

AGENDA  
ESCAMBIA COUNTY BOARD OF ADJUSTMENT  
November 16, 2016–8:30 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 September 21, 2016 Resume Minutes.

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

1. **Case No.:** V-2016-09  
Address: 300 E. Bogia Rd.  
Request: Variance to County's 3-Foot Freeboard Requirement  
Requested by: Christopher K. Davis, Owner

7. Discussion Items.
8. Old/New Business.
9. Announcement.

The next Regular Board of Adjustment Meeting is scheduled for Wednesday, December 21, 2016 at 8:30 a.m., and a Special Board of Adjustment Meeting is scheduled for Wednesday, December 07, 2016 at 8:30 a.m., at the Escambia County Central Office Complex, Room 104, 3363 West Park Place.

10. Adjournment.

Audio CD of this meeting is available upon request.

**Board of Adjustment**

**5.**

Meeting Date: 11/16/2016

---

---

Attachments

Draft Minutes 09-21-16

---

---

# DRAFT

## DRAFT

### RESUMÉ OF THE MEETING OF THE BOARD OF ADJUSTMENT HELD September 21, 2016

CENTRAL OFFICE COMPLEX  
3363 WEST PARK PLACE, BOARD CHAMBERS  
PENSACOLA, FLORIDA  
(8:30 A.M. – 8:50 A.M.)

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

Absent: Jennifer Rigby  
Blaise Adams

Staff Present: Kristin Hual, Assistant County Attorney  
Andrew Holmer, Division Manager, Planning & Zoning  
Debbie Lockhart, Administrative Assistant

1. The meeting was called to order at 8:30 A.M.
2. Staff members were 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 Judy Gund  
Motion was made to accept the BOA meeting package.  
**Vote:** 5 - 0 Approved
4. Proof of Publication and waive the reading of the legal advertisement.

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

The Clerk provided proof of advertisement and a motion was made to waive the reading of the ad.

**Vote:** 5 - 0 Approved

5. Approval of the August 17, 2016 Resume Minutes.

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

Motion was made to approve the minutes from the August 17, 2016 meeting.

**Vote:** 5 - 0 Approved

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

1. **Case No.:** V-2016-07

Address: 5591 Highway 29 North

Request: Sign Variance

Requested by: Calvary Apostolic Tabernacle, Pastor Michael Mills

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 At Large Member Jesse Casey

Motion was made to amend Staff Findings and approve the request as submitted.

**Vote:** 5 - 0 Approved

2. **Case No.:** V-2016-08

Address: 4835 Mobile Highway

Request: Drive-through Within 200 Feet of Residential Zoning

Requested by: Wiley C. "Buddy" Page, Agent for Gulf States Storage of Mobile Highway, LLC

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 Judy Gund  
Motion was made to accept Staff Findings and approve the variance as requested.

**Vote:** 5 - 0 Approved

7. Discussion Items.

8. Old/New Business.

9. Announcement.

The next Board of Adjustment Meeting is scheduled for Wednesday, October 19, 2016 at 8:30 a.m., at the Escambia County Central Office Complex, Room 104, 3363 West Park Place.

10. The meeting adjourned at 8:50 A.M.

Audio CD of meeting is available upon request.

**Board of Adjustment**

**6. 1.**

**Meeting Date:** 11/16/2016  
**CASE:** V-2016-09  
**APPLICANT:** Christopher K. Davis, Owner  
**ADDRESS:** 300 E. Bogia Road  
**PROPERTY REFERENCE NO.:** 43-4N-31-1002-005-004  
**ZONING DISTRICT:** RR, Rural Residential  
**FUTURE LAND USE:** RC, Rural Community

---

**SUBMISSION DATA:**

**REQUESTED VARIANCE:**

The Applicant is requesting a variance to the County's floodplain management three foot freeboard. Freeboard is a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. Freeboard tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

**RELEVANT AUTHORITY:**

**Land Development Code of Escambia County, Florida (Ordinance No. 96-3 as amended), Section: Chapter 4, Land Use Regulations, Article 2, Floodplain Management, Section 4-2.4 Duties and powers of the floodplain administrator.**

**CRITERIA**

**Land Development Code of Escambia County, Florida (Ordinance No. 96-3 as amended), Section 4-2.8 Variances and Appeals.**

**CRITERION (1)**

**The danger that materials and debris may be swept onto other lands resulting in further injury or damage.**

**FINDINGS-OF-FACT**

Site visit reveals that the parcel is located approximately 3,500 feet from the western bank of the Escambia River. Based on the current FEMA Flood Insurance Rate Map (FIRM), the northern section of the parcel is dissected by a branch of Cotton Creek. The parcel itself is located within the FEMA Special Flood Hazard Area (SFHA) AE, Base Flood Elevation (BFE) 41 and 42. It appears, based on the available aerial photographs that the current mobile home structure is located in SFHA AE 41. Based on

topographical data, it appears that the general drainage pattern flows from Hwy 29 towards the Escambia River, on an easterly pattern.

The potential exist that during a severe flood event, materials and debris may be swept onto other lands, to include the adjacent road and railway, causing further injury or damage. There are other properties and structures within a 500 foot buffer. The Freeboard is a factor of safety usually expressed in feet above a flood level for purposes of floodplain management, 3 feet in Escambia County. Freeboard tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

## **CRITERION (2)**

**The danger to life and property due to flooding or erosion damage.**

### **FINDINGS-OF-FACT**

Based on engineering and mapping studies conducted by FEMA, the location of the property is identified as a High Risk Area for flooding and such hazard prone vulnerability is reflected in the current adopted FEMA Flood Insurance Rate Maps. In high-risk areas, there is at least a 1 in 4 chance of flooding during a 30-year mortgage. All home and business owners in these areas with mortgages from federally regulated or insured lenders are required to buy flood insurance. They are shown on the flood maps as zones beginning with the letters 'A' or 'V.' The applicant's parcel is located in Special Flood Hazard Area **AE 41** and **42**.

## **CRITERION (3)**

**The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners.**

### **FINDINGS-OF-FACT**

Based on the current adopted FEMA flood maps, the property is located in a designated High Risk Special Flood Hazard Area. Current flood maps reflect the data collected at the time of mapping and should be considered a "snapshot in time." Changes to the land following the mapping (development or erosion) can drastically impact stillwater elevations; therefore, there is the potential that the modeled flood height is slightly higher than what is shown on the map. Efficient tools, such as freeboard, modify future susceptibility to damage or loss, both on floodplains that are not fully developed and on highly developed floodplains where older structures are being rehabilitated.

