AGENDA
ESCAMBIA COUNTY BOARD OF ADJUSTMENT
July 18, 2018–8:30 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 Resume Meeting Minutes from the June 20, 2018 Board of Adjustment Meeting.

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

A. **Case No.: CU-2018-09**

Address:	837 Bayshore Dr
Request:	To allow an accessory structure in front yard of a waterfront lot
Requested by:	John Switzer

B. **Case No.: CU-2018-10**

Address:	14485 Innnerarity Point Rd
Request:	Conditional Use to allow an accessory structure (garage) in the front yard of property
Requested by:	Brian Benson, Agent for Christine Beck, Owner

C. **Case No.: CU-2018-11**

Address:	1730 E Nine Mile Rd, 1750 E Nine Mile Rd, Barranger Road, Plainfield Avenue
Request:	Allow drive - thru use adjacent to residential
Requested by:	Dave Hemphill, Agent for Jefferey S. Kates & Michael Ow, Owners

D. **Case No.: CU-2018-12**

Address:	1368 and 1370 W Nine Mile Rd
Request:	to allow on-premise alcohol consumption within 1000' of a child care facility.
Requested by:	Scott Nicola, agent for William Long Jr, owner

E. **CASE NO.: AP-2018-01**
ADDRESS: 5312 Pale Moon Dr.
REQUESTED APPEAL: Appeal of land disturbance permit #1802404PLM
REQUESTED BY: Frances Ogden

7. Discussion Items.

8. Old/New Business.

9. Announcement.

The next Board of Adjustment Meeting is scheduled for Wednesday, August 15, 2018 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: 07/18/2018

Attachments

Draft June 20, 2018 Board of Adjustment Meeting Minutes

D R A F T

RESUMÉ OF THE MEETING OF THE BOARD OF ADJUSTMENT
HELD June 20, 2018

CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE, BOARD CHAMBERS
PENSACOLA, FLORIDA
(8:32 A.M. – 9:13 A.M.)

Present:	Auby Smith
	Bill Stromquist
	Judy Gund
	Michael Godwin
	Walker Wilson
Absent:	VACANT
	Jennifer Rigby
Staff Present:	Andrew Holmer, Division Manager, Planning & Zoning
	Juan Lemos, Senior Planner, Planning & Zoning
	Kayla Meador, Administrative Assistant
	Kristin Hual, Assistant County Attorney
Attendees:	Kim Wilson

REGULAR BOA AGENDA

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.

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

   Motion was made to accept the June 20, 2018 BOA meeting packet.

   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 publication and motion was made to accept.

Vote: 5 - 0 Approved

5. Approval of Resume Minutes.

A. Approval of Resume Meeting Minutes from the May 16, 2018 Board of Adjustment Meeting.

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

Motion was made to approve the May 16, 2018 BOA Resume Meeting Minutes.

Vote: 5 - 0 Approved

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

A. **Case No.: V-2018-05**

Address:	1600 Ora Drive
Request:	Variance to allow a 6 foot privacy fence in the front yard of a residential dwelling
Requested by:	Ted & TC Moucheron

Motion by Vice Chairman Bill Stromquist, Seconded by Board Member Michael Godwin

Board Members adopted Staff's Findings and **denied** the Variance as requested.

Vote: 4 - 1 Approved

Voted No: Board Member Judy Gund

B. **Case No.: CU-2018-07**

Address:	321 Thompson Road
Request:	Conditional Use request to allow for a telecommunication tower greater than 150 feet in height
Requested by:	Baker Donelson Law Firm, Agent for Anne B. Peterson, Owner

Motion by Vice Chairman Bill Stromquist, Seconded by Board Member Walker Wilson

Board Members adopted Staff's Findings and approved the Conditional Use.

Vote: 5 - 0 Approved

C. **Case No.: CU-2018-08**

Address:	5900 W Nine Mile Road
Request:	Conditional use to allow automobile sales, used autos only
Requested by:	Cynthia Mather, Agent for Ellis Stuart, Stuart Airplane Services Inc., Owner

Motion by Vice Chairman Bill Stromquist, Seconded by Board Member Walker Wilson

Board Members adopted Staff's Findings and approved the Conditional Use.

Vote: 5 - 0 Approved

7. Discussion Items.

8. Old/New Business.

9. Announcement.

The next Board of Adjustment Meeting is scheduled for Wednesday, July 18, 2018 at 8:30 a.m., at the Escambia County Central Office Complex, Room 104, 3363 West Park Place.

10. Adjournment.

Board of Adjustment **6. A.**

Meeting Date:	07/18/2018
CASE:	CU-2018-09
APPLICANT:	John L. Jr & Silvia H. Switzer, Owners
ADDRESS:	837 Bayshore Dr.
PROPERTY REFERENCE NO.:	50-2S-30-5080-1000-004
ZONING DISTRICT:	HDR, High Density Residential district
FUTURE LAND USE:	MU-U, Mixed-Use Urban
OVERLAY DISTRICT:	N/A

SUBMISSION DATA:

REQUESTED CONDITIONAL USE:
The applicant is seeking a Conditional Use approval to allow for an accessory structure in the front yard of a waterfront lot.

RELEVANT AUTHORITY:
Land Development Code of Escambia County, Florida (Ordinance 96-3 as amended), Section:4-7.3 (a)(4)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
The proposed use could be conducted and operated in a manner that is compatible with 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
Facilities and services are currently available to provide adequate capacity for the proposed use.

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 existing ingress and egress will be utilized in the current configuration.

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
There are no nuisances or hazards associated with the proposed use.

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 is available for the proposed use.

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 and buffering are not required for the proposed use.

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:
Signs and lighting are not proposed for the proposed use.

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 adequately accommodate the proposed use. Specifically, the proposed use is allowed on waterfront lots if the accessory structure is at least 60 feet from the front lot line, contingent upon approval by the Board of Adjustment. The

submitted site plan indicates that the proposed accessory structure is located more that 196' feet from the front property line.

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 complies with additional conditional use requirements of the zoning district, use, and other provisions of the LDC. The proposed use is allowed on waterfront lots if the structure is at least 60 feet from the front lot line, contingent upon approval by the Board of Adjustment, and complies with all other requirements of the LDC.

