

AGENDA
ESCAMBIA COUNTY BOARD OF ADJUSTMENT
May 17, 2017–8:30 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 witness
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 Resume Minutes.
 - A. Approval of Meeting Minutes.
6. **Consideration of the following cases:**
 - A. **Case No.: CU-2017-08**
Address: 4302 Hollywood Avenue
Request: A conditional use to allow the sale of alcohol within 1000' of a place of worship
Requested by: Benjamin Johnson, Agent for Liza Timmon, Owner
 - B. **Case No.: CU-2017-09**
Address: 4801 N. Palafox Street
Request: A conditional use for automobile sales, used autos only
Requested by: Nettie Williams, Owner
 - C. **Case No.: V-2017-03**
Address: 3200 West DeSoto Street
Request: A variance for 236 parking spaces
Requested by: Escambia County, Owner

7. Discussion Items.

8. Old/New Business.

9. Announcement.

The next Board of Adjustment Meeting is scheduled for Wednesday, June 21, 2017 at 8:30 a.m., at the Escambia County Central Office Complex, Room 104, 3363 West Park Place.

10. Adjournment.

Board of Adjustment

5. A.

Meeting Date: 05/17/2017

Attachments

DRAFT 04/19/17 Meeting Minutes

DRAFT

RESUMÉ OF THE MEETING OF THE BOARD OF ADJUSTMENT HELD April 19, 2017

CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE, BOARD CHAMBERS
PENSACOLA, FLORIDA
(8:30 A.M. – 9:23 A.M.)

Present: Auby Smith
Bill Stromquist
Judy Gund
Jennifer Rigby

Absent: Jesse Casey
Frederick J. Gant
Mark Robinson

Staff Present: Allyson Cain, Urban Planner, Planning & Zoning
Andrew Holmer, Division Manager, Planning & Zoning
Caleb MacCartee, Urban Planner, Planning & Zoning
Horace Jones, Director, Development Services
John Fisher, Senior Urban Planner, Planning & Zoning
Juan Lemos, Senior Planner, Planning & Zoning
Kayla Meador, Sr Office Assistant
Kristin Hual, Assistant County Attorney

REGULAR BOA AGENDA

1. The meeting was called to order at 8:30 A.M.
2. Members of Staff were sworn in and accepted as expert witness
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 meeting package.

Vote: 4 - 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 publication and motion was made to accept.

Vote: 4 - 0 Approved

5. Approval of Resume Minutes.

- A. Approval of the March 15, 2017 Resume Minutes.

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

Motion was made to approve the March 15, 2017 Resume Minutes.

Vote: 4 - 0 Approved

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

- A. **Case No.: V-2017-01**

Address: 7991 Doublegate Drive

Request: Variance to the required 15' rear setback to allow for a 12' deck

Requested by: Patricia Apostolides, 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 Judy Gund

Motion was made to accept into evidence the applicant's exhibit.

Vote: 4 - 0 Approved

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

Motion was made to approve the Variance with a 10 foot deck instead of a 12 foot deck. Ms. Gund stated that Criteria 1: the L shape lot is special conditions, Criteria 2: the applicant is not responsible for platted lot shape, Criteria 3: not conferring special privilege on the applicant, Criteria 4: being outside on a deck is enjoyable, Criteria 5: lowering 12 foot deck to a 10 foot deck, Criteria 5: is consistent with the LDC.

Vote: 3 - 1 Approved

Voted No: Board Member Jennifer Rigby

B. Case No.: V-2017-02

Address: 3295 Barrancas Avenue

Request: Variance to allow increase in height of proposed sign from 6 feet to 12 feet

Requested by: Nicholas Schumm, Agent for Diocese of Pensacola, Owner

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

Judy Gund 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 Jennifer Rigby

Motion was made to recommend approval of Staff's changed Findings of Fact.

Vote: 4 - 0 Approved

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

Motion was made to agree with Staff's Findings of Fact and to grant the Variance.

Vote: 4 - 0 Approved

C. Case No.: CU-2017-05

Address: 1525 E. Nine Mile Road

Request: Conditional Use to allow a Mural Sign on a commercial building

Requested by: Brad Moore, Agent for Walmart, 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 Judy Gund

Motion was made to agree with Staff's Findings of Fact and grant Conditional Use.

Vote: 4 - 0 Approved

D. Case No.: CU-2017-06

Address: 117 Pace Parkway

Request: Conditional use to allow an assisted living facility in LDMU zoning district

Requested by: James E. "Skip" Butler, Jr., Agent for International Paper Company, 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 Judy Gund

Motion was made to agree with Staff' Findings of Fact and grant Conditional Use.

Vote: 4 - 0 Approved

E. Case No.: CU-2017-07

Address: 600 Highway 297-A

Request: Conditional use to allow construction of a 180' monopole communication tower in (Ind) zoning district

Requested by: Steven Griffin, Agent for Gulf Power Company, 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 Judy Gund

Motion was made to agree with Staff's Findings of Fact and approve the Conditional Use.

Vote: 4 - 0 Approved

7. Discussion Items.

8. Old/New Business.

9. Announcement.

The next Board of Adjustment Meeting is scheduled for Wednesday, May 17, 2017 at 8:30 a.m., at the Escambia County Central Office Complex, Room 104, 3363 West Park Place.

10. The meeting adjourned at 9:23 A.M.

Board of Adjustment

6. A.

Meeting Date: 05/17/2017
CASE: CU-2017-08
APPLICANT: Benjamin Johnson, Agent for Liza Timmon, Owner
ADDRESS: 4302 Hollywood Avenue
PROPERTY REFERENCE NO.: 09-2S-30-0400-008-005
ZONING DISTRICT: HC/LI, Heavy Commercial and Light Industrial district
FUTURE LAND USE: MU-U, Mixed-Use Urban
OVERLAY DISTRICT: Palafox

SUBMISSION DATA:

REQUESTED CONDITIONAL USE:

Request a conditional use to allow the sale of alcohol within 1000' of a place of worship

RELEVANT AUTHORITY:

Land Development Code of Escambia County, Florida (Ordinance 96-3 as amended), Section:4-7.5(e)

CRITERIA:

Land Development Code of Escambia County, Florida (Ordinance 96-3 as amended), Section 2-6.4

CRITERION (a)

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. As prescribed in the LDC 4-7.5 (e), the BOA shall review the following with regard to the condition of general compatibility.

- (1) The existing times of use of the places of worship or child care facilities coincide with the hours of operation of the subject business.**
- (2) The 1000-foot minimum distance is not achieved.**
- (3) The conflicting uses are visible to each other.**
- (4) Any on-premises consumption is outdoors.**
- (5) Any conditions or circumstances mitigate any incompatibility.**

FINDINGS-OF-FACT

- (1) The applicant has not provided a complete schedule of the days of the week or hours of operation.**
- (2) Within the 1000' there are two convenient stores, one bar which sell beer, and two churches.**
- (3) The subject parcel is approximately 600 feet from one church and not within site of the other establishments.**

- (4) The applicant stated all alcohol consumption will be within the confines of the building.
- (5) The applicant has not provided the days of operation. The patrons of the lounge and the members of the church may not have hours of operation that will coincide with each other.

CRITERION (b)

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.

FINDINGS-OF-FACT

The parcel has existing utilities and will be reviewed during the Site Plan Review process.

CRITERION (c)

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.

FINDINGS-OF-FACT

The applicant has shown on a photo, the intended parking for the lounge. All parking requirements will be provided during the Site Plan Review process.

CRITERION (d)

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.

FINDINGS-OF-FACT

The business should 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.

CRITERION (e)

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.

FINDINGS-OF-FACT

Solid waste will be addressed during Site Plan Review.

CRITERION (f)

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

FINDINGS OF FACT:

Screening is required for commercial parcels adjacent to residential. Screening and buffering standards will be reviewed during the Site Plan Review process.

CRITERION (g)

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.

FINDINGS OF FACT:

All exterior signs and lights, whether attached or freestanding, will be reviewed during the Site Plan Review process and must meet the LDC requirements for the zoning.

CRITERION (h)

Site characteristics. The size, shape, location and topography of the site appear adequate to accommodate the proposed use, including setbacks, intensity, bulk, height, open space and aesthetic considerations.

FINDINGS OF FACT:

The site characteristics for parking, setbacks and other considerations will be addressed during the Site Plan Review process.

CRITERION (i)

Use requirements. The proposed use complies with any additional conditional use requirements of the applicable zoning district, use, or other provisions of the LDC.

FINDINGS OF FACT:

The parcel is in HC/LI zoning district which allows restaurants and brewpubs, including on-premise consumption of alcoholic beverages

STAFF FINDINGS

Staff recommends that the Board approve the proposed Conditional Use request with the following condition:

The project must meet all conditions imposed through the Development Review process.

BOA DECISION

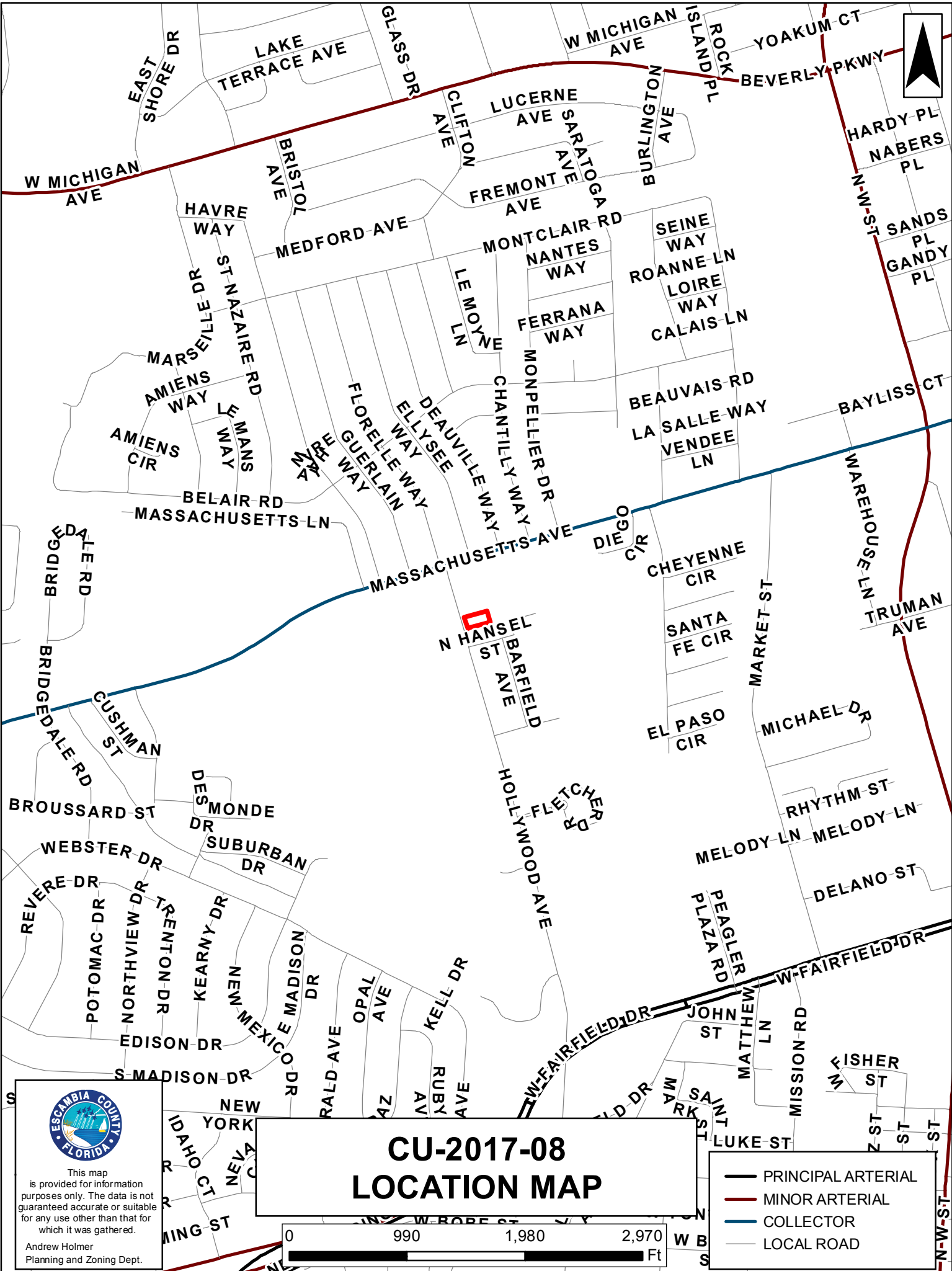
BOARD OF ADJUSTMENT FINDINGS

The Board adopted Staff's findings and **approved** the conditional use with the added Development Review condition.