Freeboard Benefit -Cost Comparison- Incorporating freeboard into new construction is extremely cost effective. The up-front costs are generally only about 0.25 to 1.5 percent of the total construction costs for each foot of freeboard. However, the long-term savings on flood insurance will more than offset the costs. For example, adding 3 feet of



freeboard to a new home might add \$30 a month to the mortgage payment, or \$360 per year. The resulting flood insurance savings could be more than \$1,000 a year for a building in Zone AE (for instance, in a riverine flood zone not affected by wave action).

#### **CRITERION (4)**

**The importance of the services provided by the proposed development to the community.**

#### **FINDINGS-OF-FACT**

This is a family residential district request, limited to the residential structure proposed by the applicant. There is no direct service importance by the proposed development to the community.

#### **CRITERION (5)**

**The availability of alternate locations for the proposed development that is subject to lower risk of flooding or erosion.**

#### **FINDINGS-OF-FACT**

Based on the current FEMA FIRM the entire parcel is located in a designated Special Flood Hazard Area; regardless of the location within the parcel boundaries, the FEMA Base Flood Elevation requirements, as well as the 3 foot freeboard requirements will apply. There are many other parcels within Escambia County that are located in low-risk flood zones and not having the floodplain management or freeboard requirements.

Although the applicant's parcel is located in a Special Flood Hazard Area, as depicted in the current Flood Insurance Rate Maps, FEMA has created a process by which property owners can directly request to FEMA for a change on the flood designation of the property; if the owner believes his property was erroneously assigned a flood zone and they're willing to provide FEMA with required evidence that the property will not be affected by a flood event, then FEMA will review and respond to the owner's request. The process is called a Letter Of Map Amendment (LOMA), available to all property owners.

#### **CRITERION 6**

**The compatibility of the proposed development with existing and anticipated development.**

#### **FINDING OF FACT:**

The request is for a single family residence. Staff query of building permits in Escambia County, within the designated Special Flood Hazard Area AE alone, for the past 12 months reflects 117 total permits issued, (commercial-residential-additions, new, moved and mobile homes), with zero request for variances of the floodplain management

standards including the freeboard. The total amount of permits in all Special Flood Hazard Areas in the County was 225 for the same time frame. At this time, there is no anticipated development in the immediate area.

### **CRITERION (7)**

**The relationship of the proposed development to the comprehensive plan and floodplain management program for the area.**

### **FINDING OF FACT:**

The Escambia County **Land Development Code** clearly describes the purpose of the county's floodplain management regulations by establishing minimum requirements to safeguard the public health, safety, and general welfare and to minimize public and private losses due to flooding through regulation of development in flood hazard areas. To minimize unnecessary disruption of commerce, access and public service during times of flooding; to require the use of appropriate construction practices in order to prevent or minimize future flood damage; to manage the alteration of flood hazard areas, watercourses, and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain; to minimize damage to public and private facilities and utilities; to help maintain a stable tax base by providing for the sound use and development of flood hazard areas; to minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events; and one of the most important aspects of the flood management regulations in Escambia County, to meet the requirements of the National Flood Insurance Program for community participation as set forth in the Title 44 Code of Federal Regulations, Section 59.22.

The **Comprehensive Plan** policy COA 1.1.3 Flood Elevation states: Escambia County will, as supported by federal emergency management regulations (Title 44, Code of Federal Regulations (CFR) 60.1) and the County's experience of significant flood hazard events, require additional height above the base flood elevation to more effectively reduce the exposure of people and property to losses from flood hazards.

Escambia County is a member of the Community Rating System (CRS), a program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP standards. The Board of County Commissioners has adopted the freeboard standard of three (3) feet above the FEMA standard and by doing so providing the citizen's of Escambia County with substantial flood insurance discounts. Depending upon the level of participation, flood insurance premium rates for policyholders can be reduced up to 45%. Besides the benefit of reduced insurance rates, CRS floodplain management activities enhance public safety, reduce damages to property and public infrastructure, avoid economic disruption and losses, reduce human suffering, and protect the environment. Our participation in the CRS program, which includes ensuring compliance with the NFIP and CRS requirements, results in tangible flood insurance discounts of \$1,070,804 for individuals county wide. For parcels located within the Special Flood Hazard Areas, the total annual discount of \$975,000.

Granting a variance to the freeboard requirements **will not be consistent** with the Land Development Code or the Comprehensive Plan and may have an impact in the overall

flood insurance policy savings for the citizens of the County.

**CRITERION (8)**

**The safety of access to the property in times of flooding for ordinary and emergency vehicles.**

**FINDING OF FACT:**

Access to the property in time of flood would have the same challenges as any other properties in the area.

**CRITERION (9)**

**The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site.**

Although the applicant states that there is no wave action, as his property is nowhere near any water, prior studies done by professionals in the field and information gathered and used by FEMA to produce the Flood Insurance Rate Maps for the area, clearly identify that the property is located in a High Risk Area flood zone. The modeling used by professional engineers during the hydrological study identify the potential heights for the parcel at 41 and 42 feet. Clearly stated, the adopted three (3) foot freeboard is an additional mitigation factor of safety that provides invaluable benefits to the County.

**CRITERION (10)**

**The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.**

The costs of emergency services are costs borne by both, statutory and voluntary organizations, that aim to protect property and life from damages due to a natural disaster. In the case of flooding these costs include:

1. Costs by municipal services (army, fire brigade, police, medical service) in searching, rescuing, and evacuating people
2. Costs of voluntary organizations for assistance to flood victims (providing food and shelter, health services etc.)
3. Costs incurred by municipal services for flood control (sandbagging, pumping water out of flooded neighbourhoods)
4. Costs to avoid the danger of water pollution due to leaking oil or chemicals
5. Costs for protecting and safe-guarding buildings against structural damage and contamination

**(h) Conditions for issuance of variances.**

Variances shall be issued only upon:

- (1) Submission by the applicant, of a showing of good and sufficient cause that the unique characteristics of the size, configuration, or topography of the site limit compliance with any provision of this article or the required elevation standards;

(2) Determination by the BOA that:

- a. Failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable; increased costs to satisfy the requirements or inconvenience do not constitute hardship;
- b. The granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws and article; and
- c. The variance is the minimum necessary, considering the flood hazard, to afford relief;
- d. Receipt of a signed statement by the applicant that the variance, if granted, shall be recorded in the Office of the Clerk of the Court in such a manner that it appears in the chain of title of the affected parcel of land; and
- e. If the request is for a variance to allow construction of the lowest floor of a new building, or substantial improvement of a building, below the required elevation, a copy in the record of a written notice from the Floodplain Administrator to the applicant for the variance, specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that the cost of federal flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation and stating that construction below the base flood elevation increases risks to life and property.