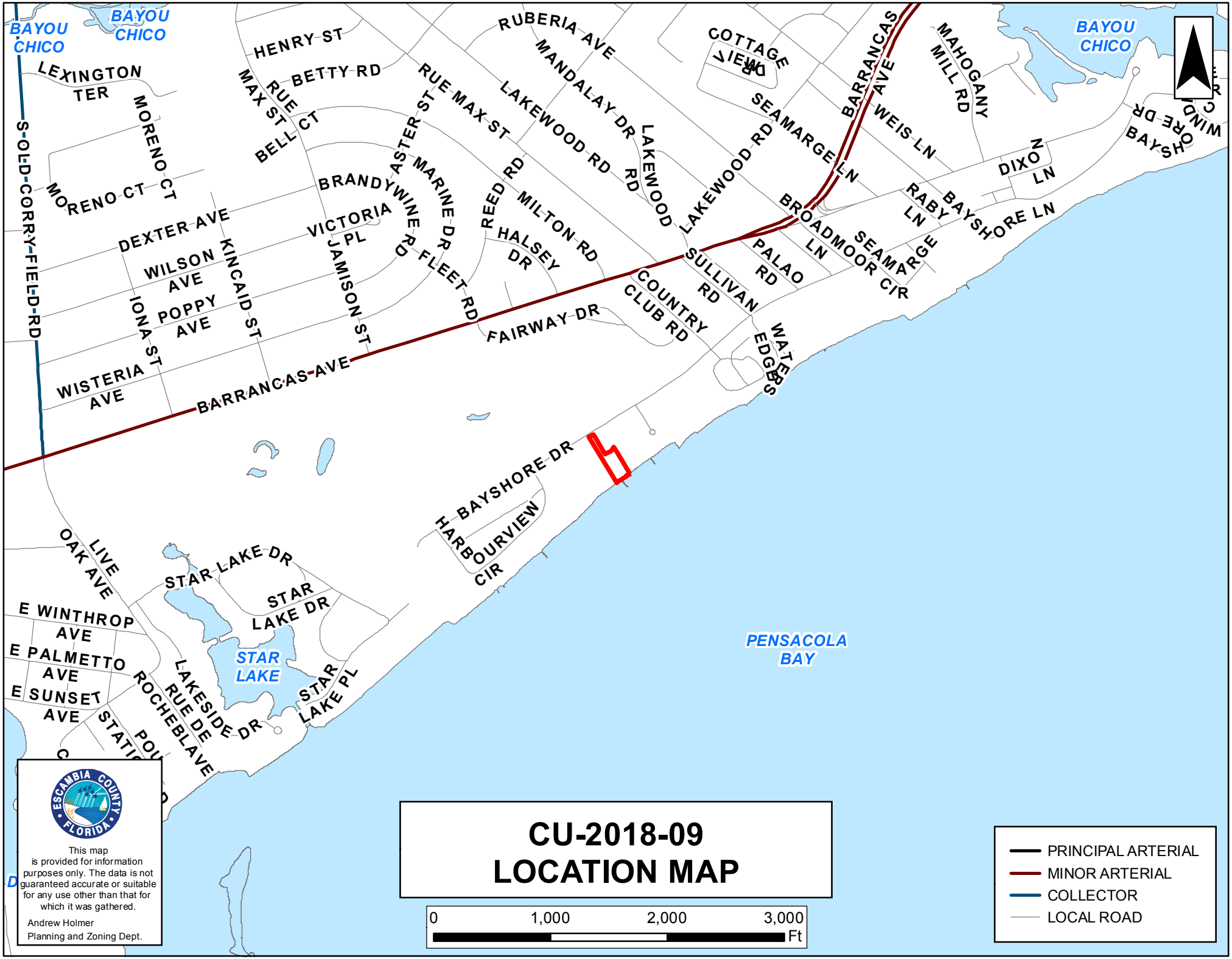
STAFF FINDINGS

Staff finds that the applicant has addressed all the Conditional Use criteria for an accessory structure to be located in the front yard of a waterfront lot and recommends approval.