Attachments

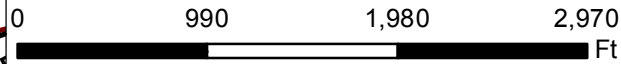
CU-2017-08

CU-2017-08



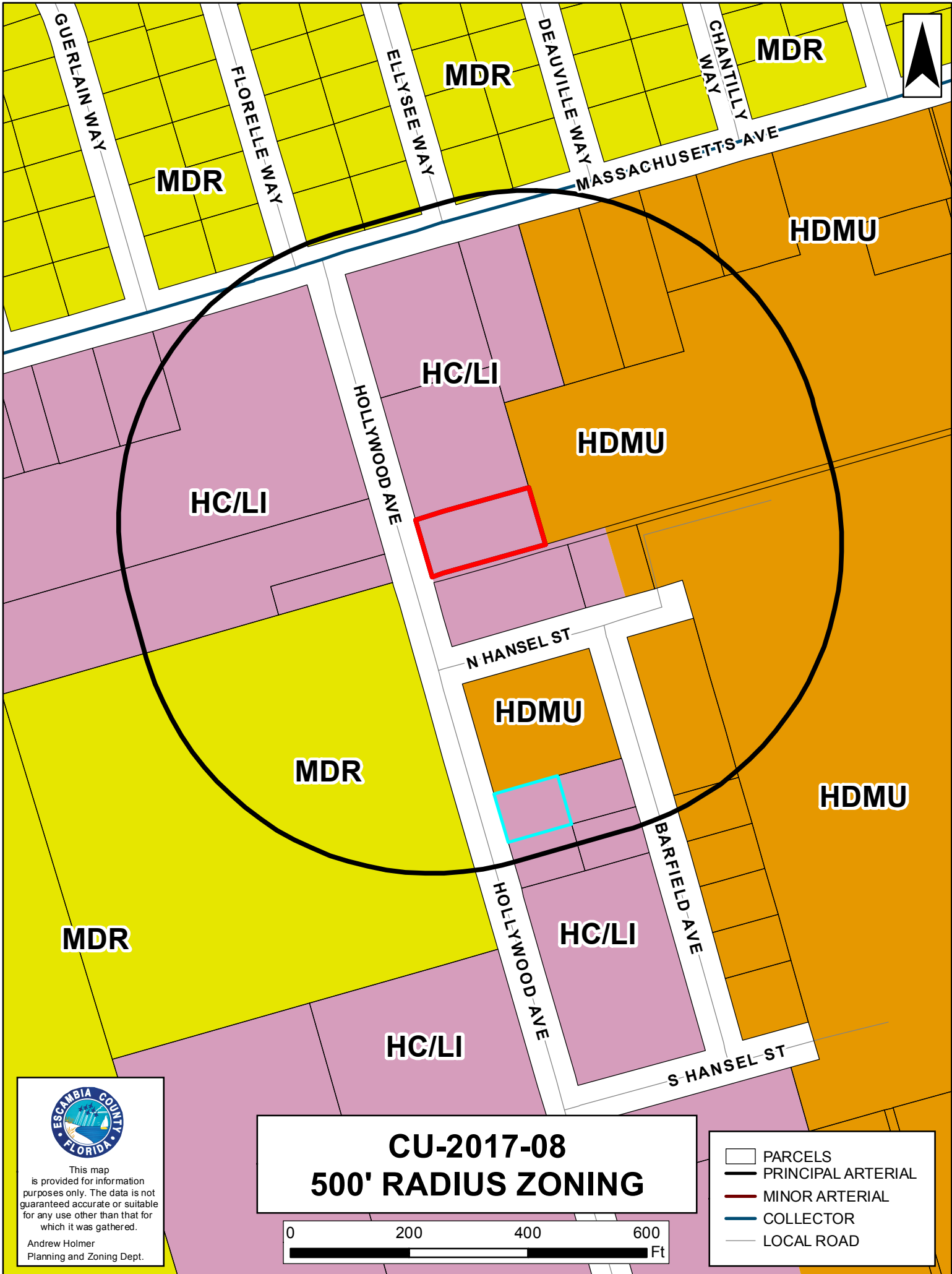
CU-2017-08 LOCATION MAP

-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD



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

Andrew Holmer
Planning and Zoning Dept.



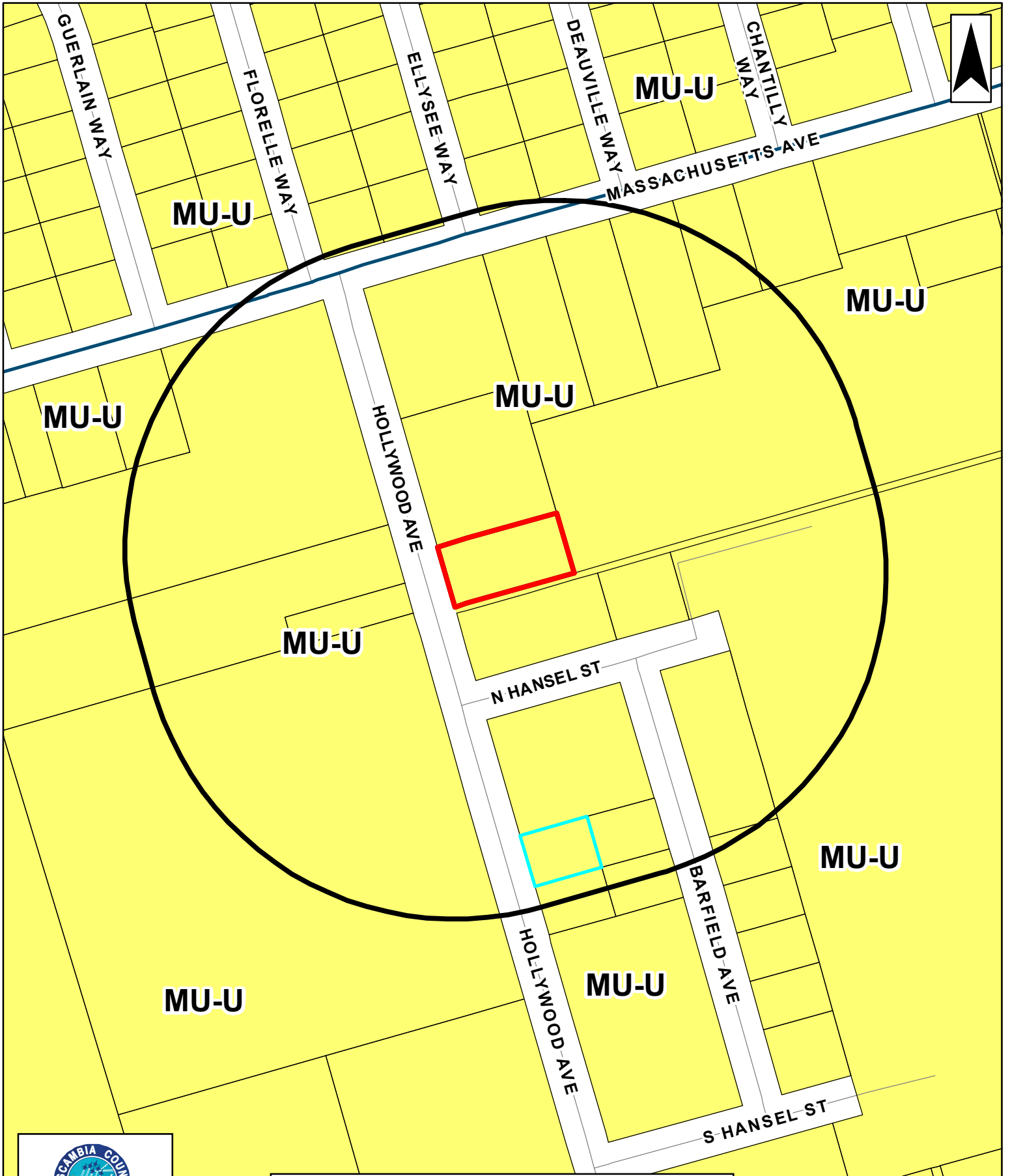

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Andrew Holmer
Planning and Zoning Dept.

CU-2017-08
500' RADIUS ZONING



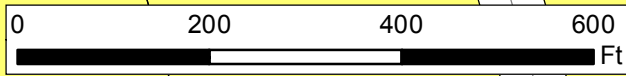
- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD









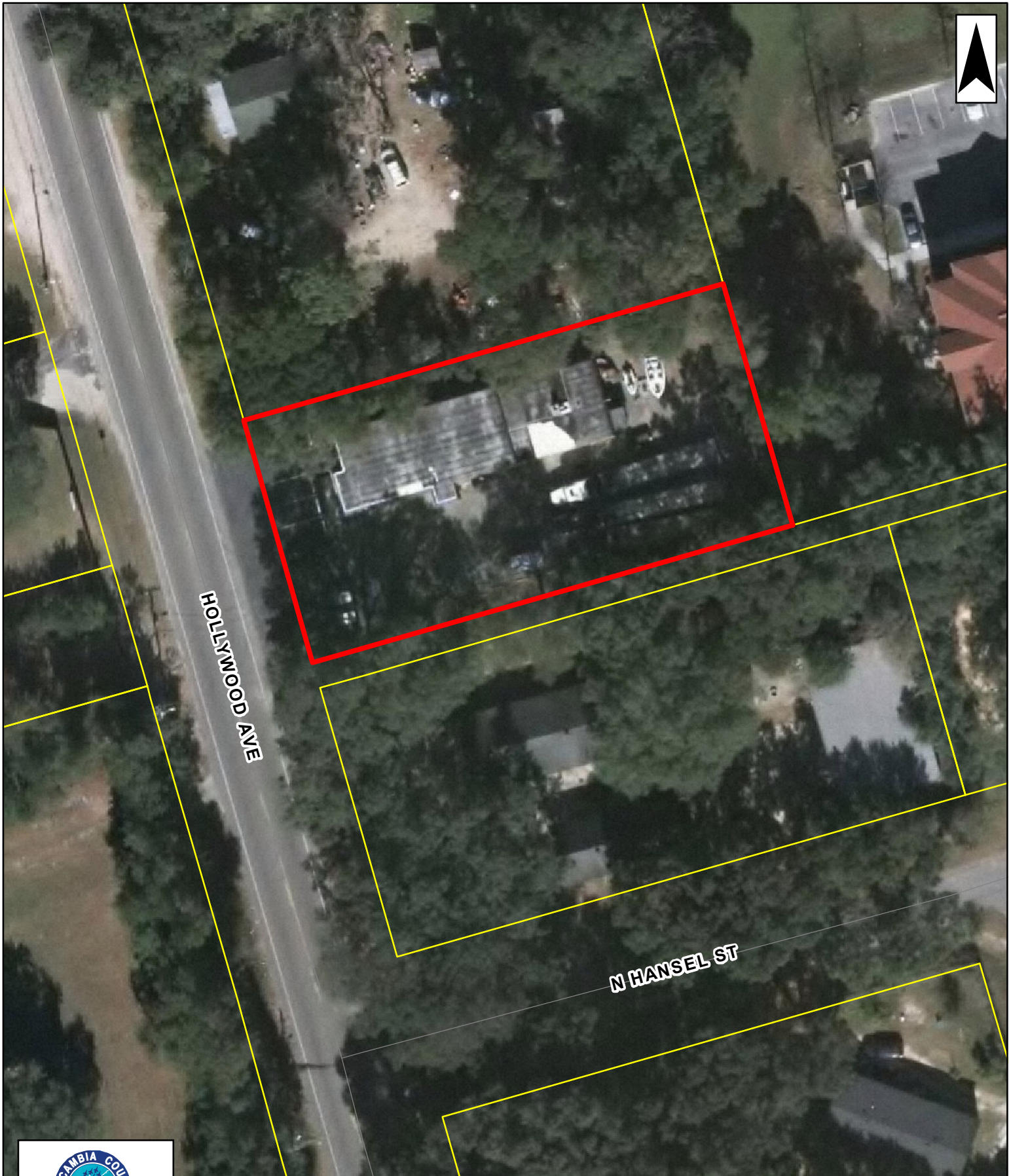
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Andrew Holmer
Planning and Zoning Dept.

CU-2017-08 FUTURE LAND USE




	PARCELS
	PRINCIPAL ARTERIAL
	MINOR ARTERIAL
	COLLECTOR
	LOCAL ROAD



HOLLYWOOD AVE

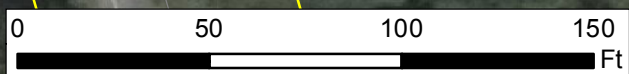
N HANSEL ST








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Andrew Holmer
Planning and Zoning Dept.

CU-2017-08 AERIAL MAP



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



GUERLAIN WAY

FLORELLE WAY

ELYSEE WAY

DEAUVILLE WAY

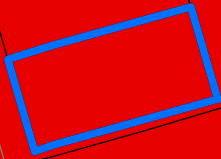
CHANTILLY WAY

MASSACHUSETTS AVE

PALAFX

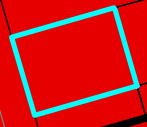
PALAFX

HOLLYWOOD AVE



N HANSEL ST

PALAFX



PALAFX

BARFIELD AVE

PALAFX

HOLLYWOOD AVE

S HANSEL ST



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

Andrew Holmer
Planning and Zoning Dept.

CU-2017-08 CRA MAP



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



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: CU-2017-08 Accepted by: CGM BOA Meeting: 5/17/2017

Condition Use Request for: alcohol sales within 1000' of a place of worship

Variance Request for: _____

1. Contact Information:

A. Property Owner/Applicant: Liza Timmon (owner)

Mailing Address: 4302 Hollywood Ave

Business Phone: 850-255-5502 Cell: _____

Email: _____

B. Authorized Agent (if applicable): Benjamin Johnson

Mailing Address: 4302 Hollywood Ave

Business Phone: 850-316-7723 Cell: _____

Email: west.tech.231@gmail.com

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: 4302 Hollywood ave

Parcel ID (s): 09-25-30-0400-008-005

B. Total acreage of the subject property: 0.46

C. Existing Zoning: HC/L1

FLU Category: MO-0

D. Is the subject property developed (if yes, explain): NO

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.

Requesting zoning approval for conditional use or consumption of alcohol and tobacco. The use of the property will not interfere with church service and is necessary to use the property for a lounge/ Hookah lounge.

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.*

A) I've already consulted with the pastor of the church and the latest service will end is 8pm Some Monday, Wednesday, Sunday, my venue/lounge will only be open after 9. B) 1,000 ft distance is not met but schedule times of service will not be during the same time as events at the lounge. C) The church and property in question are not visible of each other D) All consumption of alcohol will be inside only and strictly enforced.

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.

Building is already fully functional with running water and utilities, capable of servicing customers.

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.

There's adequate amount of parking on site on the side of the building on property. Property to the left has also been plowed for parking. There's also room for emergency parking for EMS. Parking also include handicap spots.

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.

All events will be conducted inside facility and after operational hours for adjoining property. Any events or use of the lounge will not cause unreasonable noise nor any hazards listed above

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.

All trash cans will be stored behind facility not viewable by public and only accessible by employees. ~~No increase in trash~~ No increase in trash by lounge usage will cause expectant odor nor any nuisance for increased trash.

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.

Building is already in use and fully functional and able to be used for lounge and be provided.

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.

The building already has adequate lighting so no additional lights will be added. All lights on the outside are use just to light up the premises. No sign will be needed.

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

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at 4302 Hollywood Ave (If applicable)
Florida, Florida, property reference number(s) 09-28-30-0400-008-005

I hereby designate Benjamin Rashad Johnson
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 31st day of 03 the year of, 2017, 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: Benjamin Johnson Email: west.tech.231@gmail.com
Address: 4302 Hollywood Ave Phone: 850 316 7723

[Signature] Liza L Timmons 3/31/2017
Signature of Property Owner Printed Name of Property Owner Date
[Signature] Erica Timmons 03/31/2017
Signature of Property Owner Printed Name of Property Owner Date

STATE OF Florida COUNTY OF Essex
The foregoing instrument was acknowledged before me this 31st day of March 2017
by Liza L Timmons

Personally Known OR Produced Identification . Type of Identification Produced: FDL 5270

[Signature] ELIZABETH STULL
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 Fees: To view fees visit the website: <http://myescambia.com/business/board-adjustment> or contact us at 595-3448

Note: Fees include 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.

Benjamin Johnson
Signature of Owner/Agent

Benjamin Johnson
Printed Name Owner/Agent

3/31/2017
Date

Liza L. Timmons
Signature of Owner

Liza L. Timmons
Printed Name of Owner

3/31/2017
Date

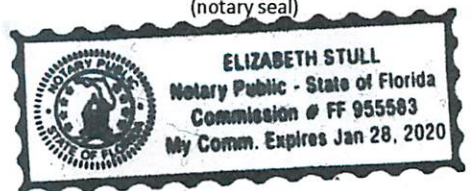
STATE OF Florida COUNTY OF Escambia The foregoing instrument was acknowledged before me this 31st day of March 2017, by Benjamin Johnson

Personally Known OR Produced Identification . Type of Identification Produced: FLDL 4620

Elizabeth Still
Signature of Notary

ELIZABETH STILL
Printed Name of Notary

(notary seal)



Recorded in Public Records 06/25/2015 at 02:19 PM OR Book 7365 Page 1252,
Instrument #2015047798, Pam Childers Clerk of the Circuit Court Escambia
County, FL Recording \$35.50 Deed Stamps \$203.00

35.50
203.00

Surety Land Title #D
358 West Nine Mile Road
Pensacola, FL 32534
850-476-5695

SPECIAL WARRANTY DEED

STATE OF FLORIDA

COUNTY OF ESCAMBIA

KNOW ALL MEN BY THESE PRESENTS, that the Emerald Coast Utilities Authority, formerly known as Escambia County Utilities Authority, a local governmental body, corporate and politic, of the State of Florida (whose mailing address is 9255 Sturdevant Street, Pensacola, Florida 32514) Grantor, for and in consideration of Ten Dollars and other good and valuable consideration, the receipt whereof is hereby acknowledged, does bargain, sell, convey and grant unto Liza L. Timmons, an unmarried woman and Erica M. Timmons, an unmarried woman, (whose mailing address is 6754 Rickwood Drive, Pensacola, FL 32526), as Joint Tenants with Rights of Survivorship, Grantees, their successors and assigns, forever, the following real property, situate, lying and being in the County of Escambia, State of Florida, to-wit:

See Exhibit "A"

Property Appraiser ID No. 09-2S-30-0400-008-005

Subject to taxes for current year and to valid easements, reservations and restrictions of record affecting the above property, if any, which are not hereby reimposed.

THIS CONVEYANCE IS FURTHER SUBJECT TO the following conditions and restrictions: In the event Grantees fail to either (a) obtain a certificate of occupancy for, or (b) demolish any existing structure on the Property within six (6) months of the date of recording this Deed, the Property shall revert back Grantor with no need for notice to Grantees.

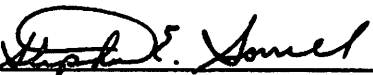
To have and to hold, unto the said Grantees, their successors and assigns, forever, together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, free from all exemptions and right of homestead. And the said Grantor covenants that it is well seized of an indefeasible estate in fee simple in said property and has a good right to convey the same; that it is free from encumbrances, and that the said Grantor, its successors and assigns, the said Grantees,

their successors and assigns, in the quiet and peaceful possession and enjoyment thereof, against all persons lawfully claiming the same, by, through, or under Grantor, shall and will forever warrant and defend, subject to the exceptions set forth above.

In accordance with Section 270.11, Florida Statutes, Grantor reserves for itself, its successors and assigns an undivided three-fourths interest in and title in and to an undivided three-fourths interest in all the phosphate, minerals and metals that are or may be in, on, or under the said property and an undivided one-half interest in all the petroleum that is or may be in, on, or under said property, together with the privilege to mine and develop the same.

IN WITNESS WHEREOF, the said Emerald Coast Utilities Authority, pursuant to Resolution Number 08-19 adopted by it in official session on the 28th day of August, 2008, has executed these presents causing its name to be signed by its Executive Director, this 16th day of June, 2015.

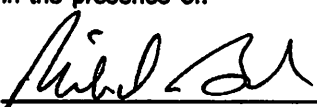
EMERALD COAST UTILITIES
AUTHORITY f/k/a ESCAMBIA COUNTY
UTILITIES AUTHORITY

By: 

Stephen E. Sorrell, P.E., M.P.A.

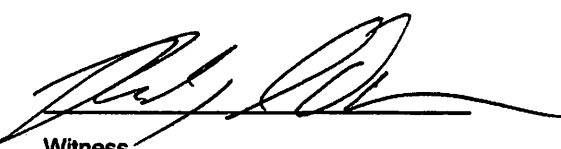
Executive Director

Signed, sealed and delivered
in the presence of:



Witness
RICHARD BARLOW

Print

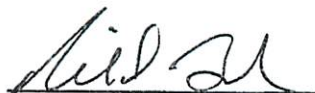


Witness
BRADLEY S. ODOM

Print

STATE OF FLORIDA
COUNTY OF ESCAMBIA

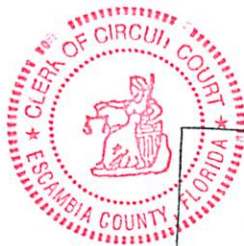
The foregoing instrument was acknowledged before me this 16th day of June, 2015, by Stephen E. Sorrell, P.E., M.P.A., as Executive Director, on behalf of the Emerald Coast Utilities Authority, who is personally known to me or who produced _____ as identification.