### **STAFF RECOMMENDATION**

Staff finds that the Applicant **cannot meet all of the criteria** for the granting of a Variance to the three (3) foot freeboard requirement and **recommends denial** of the application as submitted.

### **BOA DECISION**

---

#### **Attachments**

Working Case File V-2016-09

---

V-2016-09

300 E. Bogia Rd.



HIGHWAY 164 MILSTEAD RD

MAIN ST

MYSTIC SPRINGS RD WORLEY RD

GUNNER RD

SANTA ROSA COUNTY

GOOSE CREEK TRAIL COTTON CREEK RD

BLACK RD

W BOGIA RD

S-CENTURY BLVD S-CENTURY BLVD E BOGIA RD

ESCAMBIA RIVER

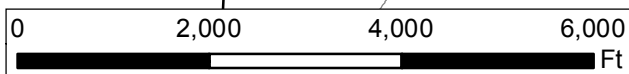
ESCAMBIA RIVER



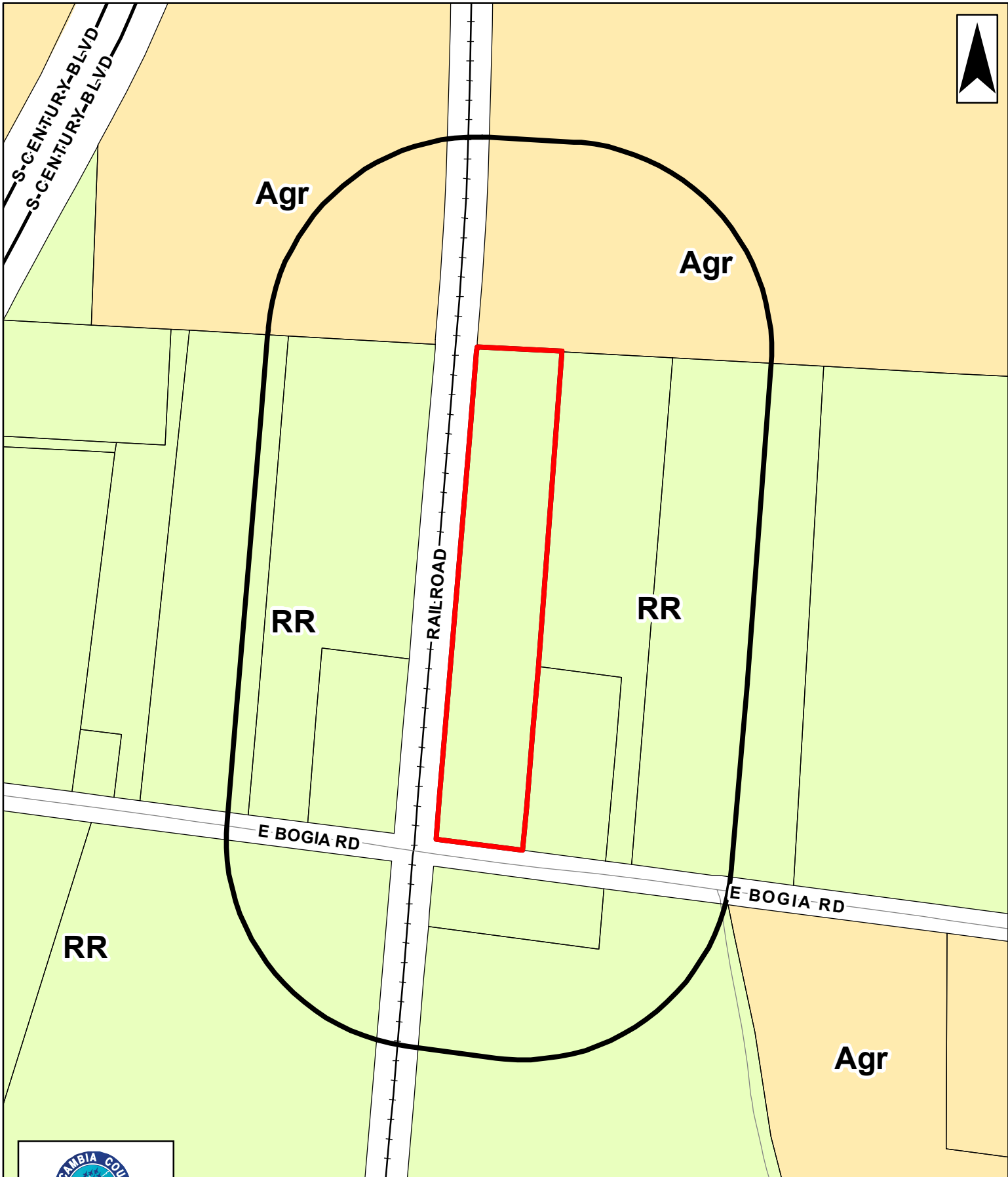
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer Planning and Zoning Dept.