Attachments

Working Case File

CU-2018-09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BELL CT
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MARINE DR
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DIXON LN
BAYSHORE DR
S OLD CORRY FIELD RD
DEXTER AVE
WILSON AVE
IONA ST
POPPY AVE
KINCAID ST
VICTORIA PL
JAMISON ST
BRANDYWINE RD
FLEET RD
REED RD
MILTON RD
HALSEY DR
BROADMOOR CIR
PALAO RD
SULLIVAN RD
COUNTRY CLUB RD
RABY LN
BAYSHORE LN
SEAMARGE LN
WATER EDGE DR
WISTERIA AVE
BARRANCAS AVE
FAIRWAY DR
BAYSHORE DR
HARBOURVIEW CIR
LIVE OAK AVE
STAR LAKE DR
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E WINTHROP AVE
E PALMETTO AVE
E SUNSET AVE
STAR LAKE
LAKESIDE DR
ROCHEBLAVE
STAR LAKE PL
PENSACOLA BAY
CU-2018-09
LOCATION MAP
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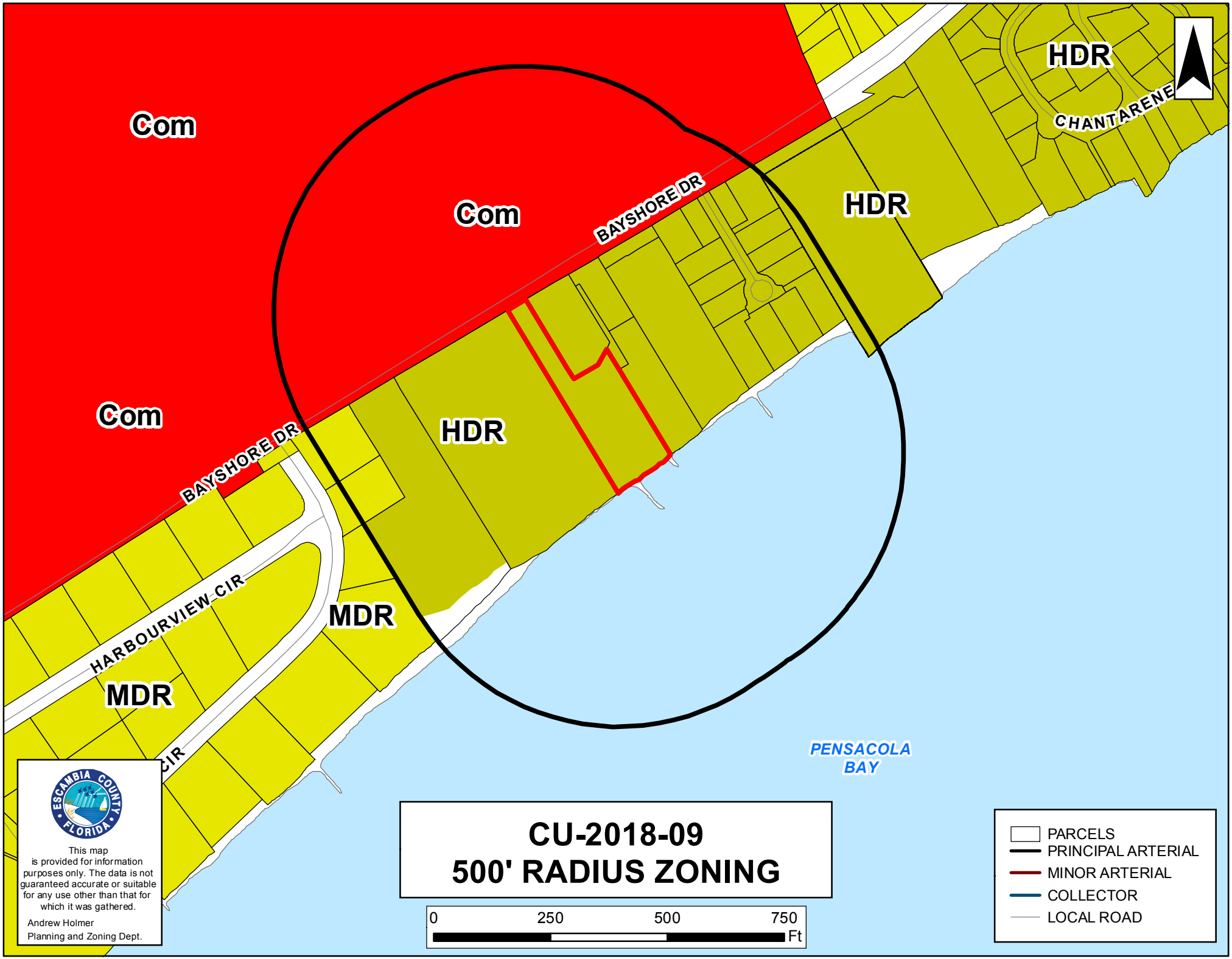
PRINCIPAL ARTERIAL
MINOR ARTERIAL
COLLECTOR
LOCAL ROAD
ESCAMBIA COUNTY FLORIDA
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.
Andrew Holmer
Planning and Zoning Dept.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CU-2018-09
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PRINCIPAL ARTERIAL
MINOR ARTERIAL
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LOCAL ROAD
ESCAMBIA COUNTY FLORIDA
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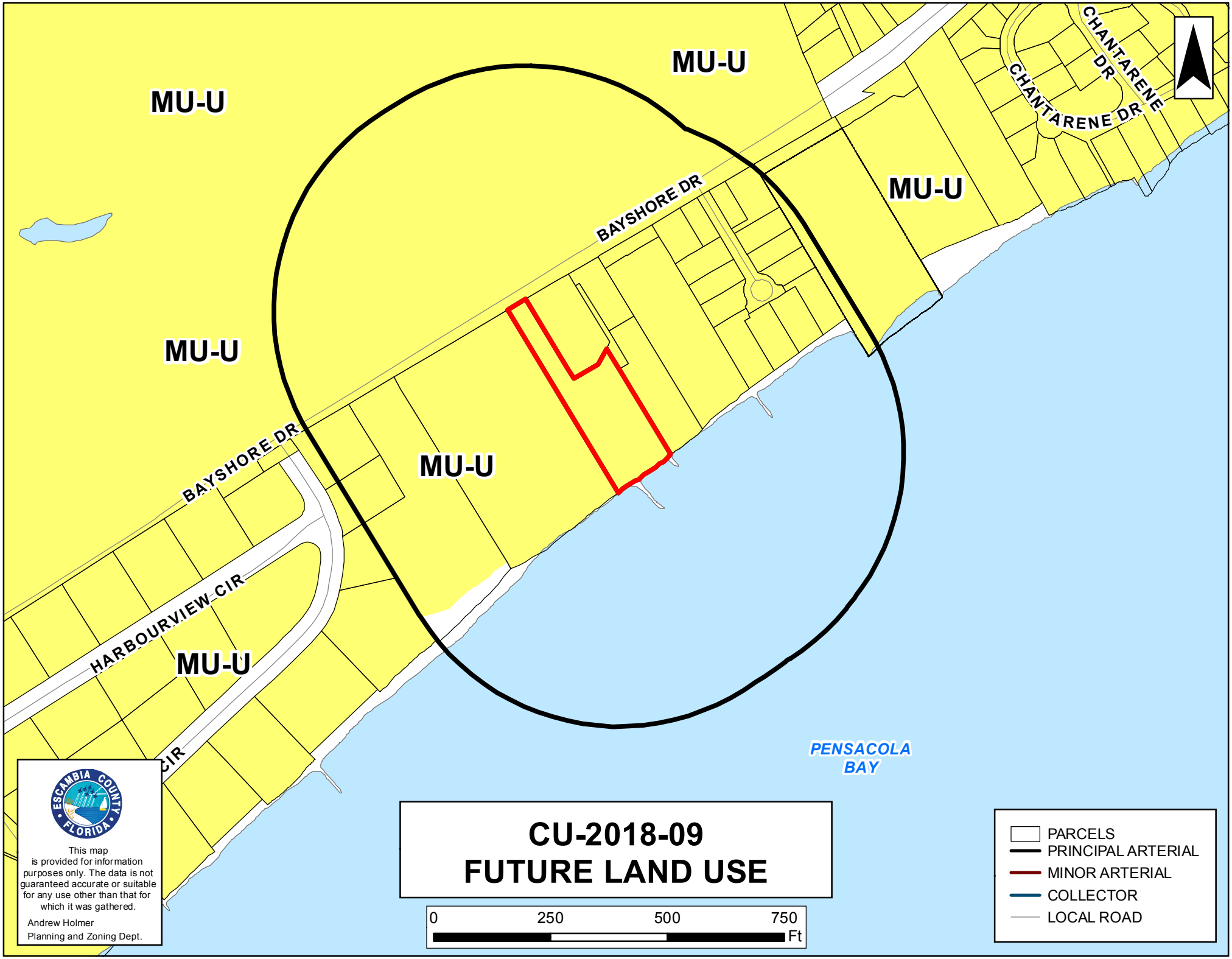
MU-U
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CU-2018-09
FUTURE LAND USE
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PARCELS
PRINCIPAL ARTERIAL
MINOR ARTERIAL
COLLECTOR
LOCAL ROAD
ESCAMBIA COUNTY FLORIDA
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.
Andrew Holmer
Planning and Zoning Dept.

BAYSHORE DR
MAR VISTA
CU-2018-09
AERIAL MAP
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Ft
PARCELS
PRINCIPAL ARTERIAL
MINOR ARTERIAL
COLLECTOR
LOCAL ROAD
ESCAMBIA COUNTY FLORIDA
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.

Notice of Public Hearing Sign

Looking South onto site

Looking West along Bayshore Dr

Looking North across Bayshore Dr

Looking East along Bayshore Dr

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-2018-09 Accepted by: CM BOA Meeting: 7/18/18

Conditional Use Request for: Land Use Code 4.7.3 A.4.b

Variance Request for: ____

b. Waterfront lots. Accessory structures may be located in the front yard of a waterfront lot if the structures are at least 60 feet from the front lot line and granted conditional use approval by the Board of Adjustment (BOA).

1. **Contact Information:**

   A. **Property Owner/Applicant:** John Lamar Switzer

   Mailing Address: 837 Bayshore Dr

   Business Phone: _____ Cell: 251-459-1579

   Email: Jlswit@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: 837 Bayshore Dr. Pensacola, FL 32507

   → Parcel ID (s): 502S305080100004

   B. → Total acreage of the subject property: 0.98 ACRES

   C. Existing Zoning: R-4

   FLU Category: _____

   D. Is the subject property developed (if yes, explain): Yes, residential lot with home constructed on site

   E. Sanitary Sewer: Yes 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 <u>Conditional Use</u> 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.*

Land Use Code 4.7.3 A.4.b

b. Waterfront lots. Accessory structures may be located in the front yard of a waterfront lot if the structures are at least 60 feet from the front lot line and granted conditional use approval by the Board of Adjustment (BOA).

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.

Water and sewer and power are established an available on site

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.

Common drive to main residence will have access to accessory building

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.

No nuisance or hazards will be generated during construction process that is above and beyond normal construction means and methods.

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.

This project does not require a permanent solid waste container

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.

None required

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.

None required for accessory building

8. **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.

Site is adequate for the installation of the accessory building. Location meets the LDC requirements for water front property as noted in the code noted below.

Land Use Code 4.7.3 A.4.b

b. Waterfront lots. Accessory structures may be located in the front yard of a waterfront lot if the structures are at least 60 feet from the front lot line and granted conditional use approval by the Board of Adjustment (BOA).