Notary Public, State of Florida

THIS INSTRUMENT PREPARED BY:

Richard D. Barlow, Esq.
ODOM & BARLOW, P.A.
Attorneys at Law
1800 North "E" Street
Pensacola, Florida 32501
(850) 434-3527



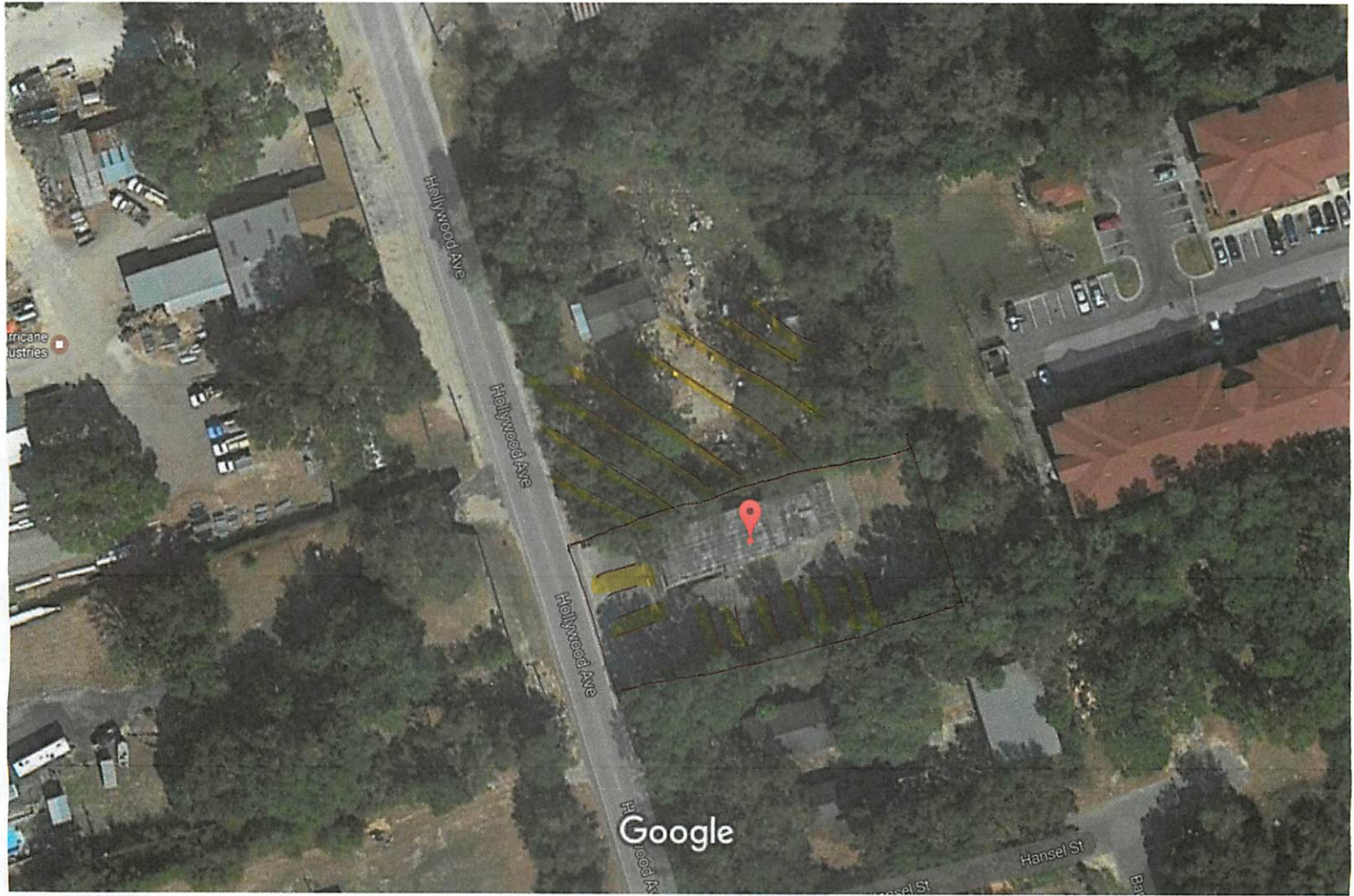
CERTIFIED TO BE A TRUE COPY OF THE ORIGINAL ON FILE IN THIS OFFICE
WITNESS MY HAND AND OFFICIAL SEAL
PAM CHILDERS
CLERK OF THE CIRCUIT COURT & COMPTROLLER
ESCAMBIA COUNTY, FLORIDA
BY: Whitney Coppage D.C.
DATE: 04-03-2017

Exhibit "A"**Legal Description**

Commence at a point at the Northwest corner of Lot 4 of the subdivision of the Western 368 acres of the Carlos Devillier Tract, Section 9, Township 2 South, Range 30 West, Escambia County, Florida, as prepared by W. H. Davison, County Surveyor, dated February 20, 1885, said point being the same as the Northwest corner of Lot 5 of the subdivision of the aforesaid Lot 4, which last said subdivision is of record in Deed Book 23 at page 626 of the public records of said County, and run Easterly along the North line of the said Lot 5 for 232 feet; thence run Southerly parallel with the West line of said Lot 5 for 463 feet 2 1/2 inches to the Point of Beginning; thence continue Southerly parallel with the West line of said Lot 5 for 100 feet; thence run Westerly parallel with the North line of said Lot 5 for 199.0 feet, more or less, to the East right of way (66' R/W) line of Hollywood Avenue; thence run Northerly along the Easterly line of said right of way for 100 feet; and thence run Easterly 199.0 feet more or less to the Point of Beginning.

File No.: 1502451J

Google Maps 4302 Hollywood Ave



Imagery ©2017 DigitalGlobe, U.S. Geological Survey, Map data ©2017 Google 50 ft



Highlighted areas are parking. In front of build and the side. Property next to build has also been purchase by me and has been plowed down for extra @ parking.

4302 Hollywood Ave
Pensacola, FL 32505

Board of Adjustment

6. B.

Meeting Date: 05/17/2017
CASE: CU-2017-09
APPLICANT: Nettie Williams, Owner
ADDRESS: 4801 N. Palafox Street
PROPERTY REFERENCE NO.: 46-1S-30-2001-140-007
ZONING DISTRICT: Com, Commercial district
FUTURE LAND USE: C, Commercial
OVERLAY DISTRICT: Palafox

SUBMISSION DATA:

REQUESTED CONDITIONAL USE:

Automobile sales, used autos only

RELEVANT AUTHORITY:

Land Development Code of Escambia County, Florida (Ordinance 96-3 as amended), Section: 3-2.10(c)(2)(b)

CRITERIA:

Land Development Code of Escambia County, Florida (Ordinance 96-3 as amended), Section 2-6.4

CRITERION (a)

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.

FINDINGS-OF-FACT

Palafox is a North-South arterial road, that is heavily traveled; properties in the immediate area support a mixture of commercial and educational facilities. The proposed used automobile sales use is compatible with the adjacent properties and other properties in the immediate area.

CRITERION (b)

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.

FINDINGS-OF-FACT

Site visit reveals that this site has been used in a commercial capacity in the past. Based on the application, the existing building have utility connections and the sanitary

sewer infrastructure is in place. The proposed use on the site will be further evaluated during the Site Plan Review process.

CRITERION (c)

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.

FINDINGS-OF-FACT

The applicant described ingress and egress from the site to be accomplished via Palafox; it appears that the previous commercial operations did use the same access to the parcel, as proposed. Traffic flow, on-site parking, emergency vehicle access and pedestrian safety will again be addressed during the Site Plan Review process.

CRITERION (d)

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.

FINDINGS-OF-FACT

Visit to the site reveals that within the surrounding area there are multiple commercial operations similar in scale and intensity to the proposed use for the parcel. Based on the applicant's description, the proposed use will not create any unreasonable circumstances. The avoidance of nuisances and hazards to adjacent properties and properties in the immediate area will be further evaluated during the Site Plan Review process.

CRITERION (e)

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.

FINDINGS-OF-FACT

The applicant stated in the application that solid waste containers will be provided and will comply with regulations. The location of the solid waste containers will be determined during the Site Plan Review process.

CRITERION (f)

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

FINDINGS OF FACT:

All of the screening and buffering requirements to protect adjacent parcels, as required by the Land Development Code (LDC), will be addressed during the Site Plan Review

process.

CRITERION (g)

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.

FINDINGS OF FACT:

This property is also located under the Palafox Overlay; additional requirements for signs and lights will be reviewed and will have to comply with the current regulations. The proposed signs and lights will be further evaluated during the Site Plan Review process.

CRITERION (h)

Site characteristics. The size, shape, location and topography of the site appear adequate to accommodate the proposed use, including setbacks, intensity, bulk, height, open space and aesthetic considerations.

FINDINGS OF FACT:

The site characteristics will be further evaluated during the Site Plan Review process. Initially, based on the applicants request, it appears that the site characteristics could accommodate the proposed use.

CRITERION (i)

Use requirements. The proposed use complies with any additional conditional use requirements of the applicable zoning district, use, or other provisions of the LDC.

FINDINGS OF FACT:

The proposed use could comply with additional use requirements of the zoning district, the overlay and other provisions of the LDC.

STAFF FINDINGS

Staff finds that the proposed used for this parcel could meet all of the conditional use criteria requirements. If the conditional use is approved, the project would have to obtain a Development Order from the Development Review Committee prior to commencing operations.