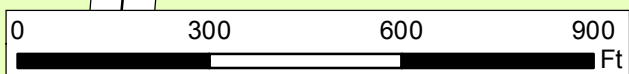
# V-2016-09 LOCATION MAP




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



**V-2016-09**  
**500' RADIUS ZONING**

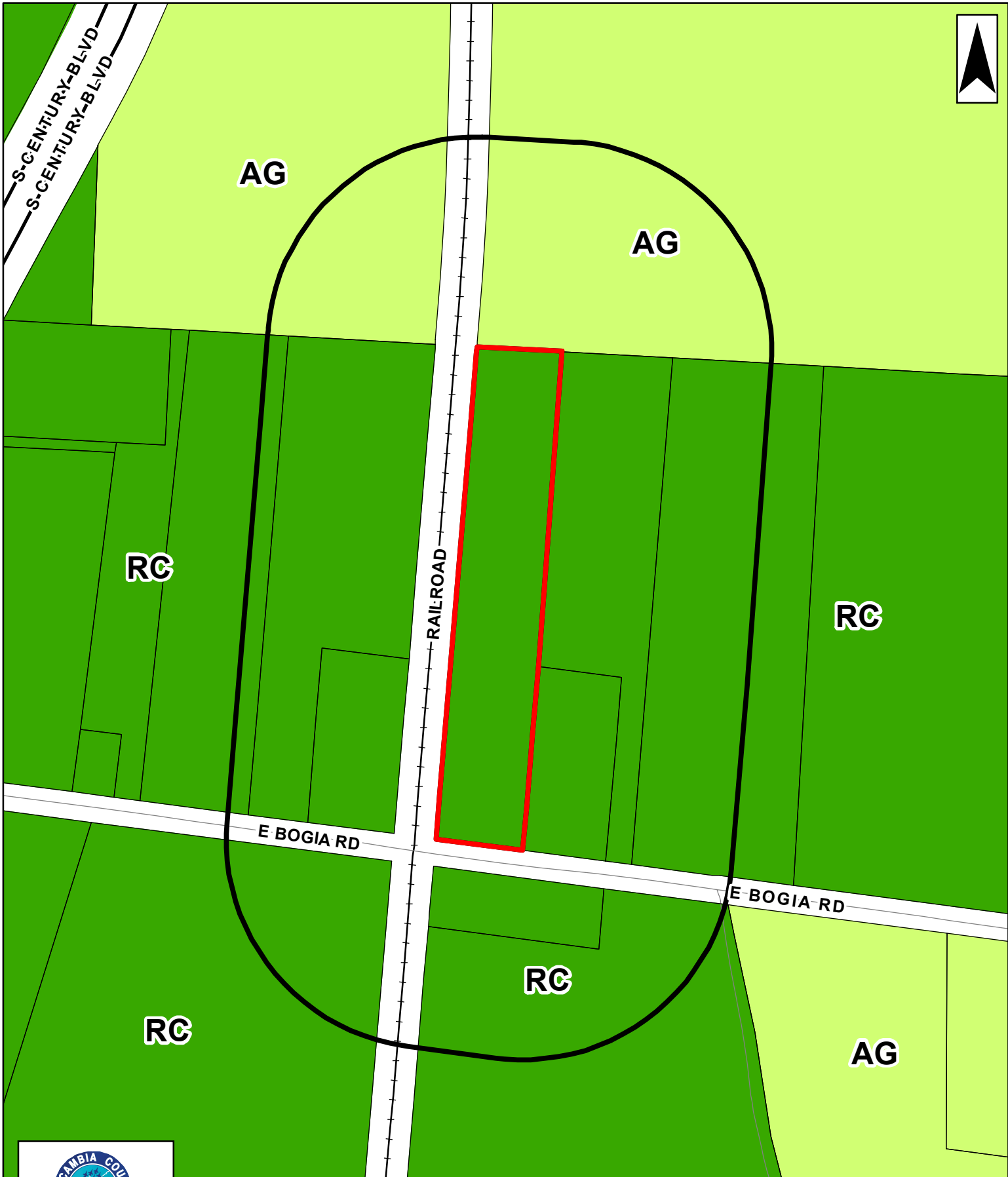


- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- RAILROAD



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.

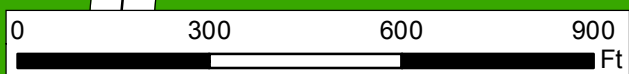
Andrew Holmer  
Planning and Zoning Dept.



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-2016-09 FUTURE LAND USE



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





RAILROAD

E BOGIA 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.

# V-2016-09 AERIAL MAP



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



S CENTURY BLVD  
S CENTURY BLVD

AE



X

0.2 PCT  
ANNUAL  
CHANGE FLO

RAILROAD

AE

FLOODWAY

E BOGIA RD

E BOGIA RD

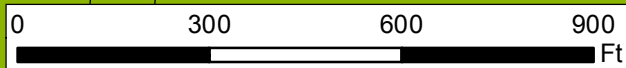
AE



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-2016-09 FLOOD ZONES



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



S-CENTURY-BLVD  
S-CENTURY-BLVD

RAILROAD

E BOGIA RD

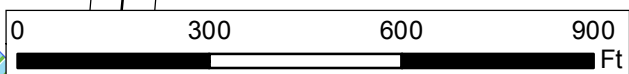
E BOGIA RD



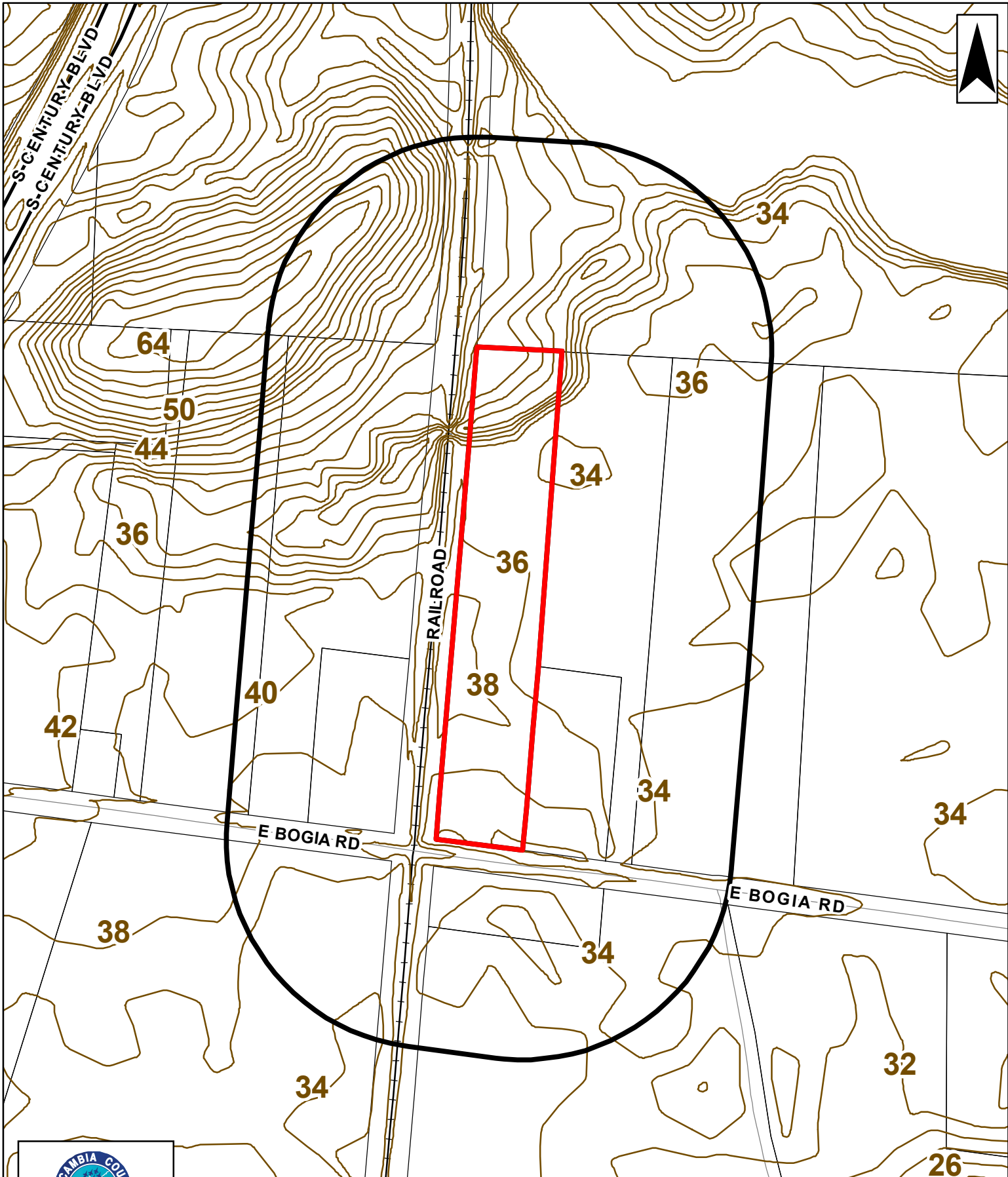
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer  
Planning and Zoning Dept.