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

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 Board of Adjustment 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 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 Department.

N/A

Agent Name:_____ _____
_____Email:_____

Address:_____ _____
_____ Phone: _____

_____ _____ _____
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 Fees: To view fees visit the website: http://myescambia.com/business/board-adjustment or contact us at 595-3475.

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. _____ 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 place a public notice sign(s) on the property referenced herein.; and
5) I am aware that Public Hearing notices (legal ad and/or postcards) for the request shall be provided by the Development Services Department.

X _____
Signature of Owner/Agent

John Lamar Switzer
Printed Name of Owner/Agent

STATE OF FLORIDA COUNTY OF ESCAMBIA The foregoing instrument was acknowledged before me this 4 day June of

_____ 20 18, by JOHN SWITZER.

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

_____
Signature of Notary

DENLEY MESSERLY
Notary Public - State of Florida
Commission # FF 986720
My Comm. Expires Aug 20, 2020
Bonded through National Notary Assn.
Printed Name of Notary

(Notary Seal)

Scott Lunsford • Escambia County Tax Collector

EscambiaTaxCollector.com facebook.com/ECTaxCollector twitter.com/escambiatc

SCAN TO PAY ONLINE

2017 Real Estate Property Taxes

Notice of Ad Valorem and Non-Ad Valorem Assessments

ACCOUNT NUMBER	MILLAGE CODE	ESCROW CODE	PROPERTY REFERENCE NUMBER
08-1343-100	06		502S305080100004

PROPERTY ADDRESS:
837 BAYSHORE DR

EXEMPTIONS:

CC #616
$3776.10
11.30.17
(837 BDP)
QB

2E - 001072 / 015177 JMS85341
SWITZER JOHN L JR &
SWITZER SILVIA M
3 W GARDEN ST SUITE 413
PENSACOLA FL 32502-5633

AD VALOREM TAXES

TAXING AUTHORITY	MILLAGE RATE	ASSESSED VALUE	EXEMPTION AMOUNT	TAXABLE AMOUNT	TAXES LEVIED
COUNTY	6.6165	273,500		273,500	1,809.61
PUBLIC SCHOOLS					
By Local Board	2.2480	273,500		273,500	614.83
By State Law	4.3830	273,500		273,500	1,198.75
WATER MANAGEMENT	0.0353	273,500		273,500	9.65
SHERIFF	0.6850	273,500		273,500	187.35
M.S.T.U. LIBRARY	0.3590	273,500		273,500	98.19
TOTAL MILLAGE	14.3268			AD VALOREM TAXES	3918.38

LEGAL DESCRIPTION

BEG AT MOST SLY COR OF PROP DESCRIBED IN OR 559 P 394 SELY ALG SELY EXTEN OF SW LI 235 FT TO SHORE LI OF PENS BAY FOR POB NWLY ALG LI LAST TRAVERSED 235 FT TO MOST SLY COR NELY
See Additional Legal on Tax Roll

NON-AD VALOREM ASSESSMENTS

TAXING AUTHORITY	RATE	AMOUNT
FIRE PROTECTION		15.06

FOR QUESTIONS ON THIS SECTION ONLY, CALL (850) 595-4960

NON-AD VALOREM ASSESSMENTS 15.06

Pay online at EscambiaTaxCollector.com

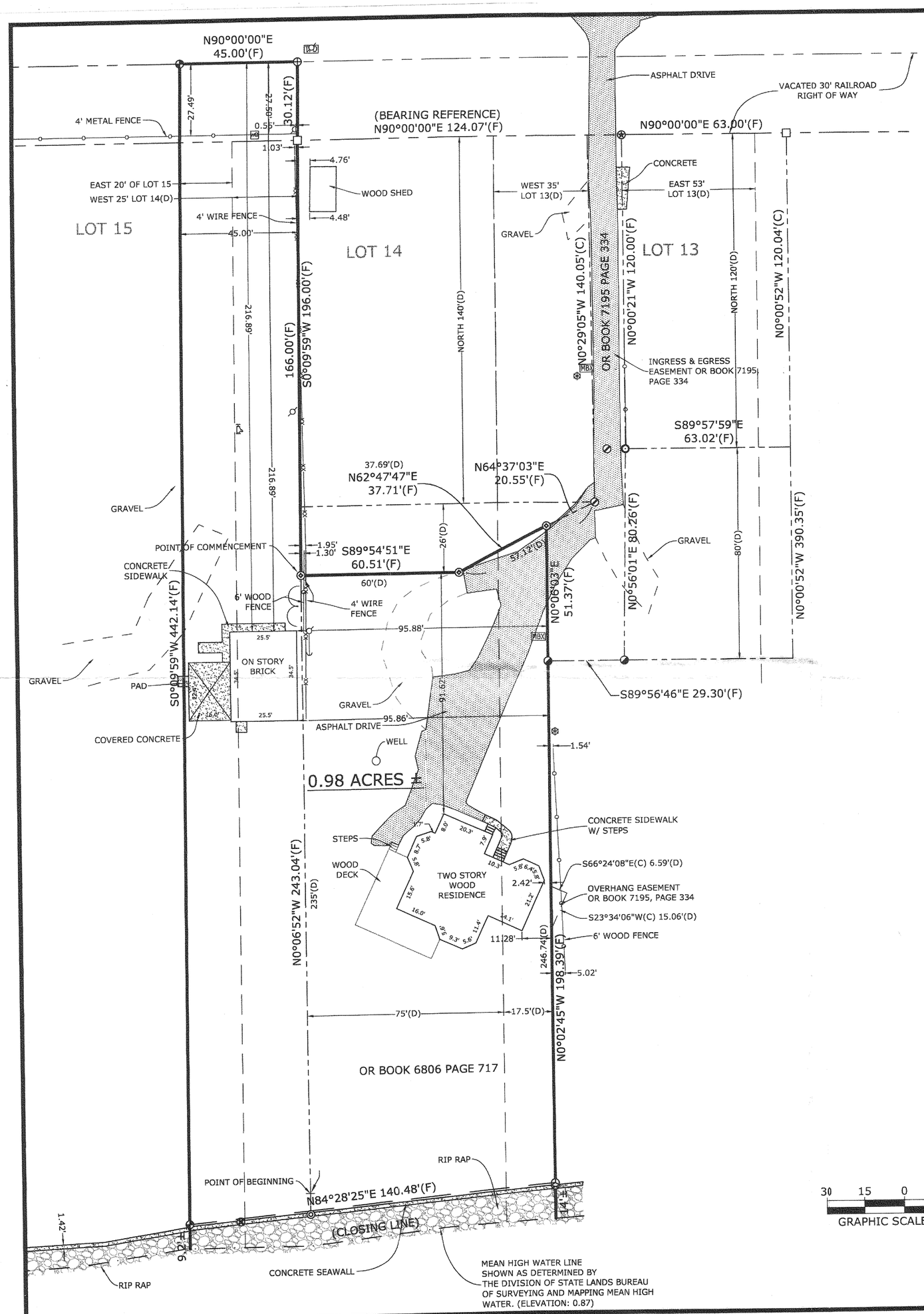
Payments must be in U.S. funds drawn from a U.S. bank