BOA DECISION

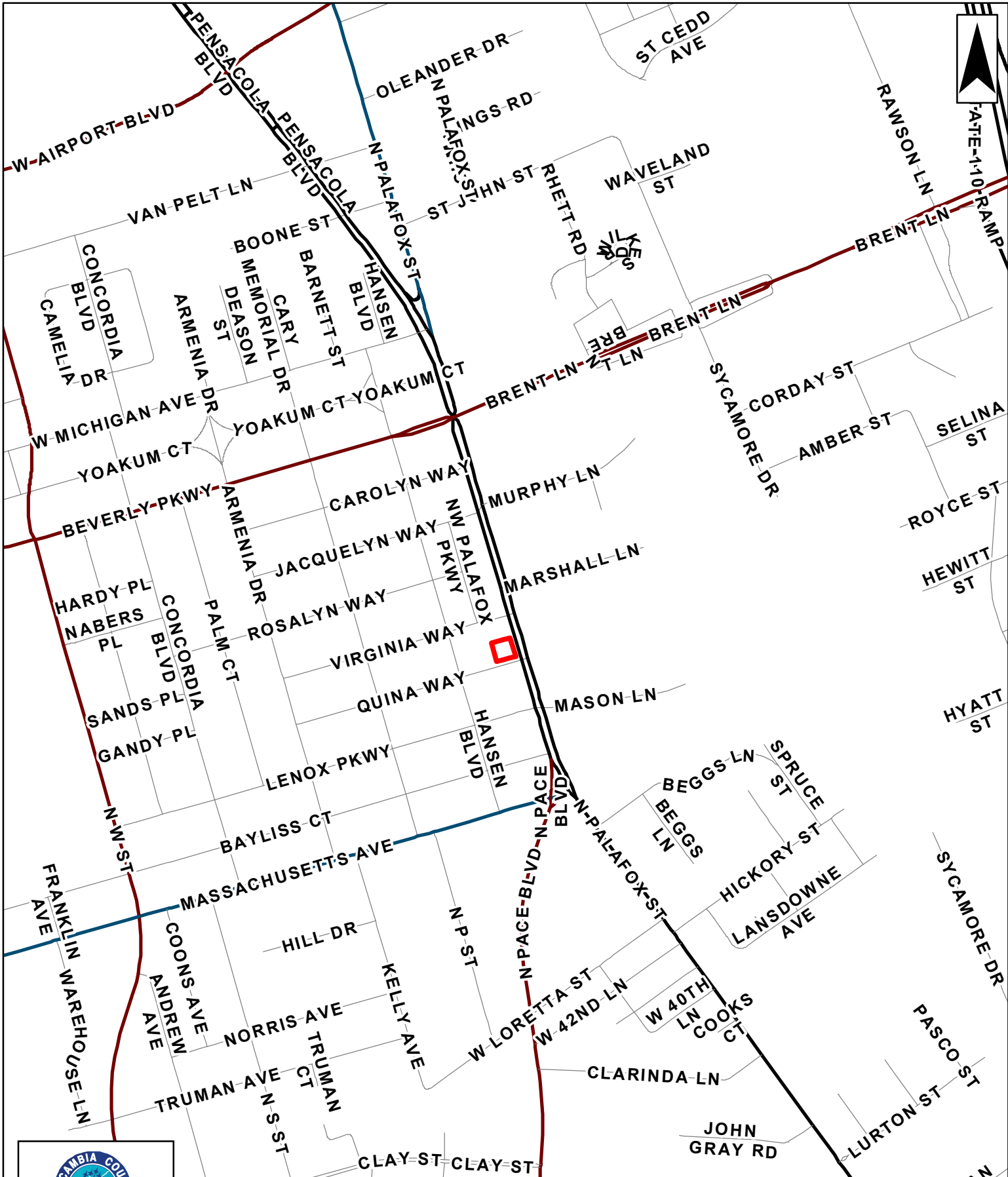

BOARD OF ADJUSTMENT FINDINGS

The Board adopted Staff's findings and **approved** the request with the Development Review condition.

Attachments

CU-2017-09

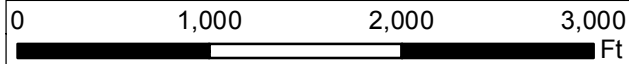
CU-2017-09

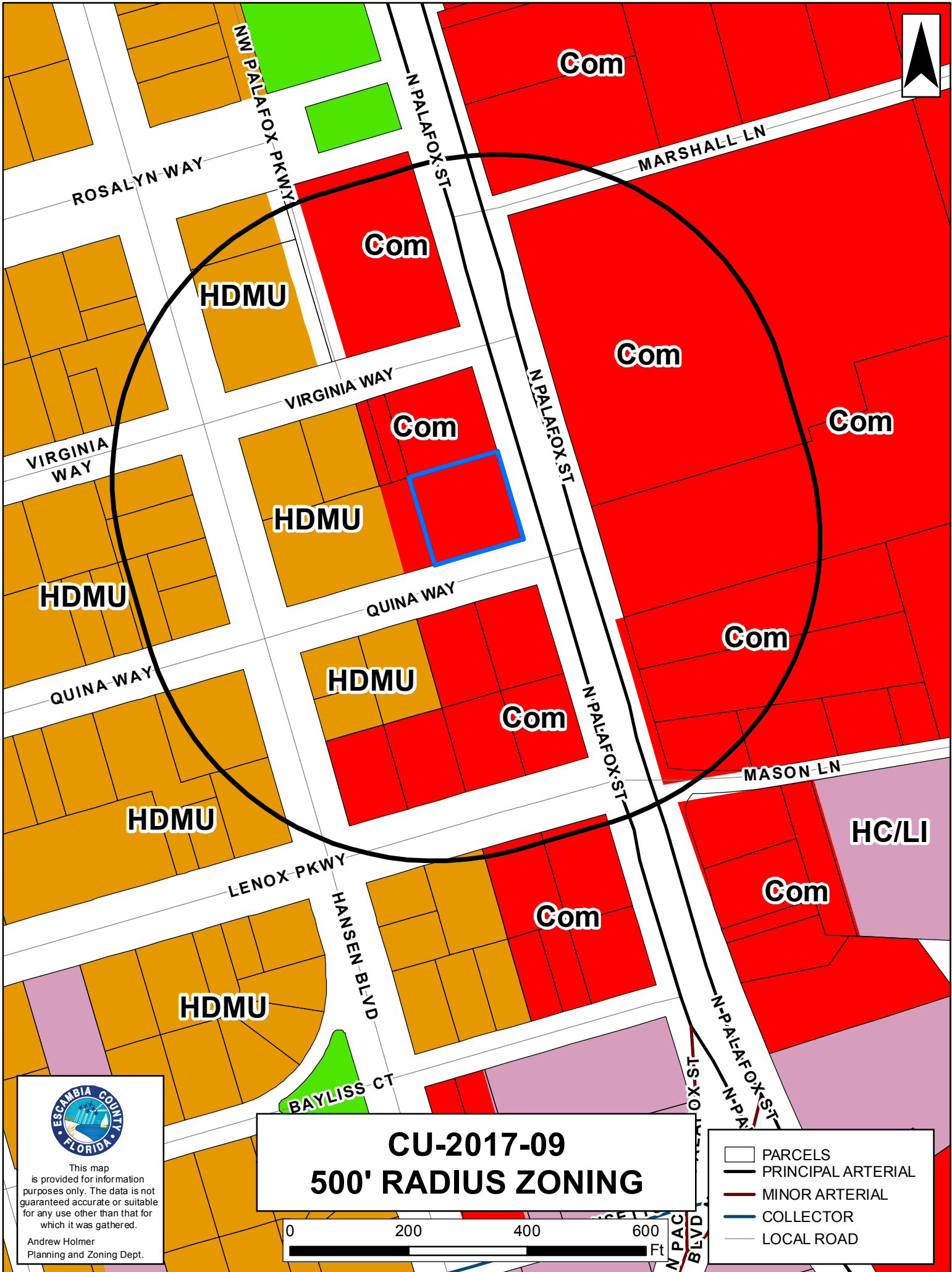
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.


Andrew Holmer
Planning and Zoning Dept.

CU-2017-09 LOCATION MAP








- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD

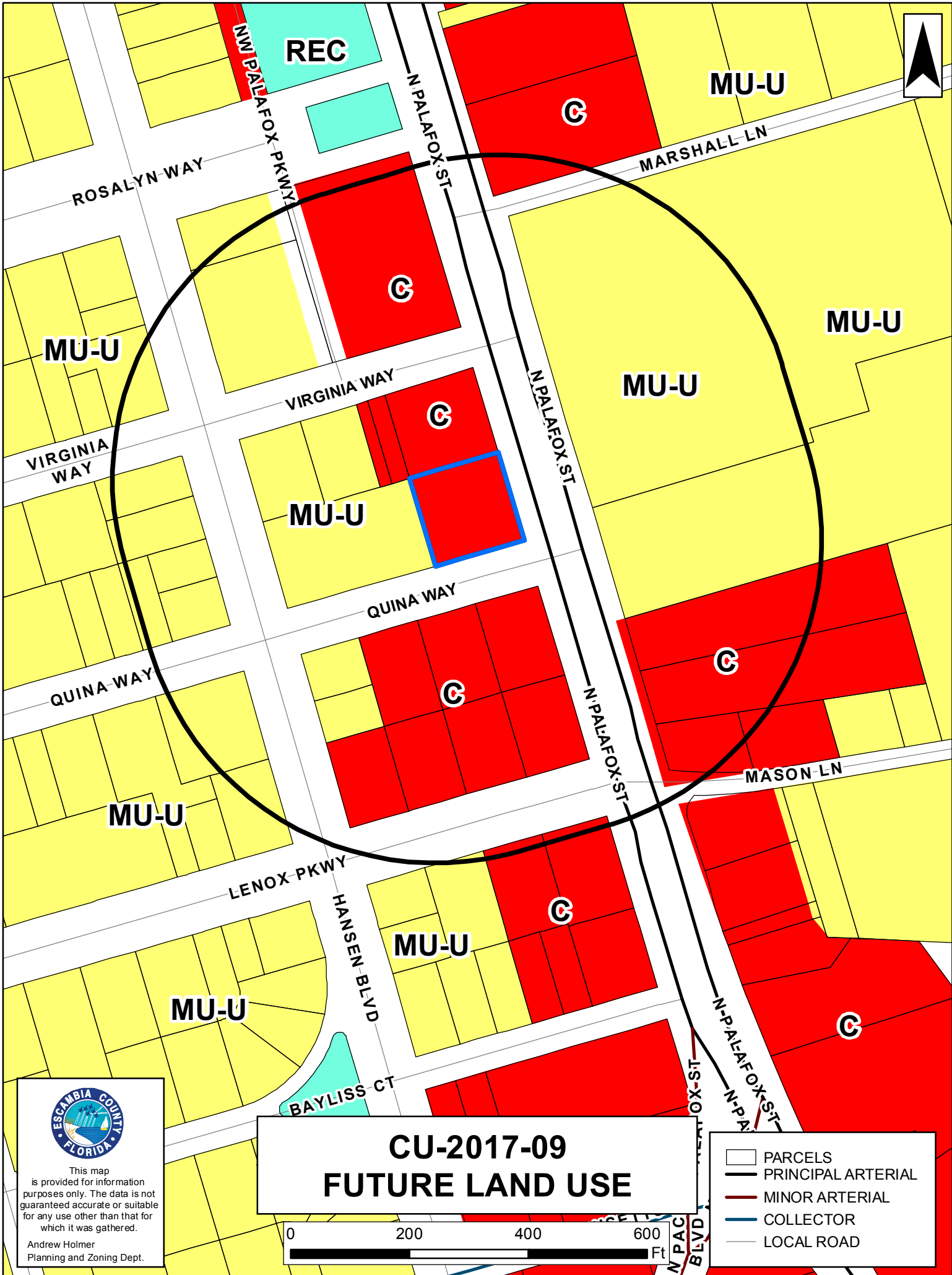



 This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.
 Andrew Holmer
 Planning and Zoning Dept.

CU-2017-09
500' RADIUS ZONING



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



REC

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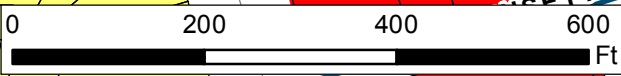
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CU-2017-09 FUTURE LAND USE



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



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

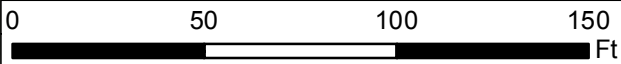
Andrew Holmer
Planning and Zoning Dept.