# V-2016-09 WETLANDS



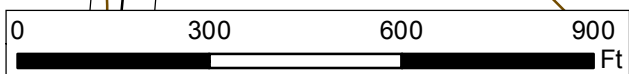
- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- RAILROAD
- WETLANDS\_2006



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-2016-09 ELEVATION CONTOURS



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



### Escambia County Planning and Zoning

Development Services Department

3363 West Park Place

Pensacola, FL 32505

Phone: (850) 595-3475 • Fax: (850) 595-3481

<http://myescambia.com/business/ds>

### Board of Adjustment Application

FOR OFFICE USE ONLY - Case Number: V-201679 Accepted by D1/D17 BOA Meeting: 11-16-16

Condition Use Request for: \_\_\_\_\_

Variance Request for: County's three foot freeboard

**1. Contact Information:**

A. Property Owner/Applicant: Christopher K Davis  
 Mailing Address: 300 E. Bogia Rd. McDavid, FL 32568  
 Business Phone: \_\_\_\_\_ Cell: 850-324-6639  
 Email: N/A Bogiachris@gmail.com

B. Authorized Agent (if applicable): \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Business Phone: \_\_\_\_\_ Cell: \_\_\_\_\_  
 Email: \_\_\_\_\_

*Note: Owner must complete the attached Agent Affidavit. If there is more than one owner, each owner must complete an Agent Affidavit. Application will be voided if changes to this application are found.*

**2. Property Information:**

A. Existing Street Address: 300 E. Bogia Rd. McDavid, FL 32568  
 Parcel ID (s): 43-4N-31-1002-005-004

B. Total acreage of the subject property: 5.6

C. Existing Zoning: VR-1  
 FLU Category: RR

D. Is the subject property developed (if yes, explain): Yes. There is a mobile home

E. Sanitary Sewer: \_\_\_\_\_ Septic:



**3. Amendment Request**

A. Please provide a general description of the proposed request, explaining why it is necessary and/or appropriate.

---

---

---

---

---

---

B. For Variance Request – Please address **ALL** the following approval conditions for your Variance request. (use supplement sheets as needed)

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.

---

---

---

---

---

---

---

---

---

---

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

---

---

---

---

---

---

---

---

---

---

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.

---

---

---

---

---

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.

---

---

---

---

---

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

---

---

---

---

---

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.

---

---

---

---

---

**C. For Conditional Use Request – Please address ALL the following approval conditions for your Conditional Use request. (use supplement sheets as needed)**

- 1. General compatibility.** The proposed use can be conducted and operated in a manner that is compatible with adjacent properties and other properties in the immediate area. *If this is for the sale of alcohol within a 1000 ft of a place of worship or child care facility; please explain a-e below: a.) The existing times of use of the places of worship or child care facilities coincide with the hours of operation of the subject business b.) The 1000-foot minimum distance is not achieved. c.) The conflicting uses are visible to each other. d.) Any on-premises consumption is outdoors. e.) Any conditions or circumstances mitigate any incompatibility.*

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

- 2. Facilities and services.** Public facilities and services, especially those with adopted levels of service, will be available, will provide adequate capacity to serve the proposed use consistent with capacity requirements.

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---





3. **On-site circulation.** Ingress to and egress from the site and its structures will be sufficient, particularly regarding vehicle and pedestrian safety and convenience, efficient traffic flow and control, on-site parking and loading, and emergency vehicle access.

---

---

---

---

---

4. **Nuisances and hazards.** The scale, intensity, and operation of the use will not generate unreasonable noise, glare, dust, smoke, odor, vibration, electrical interference, or other nuisances or hazards for adjoining properties and other properties in the immediate area.

---

---

---

---

5. **Solid waste.** All on-site solid waste containers will be appropriately located for functional access, limited off-site visibility and minimal odor and other nuisance impacts.

---

---

---

---

6. **Screening and buffering.** Where not otherwise required by the LDC, screening and buffering will be provided if appropriate to the proposed use and site.

---

---

---

---

---

7. **Signs and lighting.** All exterior signs and lights, whether attached or freestanding, will be compatible with adjoining properties and other properties in the immediate area, especially regarding glare and traffic safety.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. **Please complete the following form (if applicable): Affidavit of Owner/Limited Power of Attorney**

**AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY**  
(if applicable)

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. 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)

5. Submittal Requirements

A. \_\_\_\_\_ Completed application: All applicable areas of the application shall be filled in and submitted to the Planning and Zoning Department, 3363 West Park Place, Pensacola, FL 32505.

B. \_\_\_\_\_ Application Fee: **\$1275.50 – for Conditional Use**  
**\$428.50 - for Variance**  
**\$2122.50 + \$84.70 - for each additional parcel for more than two contiguous parcels**

This fee includes all notices and advertisements required for the public hearing and a \$5 technical fee. Payments must be submitted prior to 3 pm of the closing date of acceptance of application. Please make checks payable to Escambia County. MasterCard and Visa are also accepted.

C. \_\_\_\_\_ Legal Proof of Ownership (ex: copy of Tax Notice or Warranty Deed) **AND** a Certified Boundary Survey (Include Corporation/LLC documentation if applicable.)

~~D.~~ \_\_\_\_\_ Compatibility Analysis (if applicable): If the subject property does not meet the roadway requirements of Locational Criteria, a compatibility analysis prepared by the applicant is required to provide substantial evidence of unique circumstances regarding the parcel or use that were not anticipated by the alternative criteria. (See "Documented Compatibility" within the request zoning district of the LDC.)