COMBINED TAXES AND ASSESSMENTS 3933.44

AMOUNT DUE IF PAID BY	NOV 30, 2017	DEC 31, 2017	JAN 31, 2018	FEB 28, 2018	MAR 31, 2018
	~~$ 3776.10~~	~~$ 3815.44~~	~~$ 3854.77~~	~~$ 3894.11~~	~~$ 3933.44~~

RETAIN FOR YOUR RECORDS

H:\2016\160025 - Bayshore Drive - Switzer\Survey\Dwg\160025Bndy.dwg, 7/14/2016 5:18:09 PM



LEGAL DESCRIPTION OR BOOK 7492, PAGE 241 (AS FURNISHED)

A PORTION OF LOTS 13 AND 14 IN A SUBDIVISION OF LOT 4, SECTION 51, TOWNSHIP 2 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO PLAT OF SAID SUBDIVISION MADE BY PENSACOLA NAVY PARK DRIVING ASSOCIATION AND RECORDED IN DEED BOOK 15 AT PAGE 419 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE MORE SOUTHERLY CORNER OF THAT PARCEL OF PROPERTY DESCRIBED IN DEED RECORDED IN OFFICIAL RECORD BOOK 559 AT PAGE 394 OF SAID PUBLIC RECORDS; THENCE SOUTHEASTERLY ALONG A SOUTHEASTERLY EXTENSION OF THE SOUTHWEST LINE OF THE PREVIOUSLY CONVEYED PARCEL FOR A DISTANCE OF 235 FEET, MORE OR LESS, TO THE SHORELINE OF PENSACOLA BAY FOR THE POINT OF BEGINNING; THENCE NORTHWESTERLY ALONG THE LINE LAST TRAVERSED FOR A DISTANCE OF 235 FEET, MORE OR LESS, TO THE SAID MOST SOUTHERLY CORNER; THENCE NORTHEASTERLY DEFLECTING TO THE RIGHT 90 DEGREES 00 MINUTES FOR A DISTANCE OF 60.00 FEET; THENCE NORTHERLY DEFLECTING TO THE LEFT 27 DEGREES 04 MINUTES 35 SECONDS FOR A DISTANCE OF 37.69 FEET; THENCE SOUTHEASTERLY DEFLECTING TO THE RIGHT 117 DEGREES 04 MINUTES 35 SECONDS FOR A DISTANCE OF 246.74 FEET; MORE OR LESS, TO THE SAID SHORELINE; THENCE MEANDER SOUTHWESTERLY ALONG THE SHORELINE TO THE POINT OF BEGINNING.

THE ABOVE DESCRIPTION IS A PORTION OF THE NORTHEASTERLY 75.00 FEET OF SAID LOT 14 AND OF THE SOUTHWESTERLY 17.5 FEET OF THE SAID LOT 13 WHICH TOTALS 92.5 FEET IN WIDTH, WHICH TOGETHER WITH 1.06 FEET OF OVERAGE, MAKES THE WIDTH OF THE PARCEL 93.56 FEET.

AND

THE WESTERLY 25 FEET OF LOT 14, MEASURED PERPENDICULAR TO THE WEST LOT LINE THEREOF, AND THE EASTERLY 20 FEET OF LOT 15, MEASURED PERPENDICULAR TO THE EAST LOT LINE THEREOF, ACCORDING TO SUBDIVISION OF PENSACOLA NAVY PARK DRIVING ASSOCIATION AS RECORDED IN DEED BOOK 15, PAGE 419 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA.

TOGETHER WITH THE ADJACENT 30 FEET LYING NORTHWEST OF, PARALLEL WITH AND ADJACENT TO THE NORTHWEST LINE OF SAID SUBDIVISION, EXTENDING IN A NORTHEASTERLY DIRECTION FROM THE NORTHWESTERLY PROJECTION OF A LINE THAT IS PARALLEL WITH AND 20 FEET SOUTHWEST OF THE NORTHEAST LINE OF LOT 15 IN AFORESAID SUBDIVISION TO THE NORTHWESTERLY PROJECTION OF A LINE THAT IS PARALLEL WITH AND 25 FEET NORTHEAST OF THE NORTHEAST LINE OF SAID LOT 15.

BEING THE MOST EASTERLY 45 FEET OF THE PROPERTY DESCRIBED IN SPECIAL WARRANTY DEED TO SWITZER BROTHERS PROPERTY, LLC, AS RECORDED IN OFFICIAL RECORDS BOOK 7035, PAGE 674, OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA.

GENERAL SURVEY NOTES:

1. THIS IS A BOUNDARY AND TOPOGRAPHIC SURVEY.
2. THE FIELD SURVEY WAS PERFORMED ON 2016-07-09 AND RECORDED IN FIELD BOOK 245, PAGE 22.
3. THIS SUBJECT PROPERTY WAS PREVIOUSLY SURVEYED BY THIS FABRE ENGINEERING AND SURVEYING, JOB NO. 150086, DATED 2016-10-27.
4. THIS IS A NEW PARCEL SURVEYED PER THE CLIENT'S REQUEST. THE PARENT TRACT IS AS SHOWN IN PREVIOUS SURVEY BY THIS FABRE ENGINEERING AND SURVEYING, JOB NO. 150086, DATED 2016-10-27.
5. NORTH AND THE SURVEY DATUM SHOWN HEREON IS BASED ON THE ASSUMED BEARING OF N90°00'00"E ALONG THE NORTH LINE OF THE PENSACOLA NAVY PARK DRIVING ASSOCIATION SUBDIVISION AS RECORDED IN DEED BOOK 15 AT PAGE 419 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA.
6. NO TITLE SEARCH, TITLE OPINION, OR ABSTRACT WAS PERFORMED BY NOR PROVIDED TO THIS FIRM FOR THE SUBJECT PROPERTY. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHTS-OF-WAY, BUILDING SETBACKS, RESTRICTIVE COVENANTS OR OTHER INSTRUMENTS, WHICH COULD AFFECT THE BOUNDARIES OR USE OF THE SUBJECT PROPERTY.
7. IMPROVEMENTS ARE AS SHOWN HEREON.
8. THE STRUCTURE DIMENSIONS DO NOT INCLUDE THE EAVE OVERHANG OR FOUNDATION FOOTINGS.
9. THE ENCROACHMENTS ARE AS SHOWN.
10. NO ATTEMPT TO VERIFY OR ESTABLISH RIPARIAN LINES WAS MADE BY THIS SURVEYOR.
11. THIS SURVEY DOES NOT REPRESENT NOR GUARANTEE OWNERSHIP.
12. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
13. THE OFFICIAL RECORD OF THIS SURVEY IS THE SIGNED AND SEALED PAPER COPY. ANY ELECTRONIC VERSIONS OF SURVEY.