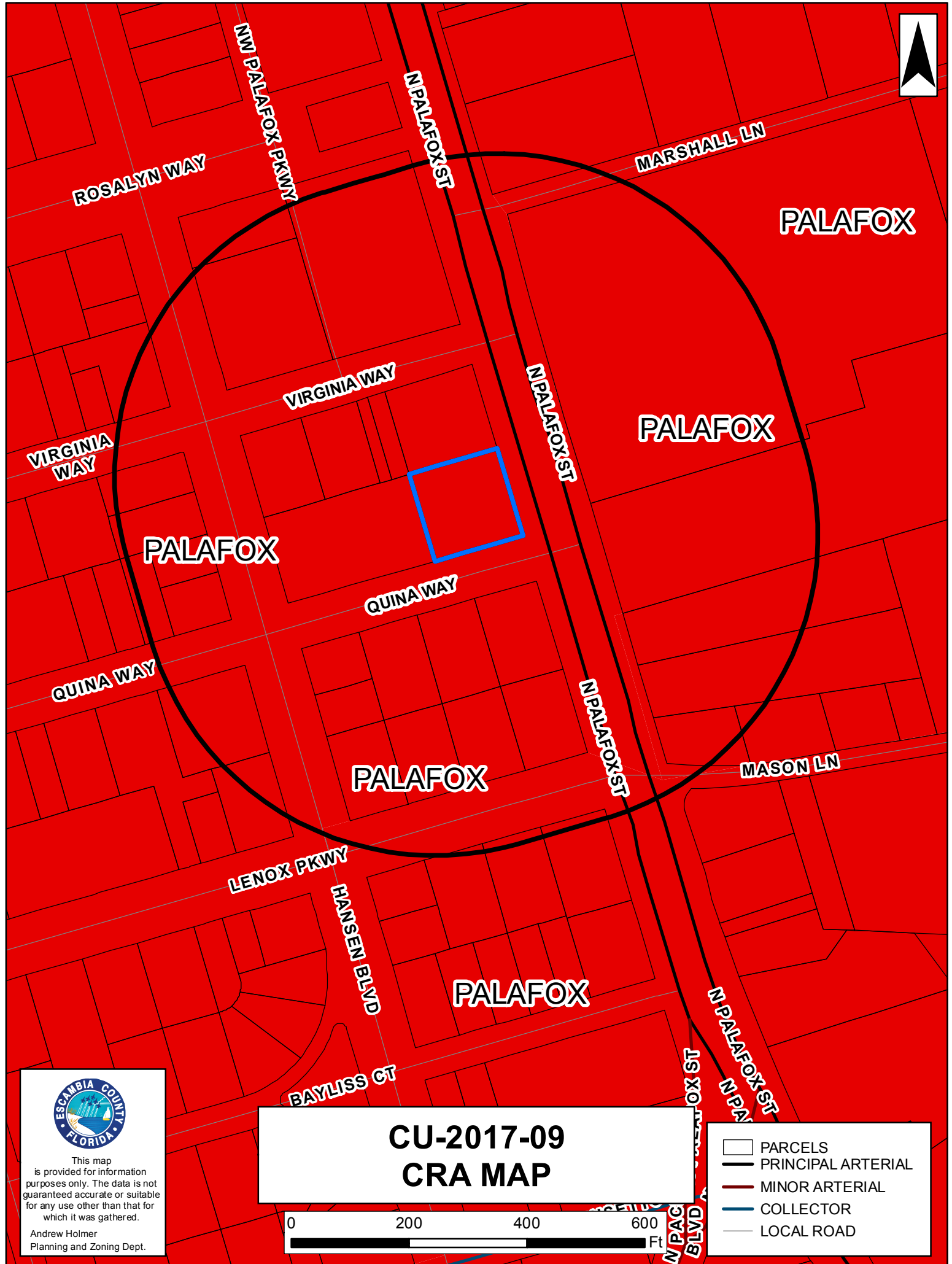
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

CU-2017-09 AERIAL MAP



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








PALAFOX


PALAFOX

PALAFOX

PALAFOX

CU-2017-09 CRA MAP

-  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.



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>

CU-2017-09

Board of Adjustment Application

FOR OFFICE USE ONLY - Case Number: 0000000000 Accepted by: _____ BOA Meeting: 5/17/17

Condition Use Request for: Used Auto Sales

Variance Request for: N/A

1. Contact Information:

A. Property Owner/Applicant: Hettie Williams

Mailing Address: 2874 Greystone DR.

Business Phone: - Cell: 850-530-0834

Email: _____

B. Authorized Agent (if applicable): N/A

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: 4803 N Palafax Street

Parcel ID (s): LTS 14 TO 16 BIK 7 Brentwood PK S/D PB 1 P. 11
OR 6846 P 599 Sec 8/10 T 2 S R 30 AND Sec 46/47
T 1 S R 30

B. Total acreage of the subject property: Approx 0.5165

C. Existing Zoning: COM

FLU Category: _____

D. Is the subject property developed (if yes, explain): Asphalt Pavement
chain link fence, Concrete pavement, Existing Building/Utilities

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.

Purpose: Existing Structure / Building
Use as a small-used car sales
business.

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.

N/A

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

N/A

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.

N/A

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.

N/A

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

N/A

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.

N/A

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.*

The requested conditional use is consistent with surrounding business uses. Business will be operated the same (Monday-Saturday-9-5) as other adjacent businesses. Business will operate as a small used car sales (not more than a dozen cars at any time) There are large car sales operation within the surrounding areas of this location.

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.

Public facilities: bathroom, handicap accessibility - water fountain is provided -

- 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.

Traffic will flow in and out of property from Palapox Hwy (as other businesses are currently doing), on-site parking and drive thru entrance and exit is available

- 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.

Business operation will not create unreasonable circumstances - is consistent with surrounding uses, therefore, will not negatively affect the 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.

Solid waste containers will comply with regulations and placed the same as other surrounding business uses -

- 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.

The LDC is consistent with other adjacent businesses

- 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.

Signs and lighting is consistent with surrounding businesses.

N/A

- 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]
Signature of Property Owner

Nettie Williams
Printed Name of Property Owner

4/6/17
Date

Signature of Property Owner

Printed Name of Property Owner

Date

STATE OF Florida COUNTY OF Essexburg

The foregoing instrument was acknowledged before me this April day of 6 2017, by Nettie Williams.

Personally Known OR Produced Identification . Type of Identification Produced: FLDL 4452-634

[Signature]
Signature of Notary

Christina Smith
Printed Name of Notary

52591



(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 Fees: To view fees visit the website: <http://myescambia.com/business/board-adjustment> or contact us at 595-3448

Note: Fees include 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. N/A 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. N/A 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.

Nettie Williams
Signature of Owner/Agent

Nettie Williams
Printed Name Owner/Agent

4/6/17
Date

Signature of Owner

Printed Name of Owner

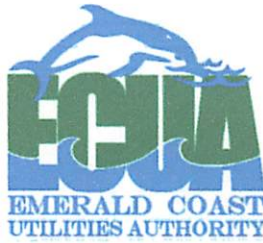
Date

STATE OF Florida COUNTY OF Escambia The foregoing instrument was acknowledged before me this April 6 day of April 20 17, by Nettie Williams Personally Known OR Produced Identification Type of Identification Produced: W452-624-52-511-0

Christina Smith
Signature of Notary

Christina Smith
Printed Name of Notary (notary seal)





ECUA Fire Hydrant Flow Data

Requested Information

In response to your request for fire hydrant flow information, ECUA is able to provide the data in the table below. Additional testing or data collection may be performed with the approval and supervision of ECUA.

ECUA Fire Hydrant #	Date Tested	Flow [gpm]	Static Pressure [psi]	Residual Pressure [psi]	Comments
3993	8/18/15	920	44	40	Palafox St/Quina Way

DISCLAIMER

This Emerald Coast Utilities Authority fire hydrant flow test data is from a single test performed at an arbitrary point in time and as such is not assumed to be representative of typical water system conditions. No representation is made as to its accuracy and ECUA disclaims any and all liability with respect to any information given. It is provided as information only and is not to be used as the basis for development of construction plans or any type of engineering service. This data is not guaranteed to be accurate or suitable for any use other than that for which it was gathered. Any use of this information by any other organization for any other purpose and any conclusions drawn from the use of this data is strictly the responsibility of the user.



NORTHWEST FLORIDA LAND SURVEYING, INC.

7142 BELGIUM CIRCLE
Pensacola, FL 32526
(850) 432-1052

A PROFESSIONAL SERVICE ORGANIZATION



PREPARED FOR: AVON FOWLER

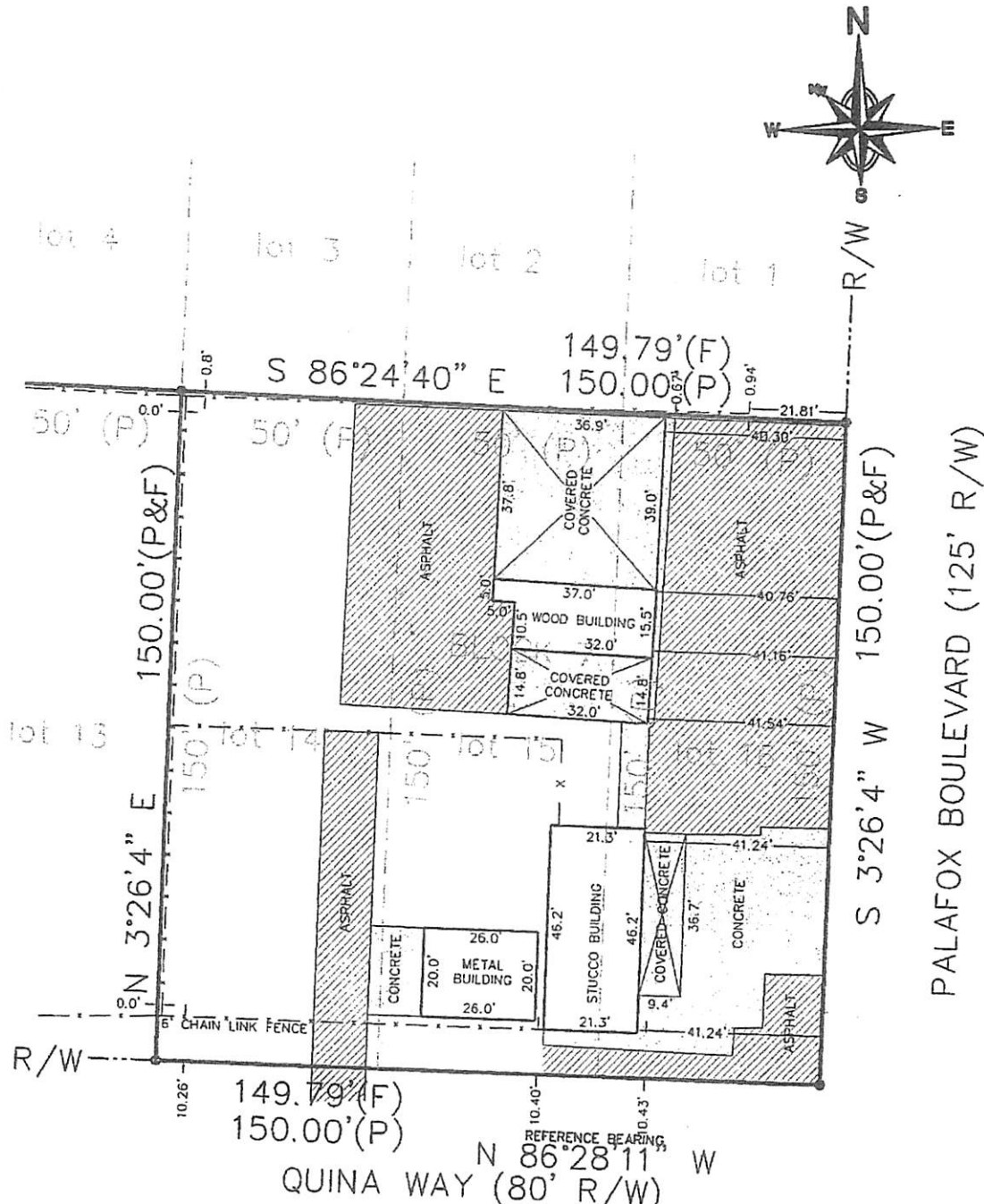
JOB NO.: 10-18325-12

REQUESTED BY: AVON FOWLER

DATE: MARCH 30, 2012

PROPERTY ADDRESS: 4801 NORTH PALAFOX STREET

SCALE: 1"=30'



are there markers to show property boundary?