~~E.~~ \_\_\_\_\_ Signed and Notarized Affidavit of Owner/Limited Power of Attorney AND Concurrency Determination Acknowledgement (pages 4 and 5).

**By my signature, I hereby certify that:**

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

Signature of Owner/Agent	Printed Name Owner/Agent	Date
Signature of Owner	Printed Name of Owner	Date

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_ The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, by \_\_\_\_\_.

Personally Known  OR Produced Identification . Type of Identification Produced: \_\_\_\_\_

Signature of Notary	Printed Name of Notary (notary seal)
---------------------	--------------------------------------

**This variance is in matter of the three (3) foot freeboard on the address of 300 E. Bogia Road, McDavid, FL 32568. There are a list of considerations for which the country wants to know about.**

- 1. The danger of materials and debris being swept onto other lands is none. The property is on over five acres and is heavily wooded all around the property. The closest house is over 1500 feet away divided by a heavily wooded area separating us.**
- 2. The danger to life and property due to flooding is also no concern as there has never been any flood recorded in the eight (8) years I have resided at this location.**
- 3. There is no susceptibility of the structure, including contents, due to there has never been any floodwaters on this land ever during hurricanes and even the record breaking flood we had in April of 2014.**
- 4. This property will have no service to the community so this is not an issue.**
- 5. There is no alternative to another location due to the time and improvements I have already made on this property.**
- 6. This will be the only house on the property with no further plans on building any other homes.**
- 7. The relationship to this proposed development and the floodplain is that with the FEMA code I would have to build the housed four (4) feet off the ground where with the freeboard it would have to be an additional three(3) feet higher which would put the house seven (7) feet off the ground.**
- 8. There is easy access to the property with a main road which runs along the front of the property.**
- 9. There is no chance of wave action as this property is nowhere near any water**
- 10. There would be no more of a risk for the cost of government service such as power, water lines, streets, etc., as if I was seven (7) feet off the ground.**



**Chris Jones**  
Escambia County Property Appraiser

<a href="#">Real Estate Search</a>	<a href="#">Tangible Property Search</a>	<a href="#">Sale List</a>	<a href="#">Amendment 1/Portability Calculations</a>
------------------------------------	--	---------------------------	--

[Back](#)

← [Navigate Mode](#)  [Account](#)  [Reference](#) →

[Printer Friendly Version](#)

<b>General Information</b> <b>Reference:</b> 434N311002005004 <b>Account:</b> 121370625 <b>Owners:</b> DAVIS CHRISTOPHER K <b>Mail:</b> 300 E BOGIA RD MCDAVID, FL 32568 <b>Situs:</b> 300 E BOGIA RD 32568 <b>Use Code:</b> MOBILE HOME <b>Taxing Authority:</b> COUNTY MSTU <b>Tax Inquiry:</b> <a href="#">Open Tax Inquiry Window</a> Tax Inquiry link courtesy of Janet Holley Escambia County Tax Collector		<b>Assessments</b> <table border="1"> <thead> <tr> <th>Year</th> <th>Land</th> <th>Imprv</th> <th>Total</th> <th>Cap Val</th> </tr> </thead> <tbody> <tr> <td>2016</td> <td>\$18,653</td> <td>\$56,935</td> <td>\$75,588</td> <td>\$25,573</td> </tr> <tr> <td>2015</td> <td>\$18,653</td> <td>\$55,068</td> <td>\$73,721</td> <td>\$25,396</td> </tr> <tr> <td>2014</td> <td>\$18,653</td> <td>\$53,246</td> <td>\$71,899</td> <td>\$25,195</td> </tr> </tbody> </table> <p align="center"><a href="#">Disclaimer</a></p> <hr/> <p align="center"><a href="#">Amendment 1/Portability Calculations</a></p>		Year	Land	Imprv	Total	Cap Val	2016	\$18,653	\$56,935	\$75,588	\$25,573	2015	\$18,653	\$55,068	\$73,721	\$25,396	2014	\$18,653	\$53,246	\$71,899	\$25,195
Year	Land	Imprv	Total	Cap Val																			
2016	\$18,653	\$56,935	\$75,588	\$25,573																			
2015	\$18,653	\$55,068	\$73,721	\$25,396																			
2014	\$18,653	\$53,246	\$71,899	\$25,195																			

<b>Sales Data</b> <table border="1"> <thead> <tr> <th>Sale Date</th> <th>Book</th> <th>Page</th> <th>Value</th> <th>Type</th> <th>Official Records (New Window)</th> </tr> </thead> <tbody> <tr> <td>07/2006</td> <td>5959</td> <td>1610</td> <td>\$60,000</td> <td>WD</td> <td><a href="#">View Instr</a></td> </tr> <tr> <td>07/2005</td> <td>5686</td> <td>11</td> <td>\$53,000</td> <td>WD</td> <td><a href="#">View Instr</a></td> </tr> <tr> <td>12/2003</td> <td>5319</td> <td>627</td> <td>\$27,500</td> <td>WD</td> <td><a href="#">View Instr</a></td> </tr> <tr> <td>02/1997</td> <td>4117</td> <td>467</td> <td>\$9,100</td> <td>WD</td> <td><a href="#">View Instr</a></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)	07/2006	5959	1610	\$60,000	WD	<a href="#">View Instr</a>	07/2005	5686	11	\$53,000	WD	<a href="#">View Instr</a>	12/2003	5319	627	\$27,500	WD	<a href="#">View Instr</a>	02/1997	4117	467	\$9,100	WD	<a href="#">View Instr</a>	<b>2016 Certified Roll Exemptions</b> HOMESTEAD EXEMPTION <hr/> <b>Legal Description</b> BEG AT NW COR OF SEC S 90 DEG 0 MIN 0 SEC E ALG N LI OF SD SEC 2565 50/100 FT S 0 DEG 0 MIN 0 SEC E 1518 FT S 90 DEG... <hr/> <b>Extra Features</b> METAL BUILDING
Sale Date	Book	Page	Value	Type	Official Records (New Window)																										
07/2006	5959	1610	\$60,000	WD	<a href="#">View Instr</a>																										
07/2005	5686	11	\$53,000	WD	<a href="#">View Instr</a>																										
12/2003	5319	627	\$27,500	WD	<a href="#">View Instr</a>																										
02/1997	4117	467	\$9,100	WD	<a href="#">View Instr</a>																										

**Parcel Information** [Launch Interactive Map](#)

**Section Map Id:**  
23-4N-31-2

**Approx. Acreage:**  
5.6100

**Zoned:**   
RR

**Evacuation & Flood Information**  
[Open Report](#)

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

<b>Buildings</b> Address:300 E BOGIA RD, Year Built: 1995, Effective Year: 1995	
<b>Structural Elements</b> 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-DRYWALL/PLASTER MH MILLWORK-TYPICAL	

POINT OF BEGINNING  
SET 1/2" IRON ROD  
AND CAP #3578  
FOUND OLD WIRE FENCE ROW

S. 90°00'00" E.

SET 1/2" IRON ROD  
AND CAP #3578  
IN CENTER OF DRAINAGE  
BRANCH

NORTH ASSUMED - BEARINGS SHOWN ARE BASED  
ON DEED OF RECORD AND THE EAST R/W LINE  
OF THE RAILROAD BEING N. 01°55'15" E.