MONUMENTATION

- 1" IRON PIPE FOUND
- 1/2" CAPPED IRON ROD #1748 FOUND
- 1/2" CAPPED IRON ROD #6679 FOUND
- 1/2" CAPPED IRON ROD #5791 FOUND
- NAIL & DISK FOUND ILLEGIBLE
- 'X' CUT IN CONCRETE
- AXLE FOUND
- 1/2" CAPPED IRON ROD #6499 FOUND
- 4"X4" CONCRETE MONUMENT FOUND
- 1/2" CAPPED IRON ROD #6679 SET

LEGEND

- POWER POLE W/ GUY ANCHOR
- MBX MAILBOX
- SIGN
- SPRINKLER HEAD
- TPD TELEPHONE PEDESTAL
- WM WATER METER

- F FIELD
- P PLAT
- D DEED
- C CALCULATED

30 15 0 30
GRAPHIC SCALE IN FEET

N
W E
S

NO.	DATE:	REVISIONS:

SURVEYORS CERTIFICATE:
I CERTIFY THE SURVEY SHOWN HEREON TO BE CORRECT, AND COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS" FOR SURVEYING PER CHAPTER 5J-17.050, 5J-17.051 AND 5J-17.052 FLORIDA ADMINISTRATIVE CODE, SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO SECTION 472.027 FLORIDA STATUTES. SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON.

JULY 14, 2016

JOSEPH E. BARRETT, P.S.M. — DATE
PROFESSIONAL FLORIDA SURVEYOR, LICENSE NO. 6260, F.E.I. LB NO. 6679
UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

FABRE ENGINEERING INC.
ENGINEERS ◆ PLANNERS ◆ SURVEYORS
119 GREGORY SQUARE, PENSACOLA, FL 32502, PH:850-433-6438
21530 PROFESSIONAL DRIVE, SUITE B-105, ROBERTSDALE, AL 36567, PH:251-945-1937
FL LC# CA 8871, AL LIC# CA-1638-E

BOUNDARY SURVEY

PREPARED FOR
JOHN SWITZER

THIS DRAWING IS THE PROPERTY OF FABRE ENGINEERING INC. AND IS NOT TO BE

BAYSHORE DR. 0.98AC PARCEL

BEING IN A PORTION OF SECTION 51
TOWNSHIP 2 SOUTH, RANGE 30 WEST
ESCAMBIA COUNTY, FLORIDA

DRAWING SCAL	1"=30'
FIELD BOOK	245
FIELD BOOK PAG	22
FIELD DATE	2016-07-09
DRAWN BY	RJS
CHECKED BY	JEB
DATE	2016-07-13
JOB NUMBER	160025
FILE NAME	160025Bndy.dw
SHEET	1 OF

H:\2016\160085 Switzer House Construction\Surveying\Dwg\160085Exhibit.dwg, 11/30/2016 10:53:59 AM

45.00'(F)

(MAINTAINED BY ESCAMBIA COUNTY)

ASPHALT DRIVE

TBM 239/1-A
SET RAILROAD SPIKE IN
NORTH FACE OF POWER POLE
EL:9.35

30.12'(F)

27.49'

22.50'

0.55'

20'SETBACK

1.03'

N90°00'00"E 124.07'(F)

N90°00'00"E 63.00'(F)

4' METAL FENCE

4.76'

WOOD SHED

4.48'

EAST 20' OF LOT 15

WEST 25' LOT 14(D)

4' WIRE FENCE

45.00'

LOT 15

LOT 14

LOT 13

WEST 35'
LOT 13(D)

EAST 53'
LOT 13(D)

CONCRETE

GRAVEL

NORTH 140'(D)

S0°09'59"W 196.00'(F)

166.00'(F)

N0°00'21"W 120.00'(F)

NORTH 120'(D)

OR BOOK 7195 PAGE 334

INGRESS & EGRESS
EASEMENT OR BOOK 7195,
PAGE 334

10'SETBACK

S89°57'59"E
63.02'(F)

37.69'(D)
N62°47'47"E
37.71'(F)

N64°37'03"E
20.55'(F)

5' SB(Assumed)

26'(D)

1.95'
1.30'

S89°54'51"E
60.51'(F)

POINT OF COMMENCEMENT

60'(D)

57.12'(D)

N0°06'03"E
51.37'(F)

N0°56'01"E 80.26'(F)

80'(D)

GRAVEL

APPROX LOCATION
GUEST HOUSE
SEE GUEST HOUSE
SITE PLANS FOR
LAYOUT & ORIENTATION

S0°09'59"W 442.14'(F)

77.82'

20'SETBACK

GRAVEL

97.22'(F)

ASPHALT DRIVE

119.40'

S89°56'46"E 29.30'(F)

ZONE X
ZONE AE (EL 8)

52.29'

SET HT

0.98 ACRES ±

41.71'

48.00'(F)

134°3'34"

84.00'(F)

28.59'

43.04'(F)

235'(D)

96.74'(F)

SET HT

14.04'

96.74'(F)

84.00'(F)

48.00'(F)

41.71'

246.74'(D)

N0°02'45"W 198.39'(F)

6' WOOD FENCE

5.02'

176.39'(F)

37.90'

75'(D)

17.5'(D)

10'SETBACK

OR BOOK 6806 PAGE 717

11'SETBACK

10'SETBACK

67°3'49"

RIP RAP

POINT OF BEGINNING

N84°28'25"E 140.48'(F)

14.1' ±

1.42'