SHEET 1 OF 2

MEASUREMENTS MADE TO UNITED STATES STANDARDS

P.C.: JR DRAFTED: JAS TYPED: JAS CHECKED: FRT

DESCRIPTION: LOTS 14, 15, AND 16, BLOCK 7, BRENTWOOD PARK SUBDIVISION

SEC. 46 TWP. 15 RGE. 30W ESCAMBIA COUNTY, STATE OF FLORIDA.
RECORDED PLAT BOOK 1 PAGE 11 *THE ENCROACHMENTS ARE AS SHOWN*
FIELD DATE: 3-30-12 FIELD BOOK: FRT6 PG. 35

NORTHWEST FLORIDA LAND SURVEYING, INC.
FLORIDA CORPORATION NUMBER 7277
Fred R. Thompson 3-30-12
FRED R. THOMPSON PROFESSIONAL LAND SURVEYOR
FLORIDA REGISTRATION NUMBER 3027 STATE OF FLORIDA

REVISIONS:

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR



PREPARED FOR: AVON FOWLER
 REQUESTED BY: AVON FOWLER

JOB NO.: 10-18325-12
 DATE: MARCH 30, 2012

PROPERTY ADDRESS: 4801 NORTH PALAFOX STREET

SCALE: 1"=30'

GENERAL NOTES:

1. THE BEARINGS AS SHOWN HEREON ARE REFERENCED TO THE ASSUMED BEARING OF NORTH 86 DEGREES 28 MINUTES 11 SECONDS WEST ALONG THE SOUTH LINE OF THE PROPERTY.
2. THE SURVEY DATUM AS SHOWN HEREON IS REFERENCED TO THE RECORD PLAT OF BRENTWOOD PARK SUBDIVISION AS RECORDED IN PLAT BOOK 1 AT PAGE 11 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA AND TO EXISTING FIELD MONUMENTATION.
3. NO TITLE SEARCH WAS PROVIDED TO NOR PERFORMED BY NORTHWEST FLORIDA LAND SURVEYING, INC., FOR THE SUBJECT PROPERTY. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHTS-OF-WAY, STATE AND/OR FEDERAL JURISDICTIONAL AREAS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY.
4. THE PROPERTY AS SHOWN HEREON IS LOCATED IN FLOOD ZONE "X", BASE FLOOD ELEVATION N/A, AS DETERMINED FROM FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP OF ESCAMBIA COUNTY, FLORIDA (UNINCORPORATED AREAS), MAP NUMBER 12033C 0380 G, REVISED SEPTEMBER 29, 2006.
5. THIS SURVEY DOES NOT DETERMINE OWNERSHIP.
6. THIS SURVEY MEETS MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G17-6 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, TO THE BEST OF MY KNOWLEDGE AND BELIEF.
7. THE MEASUREMENTS AS SHOWN HEREON WERE MADE TO UNITED STATES STANDARDS.
8. THE MEASUREMENTS OF THE BUILDINGS AND/OR FOUNDATIONS SHOWN HEREON DO NOT INCLUDE CONCRETE FOOTERS OR EAVE OVERHANGS.
9. FENCE LOCATIONS SHOWN HEREON MAY BE EXAGGERATED AND NOT TO SCALE FOR CLARITY PURPOSES
10. FEDERAL AND STATE COPYRIGHT ACTS PROTECT THIS MAP FROM UNAUTHORIZED USE. THIS MAP IS NOT TO BE COPIED OR REPRODUCED IN WHOLE OR PART AND IS NOT TO BE USED FOR THE BENEFIT OF ANY OTHER PERSON, COMPANY OR FIRM, WITHOUT PRIOR WRITTEN CONSENT OF THE COPYRIGHT OWNER, FRED R. THOMPSON, AND IS TO BE RETURNED TO OWNER UPON REQUEST.
11. THIS DOCUMENT MUST BE COMPARED TO THE ORIGINAL HARD COPY ISSUED ON THE SURVEY DATE WITH A RAISED SEAL TO INSURE THE ACCURACY OF THE INFORMATION AND TO FURTHER INSURE THAT NO CHANGES, ALTERATIONS OR MODIFICATIONS HAVE BEEN MADE. NO RELIANCE SHOULD BE MADE ON A DOCUMENT TRANSMITTED BY COMPUTER OR OTHER ELECTRONIC MEANS UNLESS FIRST COMPARED TO THE ORIGINAL SIGNED AND SEALED DOCUMENT.
12. THIS SURVEY MAY BE SUBJECT TO ADDITIONAL REQUIREMENTS BY COUNTY, STATE OR OTHER AGENCIES.
13. ENCROACHMENTS ARE AS SHOWN.

DENOTES:

- ⊙ ~ 1/2" CAPPED IRON ROD, NUMBERED 7277 (PLACED)
- ~ 1/2" IRON ROD, UNNUMBERED (FOUND)
- (P) ~ PLATTED INFORMATION
- (F) ~ FIELD INFORMATION
- R/W ~ RIGHT OF WAY
- SEC. ~ SECTION
- TWP. ~ TOWNSHIP
- RGE. ~ RANGE
- PG. ~ PAGE

BOUNDARY SURVEY WITH IMPROVEMENTS

SHEET 2 OF 2

MEASUREMENTS MADE TO UNITED STATES STANDARDS

P.C.: JR DRAFTED: JAS TYPED: JAS CHECKED: FRT

DESCRIPTION: LOTS 14, 15, AND 16, BLOCK 7, BRENTWOOD PARK SUBDIVISION

SEC. 46 , TWP. 1S , RGE. 30W , ESCAMBIA COUNTY, STATE OF FLORIDA.

RECORDED PLAT BOOK 1 , PAGE 11 . *THE ENCROACHMENTS ARE AS SHOWN*

FIELD DATE: 3-30-12 , FIELD BOOK: FRT6 , PG. 35

NORTHWEST FLORIDA LAND SURVEYING, INC.
 FLORIDA CORPORATION NUMBER 7277
Fred R. Thompson 3-30-12
 FRED R. THOMPSON PROFESSIONAL LAND SURVEYOR
 FLORIDA REGISTRATION NUMBER 3027 STATE OF FLORIDA

REVISIONS:	

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR

Board of Adjustment

6. C.

Meeting Date: 05/17/2017
CASE: V-2017-03
APPLICANT: Escambia County, Owner
ADDRESS: 3200 West DeSoto Street
PROPERTY REFERENCE NO.: 33-2S-30-1000-001-005,
33-2S-30-3301-006-271
ZONING DISTRICT: Com, Commercial and MDR, Medium
Density Residential
FUTURE LAND USE: MU-U, Mixed-Use Urban

SUBMISSION DATA:

REQUESTED VARIANCE:

Escambia County has purchased and renovated the Brownsville Assembly of God to become the Brownsville Community Center for Escambia County. Since this building is no longer part of the church, it has to provide its own parking for a standalone community center. There are 57 existing parking spaces and Escambia County is proposing to build 62 more for a total of 119 spaces that will be provided. Per the LDC the required amount for this building is 355 parking spaces, which requires a variance for 236 parking spaces.

RELEVANT AUTHORITY:

Land Development Code of Escambia County, Florida (Ordinance No. 96-3 as amended), Section: 3-1.2.d

Public assembly structure not otherwise listed, 1 per 5 seats or 1 per 35 sq. ft. of assembly area if no fixed seats.

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 does find special conditions unique to this site. This site was a church assembly at

one time that used shared parking with other properties that are owned by the church. The current site is completely built out and the only way to add parking for this site is to build on other properties.

CRITERION (2)

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

FINDINGS-OF-FACT

The practical hardship unique to this site is not a result of actions of the applicant.

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 features of this site, granting the requested variance would not confer on the applicant special privilege that is denied by this Land Development Code to other lands, buildings or structures in the same zoning district.

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 deprive the applicant of rights commonly enjoyed by other properties in the same zoning district that do not have the same unique features.

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 variance is the minimum variance necessary given the unique hardship of the site.

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:

Given the unique hardships of the site, the requested variance would be consistent with general intent and purpose of the LDC. It also appears that the proposed variance would also not be injurious to the area or otherwise detrimental to the public welfare.

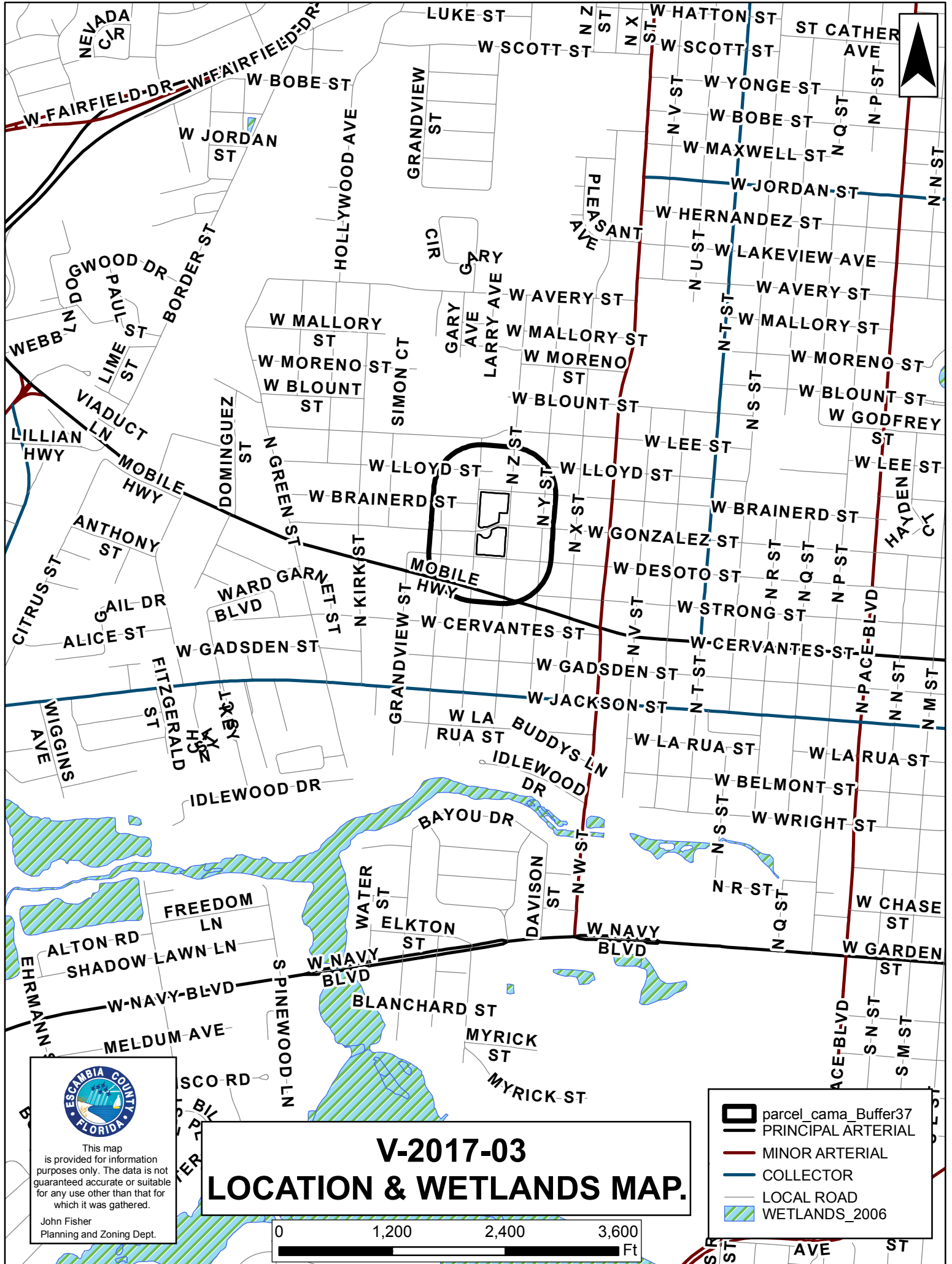
STAFF RECOMMENDATION

Staff recommends approval of the parking spaces variance, contingent on the expansion of 62 more proposed parking spaces.