L. & N. (A.K.A.) C. S. X. RAILROAD

N. 01°55'15" E.

1167.71'

208.55'

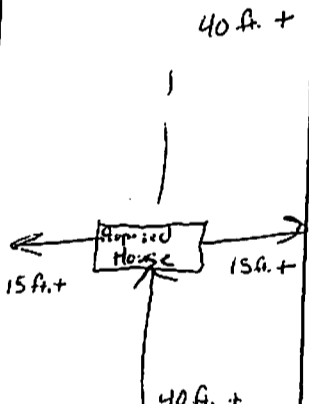
HEAVILY WOODED PARCEL

S. 01°55'15" W.

1183.42'

**LEGAL DESCRIPTION:** (AS FURNISHED - INSTRUMENT #2003-190083)

COMMENCING AT THE N.W. CORNER OF SECTION 43, T-4-N, R-31-W, ESCAMBIA COUNTY, FLORIDA; THENCE S. 90°00'00" E. ALONG THE NORTH LINE OF SAID SECTION 43 FOR 2565.50'; THENCE S. 00°00'00" E. FOR 1518.00'; THENCE S. 90°00'00" E. FOR 928.55' TO AN IRON ROD AND CAP MARKED #3578 ON THE EAST RIGHT-OF-WAY LINE OF THE C.S.X. RAILROAD SYSTEM (100' R/W) AND POINT OF BEGINNING; THENCE CONTINUE S. 90°00'00" E. ALONG THE SAME COURSE FOR 208.55' TO AN IRON ROD AND CAP MARKED #3578; THENCE S. 01°55'15" W. FOR 1183.42' TO THE APPARENT NORTHERLY RIGHT-OF-WAY LINE OF BOGIA ROAD (A.K.A. McDAVID FERRY ROAD) AND A IRON ROD AND CAP MARKED #3578; THENCE N. 85°40'57" W. ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOR 208.62' TO AN IRON ROD AND CAP MARKED #3578 ON THE EAST RIGHT-OF-WAY LINE OF SAID C.S.X. RAILROAD; THENCE N. 01°55'15" E. ALONG SAID EAST RIGHT-OF-WAY LINE FOR 1167.71' TO THE P.O.B.



*Handwritten notes:*  
Mr. [unclear]  
2/25/16  
C.K. Wetland  
Per Branch

FOUND IRON ROD AND CAP  
(L.J. PARKER #3288)

FOUND IRON ROD AND  
CAP (L.J. PARKER #3288)

APPARENT NORTH R/W LINE  
N. 85°40'57" W.  
208.62'

BOGIA ROAD  
COUNTY MAINTENANCE CLAIM R/W

FOUND 4" SQ. CONIC  
MONUMENT MARKED BURNED  
UNDER PAVEMENT 7.29'

THIS DRAWING HAS BEEN ROTATED FROM THIS FIRMS SECTIONAL SURVEY TO MATCH THE DESCRIPTION OF RECORD.  
NOTE: THIS SURVEY WAS PREPARED FOR THE CLIENT AND PURPOSE AS SHOWN USAGE FOR ANY OTHER  
PURPOSE) REPRODUCTIONS - IN WHOLE OR IN PART) SHALL NOT BE MADE WITHOUT THE EXPLICIT WRITTEN  
PERMISSION OF THE SURVEYOR. THIS SURVEY DOES NOT REFLECT OF DETERMINE OWNERSHIP

	<b>V.G. SCHUMER R.L.S.</b> 80 OLIVE ROAD PENSACOLA FLORIDA 32514		PHONE (850) 476-0083 1-800-334-0083 FAX (850) 476-8839
	WHEN YOU WANT EXPERIENCE & HONESTY SPECIALIZING IN RURAL SURVEYING & SUBDIVISION LAYOUT L.B. # 6471		
<b>SCHUMER'S PROFESSIONAL SURVEYING INC.</b>			
SEC. 43 TWP-4N RGE.-31W RECORDED IN BOOK 2 P.		REF. SOURCE: SECTIONAL SURVEY	

LEGAL DESCRIPTION AS FURNISHED BY CLIENT. - FENCES AND ENCROACHMENTS ARE SHOWN OR NOTED. - NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT-OF-WAYS AND OWNERSHIP WERE FURNISHED THIS SURVEYOR EXCEPT AS SHOWN. - NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN. - NO ATTEMPT HAS BEEN MADE BY THIS SURVEYOR OR FIRM TO CONDUCT A TITLE RECORDS SEARCH FOR THIS SITE OR THE ADJOINING PROPERTY. - ALL MEASUREMENTS AND/OR ELEVATIONS WERE MADE IN ACCORDANCE TO UNITED STATES STANDARDS AND/OR UNITED STATES COAST AND GEODETIC DATUM. - DISTANCES ARE IN FEET, TENTHS OF A FOOT, AND HUNDRETHS. THIS SURVEY IS NOT VALID UNLESS STAMPED WITH AN EMBOSSED SEAL.

TYPE SURVEY: <b>BOUNDARY SURVEY</b> FOR: <b>KEEN REALTY</b>	I HEREBY CERTIFY THAT THE SURVEY HEREON TO BE TRUE AND CORRECT AND MEETING CHAPTER 61 017.6 F.A.C. AND FLORIDA STATUTES 472 AS SET BY THE BOARD OF LAND SURVEYORS TO THE BEST OF MY KNOWLEDGE AND BELIEF.  VICTOR G. SCHUMER REGISTERED SURVEYOR #2978, STATE OF FL.
SCALE 1" = 100' JOB # 05F-148 DWN. VC	DATE 6-27-2005 F.B. FB2 P. 64 REV. 7-24-2009 REV.