9.2' ±

RIP RAP

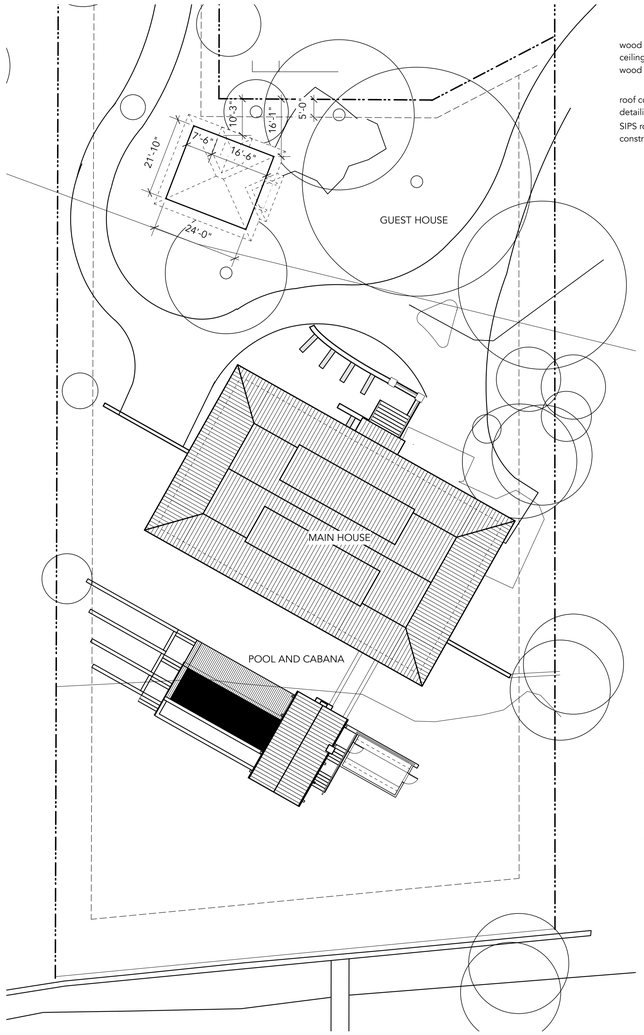
CONCRETE SEAWALL

TBM 239/2-B

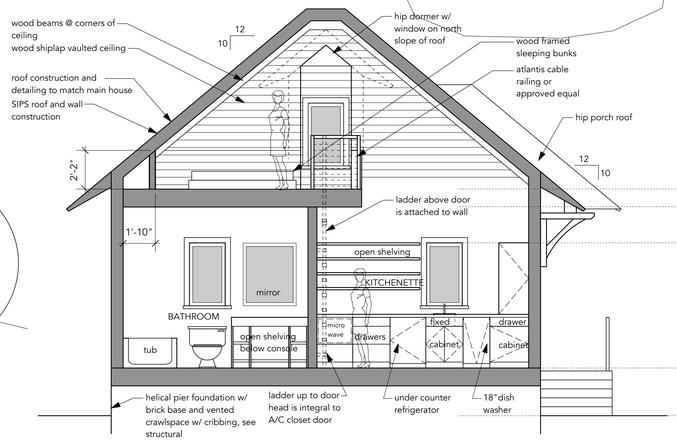
MEAN HIGH WATER LINE
SHOWN AS DETERMINED BY
THE DIVISION OF STATE LANDS BUREAU

N
W
E
S

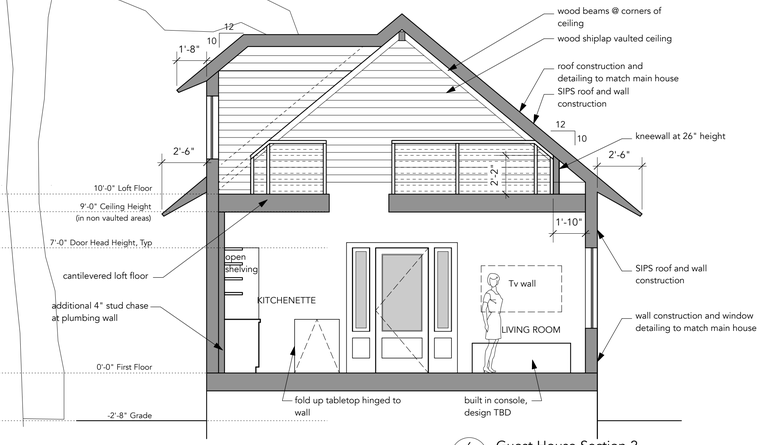
30 15 0 30
GRAPHIC SCALE IN FEET



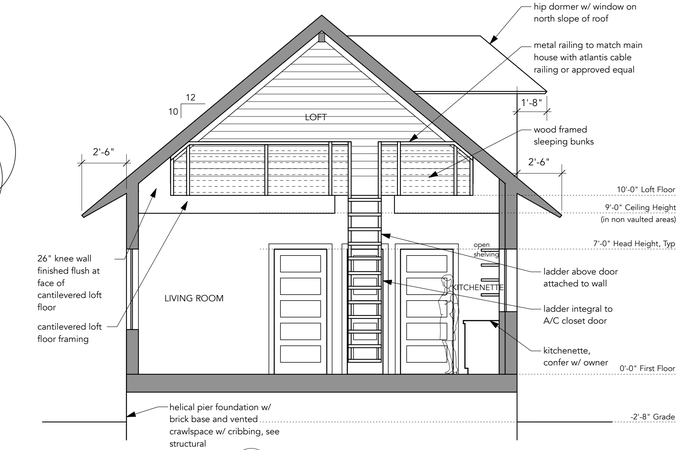
1 A1.5 Guest House Site Plan 1" = 20'



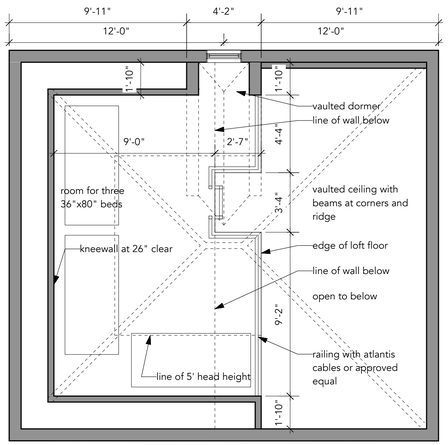
3 A1.5 Guest House Section 1 1/4" = 1'



