; EXCEPTING that portion within said Cherokee Trail, lying outside of the 30.5 feet radius line at the Southeast corner of said Lot 1, according to said Plat, and that portion thereof, if any, within the right of way for State Road 10-A, Section 4802 as conveyed by Ada Oil Company to the State of Florida by deed dated September 9, 1959 and recorded in Escambia County, in Deed Book 525, Page 758.

Also described as:

A portion of Lots 1, 2, 3, 36 and 37, Block 1, Osceola Country Club Estates, Plat Book 1, Page 18, of the Public Records of Escambia County, Florida, being more particularly described as follows: Commence at a rebar marking the intersection of the North line of Lot 34 of said Block 1 with the Southwesterly right-of-way line of Mobile Highway (106 foot right-of-way); thence South 41° 20' 30" East along said right-of-way line a distance of 162.99 feet to a rebar marking the most Northerly corner and Point of Beginning of the following described parcel; thence South 41° 20' 33" East along said right-of-way line a distance of 263.33 feet to a rebar lying on a non-tangent circular curve to the right having a radius of 30.50 feet and a central angle of 77° 10' 53"; thence along said curved right-of-way line an arc distance of 41.09 feet (chord: South 52° 31' 33" West, 38.05 feet) to a nail marking the intersection of said right-of-way line with the Northerly right-of-way line of Cherokee Trail (60 foot right-of-way); thence North 89° 00' 05" West along said right-of-way line a distance of 117.83 feet to a rebar; thence North 41° 20' 35" West a distance of 181.30 feet to a rebar; thence North 48° 38' 30" East a distance of 125.00 feet to the Point of Beginning.

EXHIBIT B
PERMITTED EXCEPTIONS

NONE



CURVE DATA "C1"
L = 41.02'(A) ~ 41.09'(D)
R = 30.50'(D & A)
Δ = 77°03'04"(A) ~ 77°10'53"(D)
CH BRNG = S52°35'02"W(A)
CH BRNG = S52°31'33"W(D)
CH = 37.99'(A) ~ 38.05'(D)

N89°00'05"W 117.83'(D)
N88°57'12"W 117.00'(A)

NAIL & DISK
#7073 LB.

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

For Rezoning Requests Only

Property Reference Number(s): 142S308001001001

Property Address: 4615 Mobile Hwy, Pensacola, FL 32506

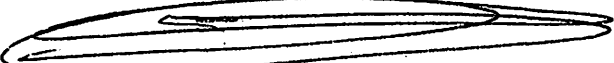
I/We acknowledge and agree that no future development for which concurrency of required facilities and services must be certified shall be approved for the subject parcel(s) without the issuance of a certificate of concurrency for the development based on the actual densities and intensities proposed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

- 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 21st DAY OF October, YEAR OF 2015