Attachments

V-2017-03

V-2017-03



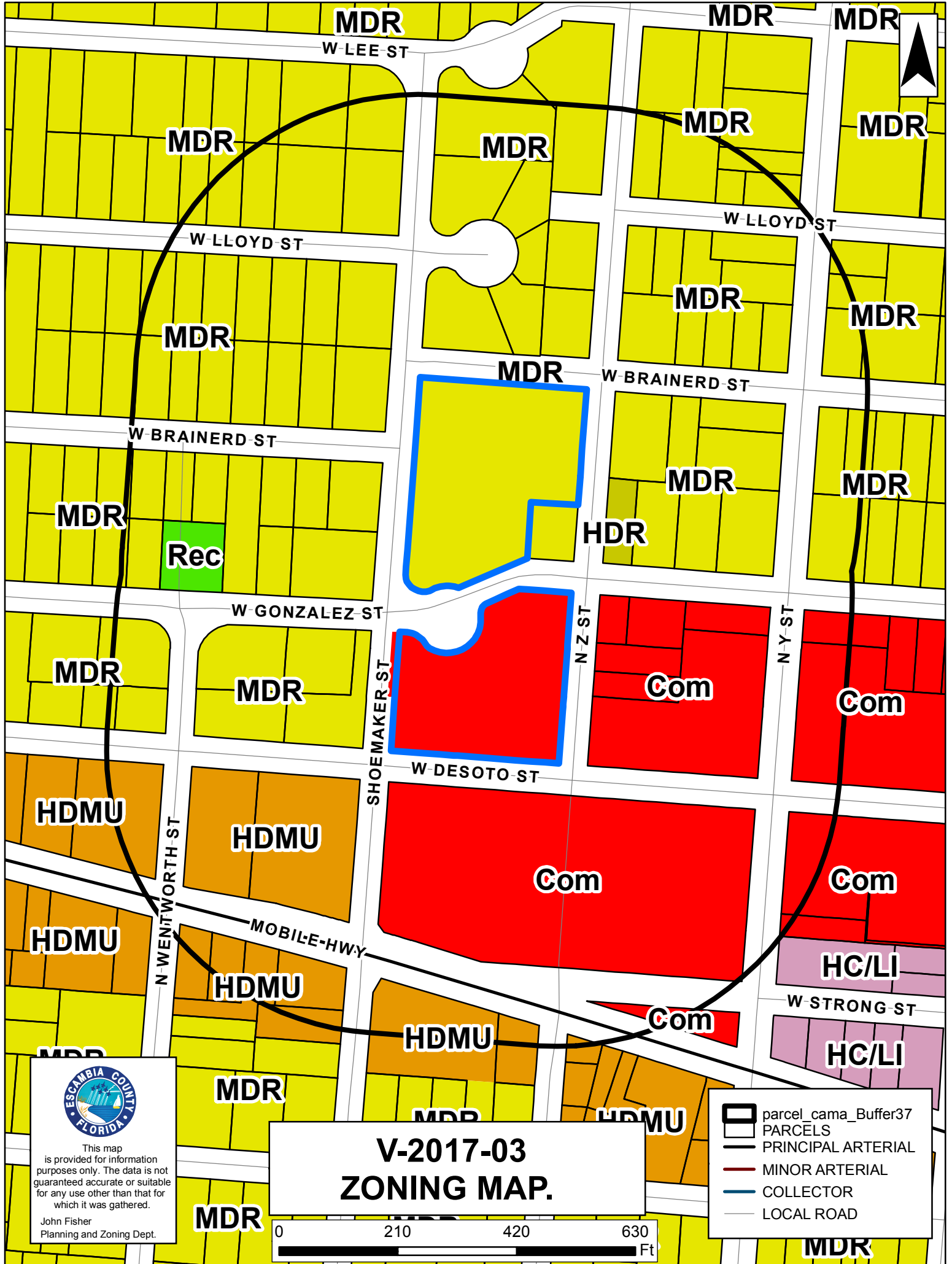
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

John Fisher
Planning and Zoning Dept.

V-2017-03 LOCATION & WETLANDS MAP.



- parcel_cama_Buffer37
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- 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.

John Fisher
Planning and Zoning Dept.

V-2017-03 ZONING MAP.



- parcel_cama_Buffer37
- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD









MU-U

MU-U

REC

V-2017-03 FLU MAP.

-  parcel_cama_Buffer37
-  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.

John Fisher
Planning and Zoning Dept.



W BRAINERD ST

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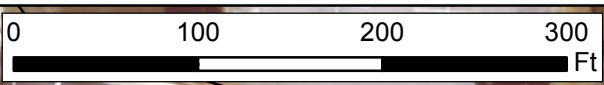
W DESOTO ST








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.

John Fisher
Planning and Zoning Dept.

V-2017-03 AERIAL MAP.



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



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: _____ Accepted by: _____ BOA Meeting: _____

Condition Use Request for: _____

Variance Request for: _____

1. Contact Information:

A. Property Owner/Applicant: _____

Mailing Address: _____

Business Phone: _____ Cell: _____

Email: _____

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: _____

Parcel ID (s): _____

B. Total acreage of the subject property: _____

C. Existing Zoning: _____

FLU Category: _____

D. Is the subject property developed (if yes, explain): _____

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.

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 Fees: To view fees visit the website: <http://myescambia.com/business/board-adjustment> or contact us at 595-3448

Note: Fees include 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 Concurrence 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)

Source: Escambia County Property Appraiser

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

[Restore Full Page Version](#)

<p>General Information</p> <p>Reference: 332S303301006271</p> <p>Account: 064047000</p> <p>Owners: ESCAMBIA COUNTY BOARD OF COUNTY COMMISSIONERS</p> <p>Mail: 221 PALAFOX PL STE 420 PENSACOLA, FL 32502</p> <p>Situs:</p> <p>Use Code: COUNTY OWNED</p> <p>Taxing Authority: COUNTY MSTU</p> <p>Tax Inquiry: Open Tax Inquiry Window</p> <p>Tax Inquiry link courtesy of Scott Lunsford Escambia County Tax Collector</p>	<p>Assessments</p> <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>\$23,660</td> <td>\$1,203,411</td> <td>\$1,227,071</td> <td>\$1,227,071</td> </tr> <tr> <td>2015</td> <td>\$23,660</td> <td>\$1,163,125</td> <td>\$1,186,785</td> <td>\$1,186,785</td> </tr> <tr> <td>2014</td> <td>\$23,660</td> <td>\$1,156,217</td> <td>\$1,179,877</td> <td>\$1,179,877</td> </tr> </tbody> </table> <p style="text-align: center;">Disclaimer</p> <hr/> <p style="text-align: center;">Amendment 1/Portability Calculations</p> <p style="text-align: center;">★ File for New Homestead Exemption Online</p>	Year	Land	Imprv	Total	Cap Val	2016	\$23,660	\$1,203,411	\$1,227,071	\$1,227,071	2015	\$23,660	\$1,163,125	\$1,186,785	\$1,186,785	2014	\$23,660	\$1,156,217	\$1,179,877	\$1,179,877
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<p>Sales Data</p> <table border="1"> <thead> <tr> <th>Sale Date</th> <th>Book</th> <th>Page</th> <th>Value</th> <th>Type</th> <th>Official Records (New Window)</th> </tr> </thead> <tbody> <tr> <td>12/31/2013</td> <td>7120</td> <td>1441</td> <td>\$2,100,000</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)	12/31/2013	7120	1441	\$2,100,000	WD	View Instr	<p>2016 Certified Roll Exemptions</p> <p>COUNTY OWNED</p> <p>Legal Description</p> <p>LTS 6 7 8 & 9 BLK 271 LESS W 18.2 FT OF LT 6 NORTH MULWORTH S/D PB 1 P 51 ALSO LTS 7 8 9 & 10 BLK 248...</p> <p>Extra Features</p> <p>ASPHALT PAVEMENT</p>
Sale Date	Book	Page	Value	Type	Official Records (New Window)								
12/31/2013	7120	1441	\$2,100,000	WD	View Instr								

Parcel Information

Section Map Id: [CA138](#)

Approx. Acreage: 1.6900

Zoned: Com

Evacuation & Flood Information
[Open Report](#)

[Launch Interactive Map](#)

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

Source: Escambia County Property Appraiser

Navigate Mode
 Account
 Reference

General Information

Reference: 332S301000001005

Account: 063410000

Owners: ESCAMBIA COUNTY
BOARD OF COUNTY COMMISSIONERS

Mail: 221 PALAFOX PL STE 420
PENSACOLA, FL 32502

Situs:

Use Code: SINGLE FAMILY RESID

Taxing Authority: COUNTY MSTU

Tax Inquiry: [Open Tax Inquiry Window](#)

Tax Inquiry link courtesy of Scott Lunsford
Escambia County Tax Collector

Assessments

Year	Land	Imprv	Total	Cap Val
2016	\$29,400	\$56,715	\$86,115	\$86,115
2015	\$29,400	\$53,636	\$83,036	\$83,036
2014	\$29,400	\$51,169	\$80,569	\$80,569

[Disclaimer](#)

[Amendment 1/Portability Calculations](#)

★ [File for New Homestead Exemption Online](#)

Sales Data

Sale Date	Book	Page	Value	Type	Official Records (New Window)
12/31/2013	7120	1441	\$2,100,000	WD	View Instr
05/1997	4130	224	\$150,000	WD	View Instr
03/1992	3150	402	\$42,500	WD	View Instr

Official Records Inquiry courtesy of Pam Childers
Escambia County Clerk of the Circuit Court and Comptroller

2016 Certified Roll Exemptions

COUNTY OWNED

Legal Description

LTS 6 7 BLK 270 NORTH MULWORTH PB 1 P 51 PB
1 P 51 LTS 5 & 6 & N 52 05/100 FT F LTS 7 & 8 BLK
5 WELLES...

Extra Features

METAL BUILDING

Parcel Information

Section Map Id:
[CA138](#)

Approx. Acreage:
2.0980

Zoned:
MDR

Evacuation & Flood Information
[Open Report](#)