THIS IS TO CERTIFY TO -PEN AIR FEDERAL CREDIT UNION - CHRISTOPHER K. DAVIS - DENNIS A. BRASLOW, ATTORNEY - TIDOR TITLE INSUR. Co. OF FLORIDA, INC. THAT THE SURVEY SHOWN HEREON IS TRUE AND CORRECT AND MEETING F.A.C. CHAPTER 61 017.6 AS SET BY THE BOARD OF LAND SURVEYORS TO THE BEST OF KNOWLEDGE AND BELIEF.

*Signature of Victor G. Schumer*  
 VICTOR G. SCHUMER  
 FLORIDA REGISTERED SURVEYOR #3578





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

**DAVIS CHRISTOPHER K**  
**300 E BOGIA RD**  
**MCDAVID, FL 32568**

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

**NEAL ERNEST R LIFE EST &**  
**C/O THERESA NEAL CHALK**  
**6555 PIN HOOK RD**  
**JAY, FL 32565**

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

**RUTH CHESTER J & ELIZABETH N**  
**414 N 60TH AVE**  
**PENSACOLA, FL 32506**

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.

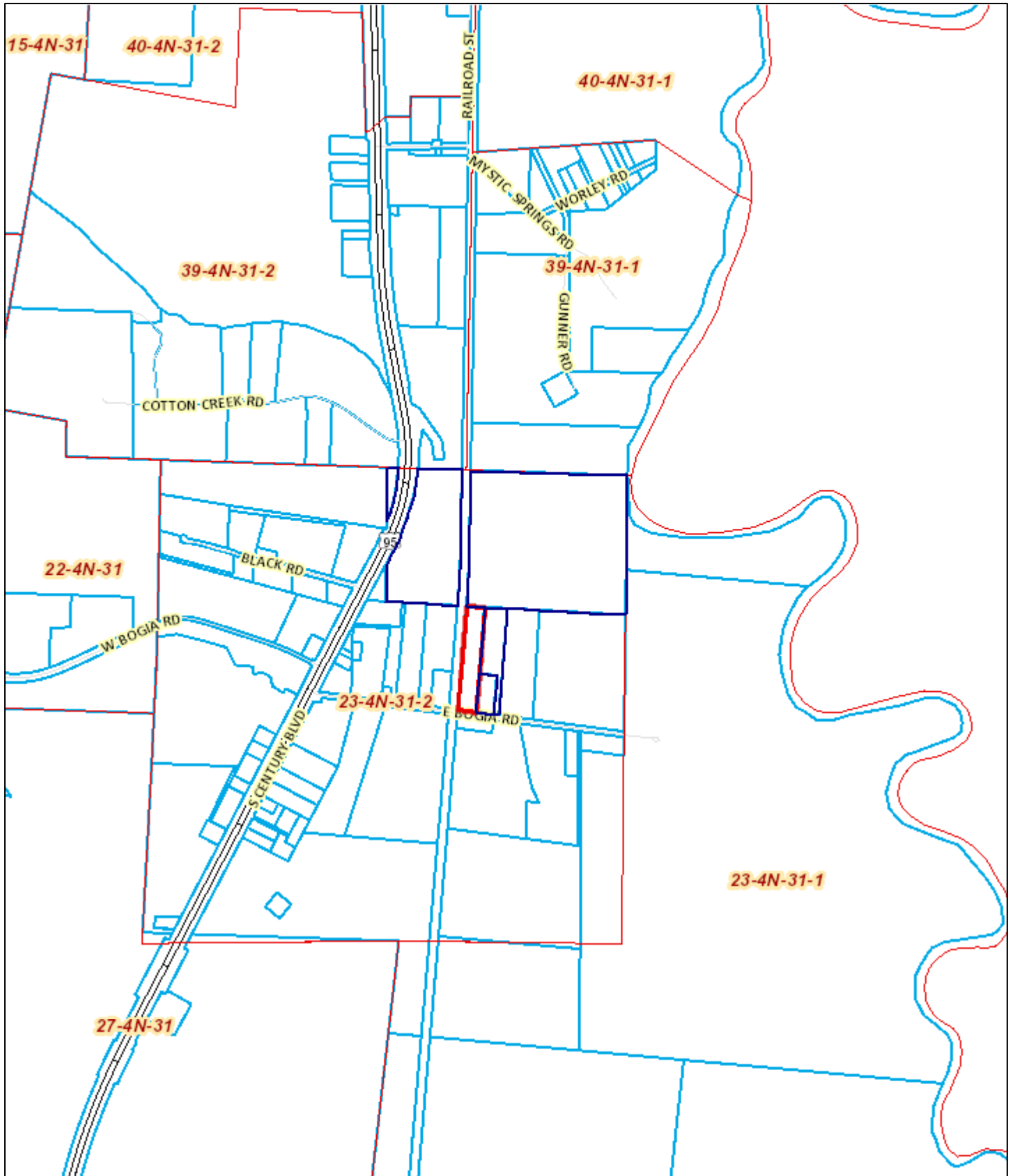


Escambia County  
Development Services Department  
3363 West Park Place  
Pensacola, FL 32505

**VELDEY ANN C**  
**C/O GUSTAFSON**  
**33 RIDGECREST DR**  
**RIDGEFIELD, CT 06877-2534**

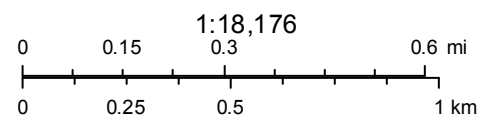
In accordance with the Americans with Disabilities Act, persons needing special accommodation or an interpreter to participate in the public hearing should contact County Administrator's Office at 595-4947 at least seven days prior to the date of the hearing. If you have any questions, please contact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

# Chris Jones Escambia County Property Appraiser



October 27, 2016

- 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. : **676933**

Date Issued. : 10/17/2016

Cashier ID : JMCOSTIN

Application No. : PBA161000014

Project Name : V-2016-09

Address : 300 E. BOGIA RD  
Mcdavid, FL, 32568

### PAYMENT INFO

Method of Payment	Reference Document	Amount Paid	Comment
<b>Check</b>			
	547	\$428.50	App ID : PBA161000014
		<b>\$428.50</b>	<b>Total Check</b>

Received From : SARAH DAVIS

Total Receipt Amount : **\$428.50**

Change Due : \$0.00

### APPLICATION INFO

Application #	Invoice #	Invoice Amt	Balance	Job Address
PBA161000014	770240	428.50	\$0.00	300 E BOGIA RD, , WALNUT HILL, 32568

**Total Amount :**

**428.50**

\$0.00

Balance Due on this/these  
Application(s) as of 10/17/2016