Signature of Property Owner

Fadi Mubarak

Printed Name of Property Owner

10/21/2015

Date

Signature of Property Owner

Printed Name of Property Owner

Date



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



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

**NEW WAY LAND LLC
PO BOX 290315
TAMPA, FL 33687**

**PENSAORNER LLC
C/O GUY ORNER
2217 DUXBURY CIR
LOS ANGELES, CA 90034**

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

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



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

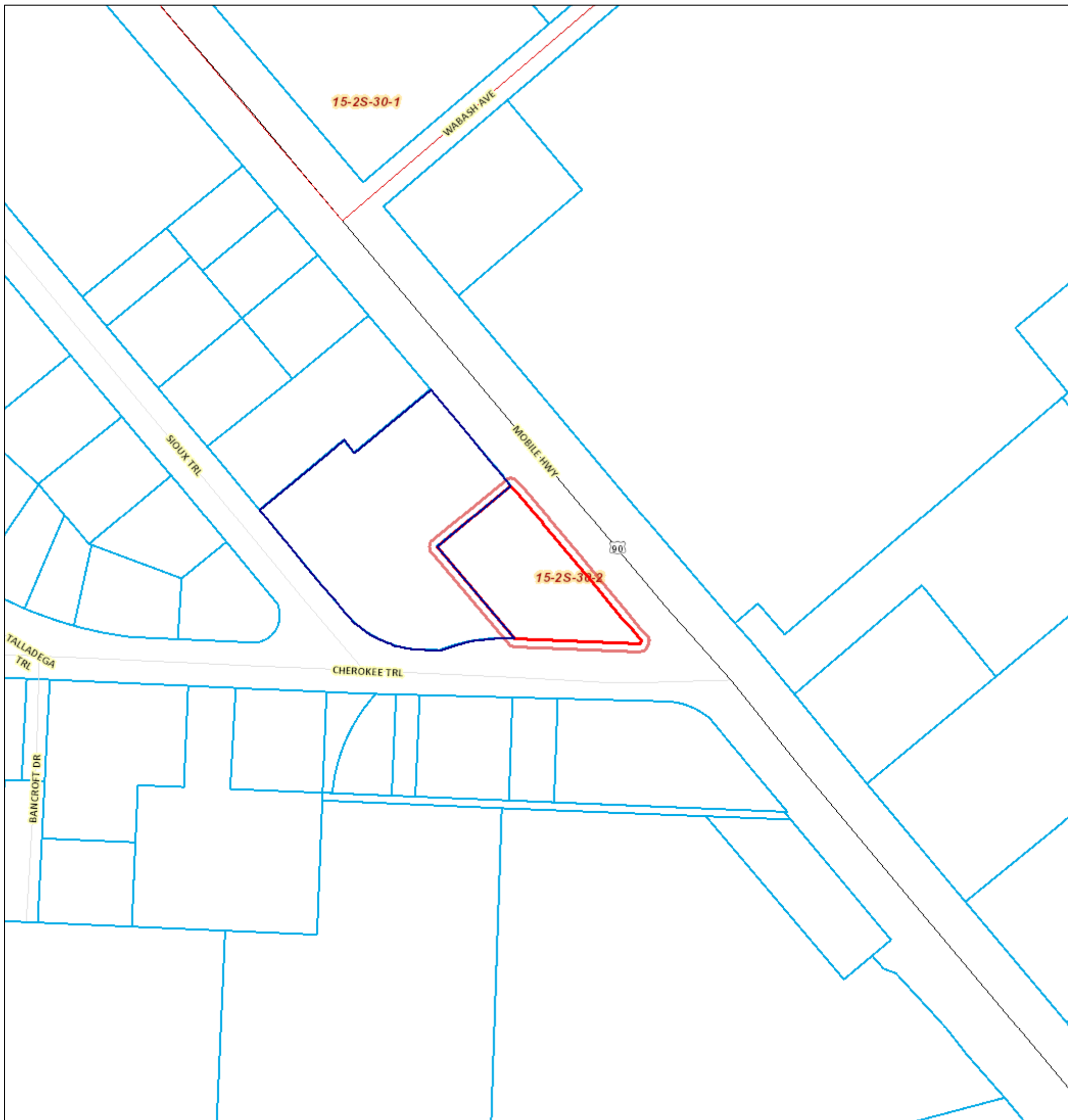


Escambia County
Development Services Department
3363 West Park Place
Pensacola, FL 32505

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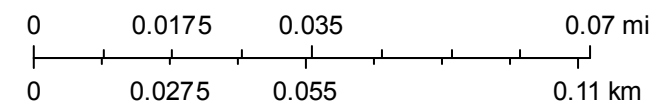
Chris Jones Escambia County Property Appraiser



October 29, 2015

1:1,530

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





Development Services Department

Building Inspections Division

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

RECEIPT

Receipt No. : **648314**

Date Issued. : 10/28/2015

Cashier ID : KLHARPER

Application No. : PBA151000016

Project Name : V-2015-14

Address : 5120 N. PALAFOX ST.
Pensacola, FL, 32505

PAYMENT INFO

Method of Payment	Reference Document	Amount Paid	Comment
Check	1048	\$423.50	App ID : PBA151000016
		\$423.50	Total Check

Received From : CELL TOUCH ORLANDO, INC DBA

Total Receipt Amount : **\$423.50**

Change Due : \$0.00

APPLICATION INFO

Application #	Invoice #	Invoice Amt	Balance	Job Address
PBA151000016	739408	423.50	\$0.00	4615 MOBILE HWY, PENSACOLA, 32506

Total Amount :	423.50	\$0.00	Balance Due on this/these Application(s) as of 10/28/2015
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