6 A1.5 Guest House Section 2 1/4" = 1'

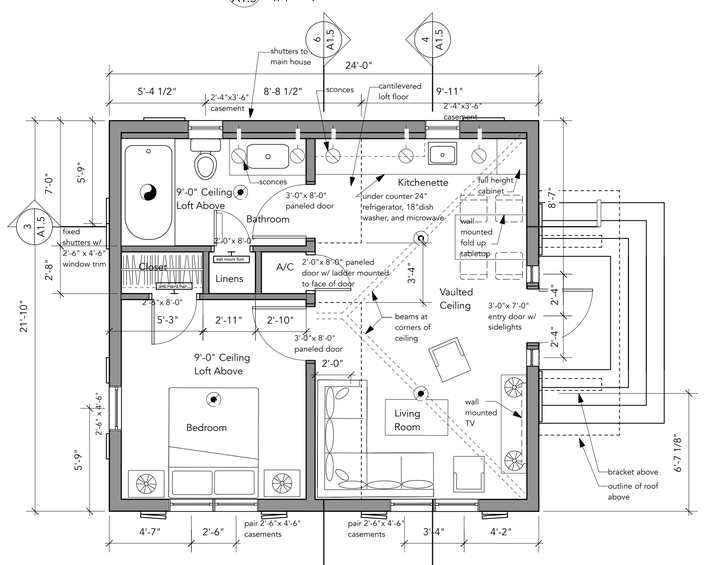


4 A1.5 Guest House Section 3 1/4" = 1'



2 A1.5 Loft Floor Plan 1/4" = 1'

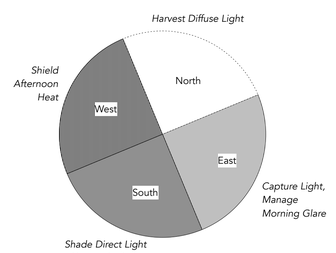
192 SF Loft



5 A1.5 Guest House Floor Plan 1/4" = 1'

525 SF Conditioned Space
566 SF, Total Under Roof

SOLAR ORIENTATION



WATERSHED
www.watershed.pro

Smart Home Pensacola
Silvia and John Switzer

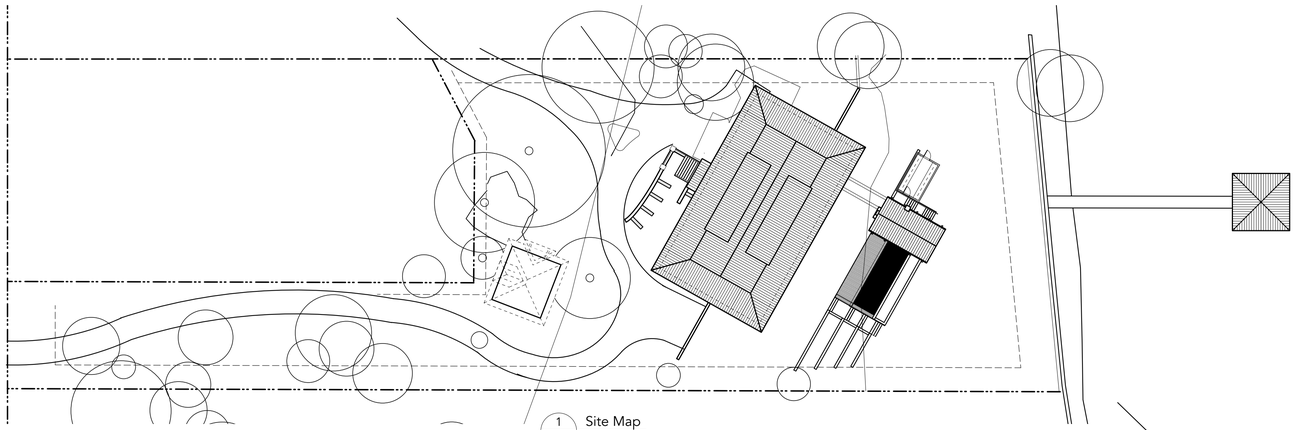
Pensacola Florida

Date Issued	July 12, 2018 Design Review

WATERSHED
Building Sustain*ability*

302 Magnolia Avenue
Fairhope, AL 36532
p 251.929.0514

A1.5
Guest House

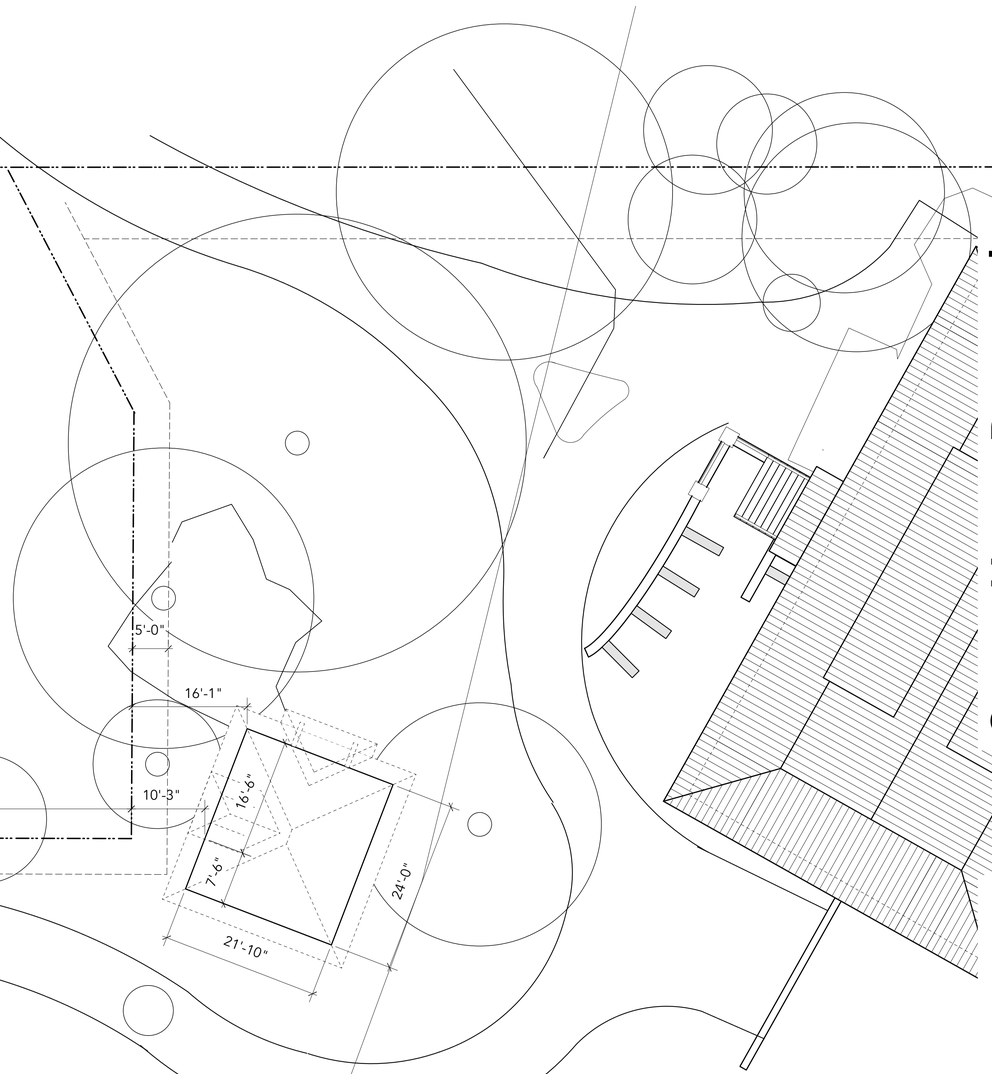


1 A1.5 Site Map
1" = 30'-0"

WATERSHED
www.watershed.pro

Smart Home Pensacola
Silvia and John Switzer

Pensacola Florida



2 A1.5 Site Plan
1" = 10'-0"

Date Issued	July 12, 2018 Design Review

WATERSHED
Building Sustain*ability*

302 Magnolia Avenue
Fairhope, AL 36532
p 251.929.0514

C2.0

Site Plan

Board of Adjustment		**6. B.**
Meeting Date:	07/18/2018	
CASE:	CU-2018-10	
APPLICANT:	Brian Benson, Agent for Christine Beck, Owner	
ADDRESS:	14485 Innnerarity Point Rd	
PROPERTY REFERENCE NO.:	15-3s-32-1000-001-012	
ZONING DISTRICT:	LDR, Low Density Residential district	
FUTURE LAND USE:	MU-S, Mixed-Use Suburban	
OVERLAY DISTRICT:	N/A	

SUBMISSION DATA:

REQUESTED CONDITIONAL USE:
Conditional Use to allow an accessory structure (garage) in the front yard of property.

RELEVANT AUTHORITY:
Land Development Code of Escambia County, Florida (Ordinance 96-3 as amended), Section:4-7.3. a.4.b
b. Waterfront lots, Accessory structures may be located in the front yard of a waterfront lot if the structures are at least 60 feet from the front lot line and granted conditional use approval by the Board of Adjustment (BOA).

CRITERIA:
Land Development Code of Escambia County, Florida (Ordinance 96-3 as amended)

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
This site consist of an existing residential home located on a waterfront lot without a garage or covered parking. Site visit and analysis of aerial photographs reveals that similar waterfront homes within the surrounding area have the garage located in the front yard, street side.

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
Public facilities and services are available to support the existing single family residence. Based on the application the existing services will be adequate to support the proposed

structure.

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 stated that the proposed structure will be placed adjacent to and accessible from existing driveway and will not degrade on-site parking, loading and emergency vehicle access. If the Conditional Use request is approved, the proposed structure will have to meet the requirements of the LDC.

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 proposed accessory structure is for residential use and will not create a nuisance or hazard to adjoining properties in the 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
This parcel is located within a residential area that will utilize the existing services available.

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:
If necessary, screening and buffering requirements will be reviewed during permitting on the site plan.

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:
Based on the application language, exterior lighting will be compatible with adjoining residential uses and will not impede traffic safety. No signs were proposed by the applicant.

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:
Based on the site plan submitted with the application, the proposed structure will meet the required minimum 60' setback requirement from the front lot line. The parcel size, shape, location and topography appear adequate to accommodate the proposed accessory structure.

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 will comply with additional conditional use requirements of the zoning district and other provisions of the LDC. As stated in Section 4-7.3. a.4.b
b. Waterfront lots, Accessory structures may be located in the front yard of a waterfront lot if the structures are at least 60 feet from the front lot line and granted conditional use approval by the Board of Adjustment (BOA).

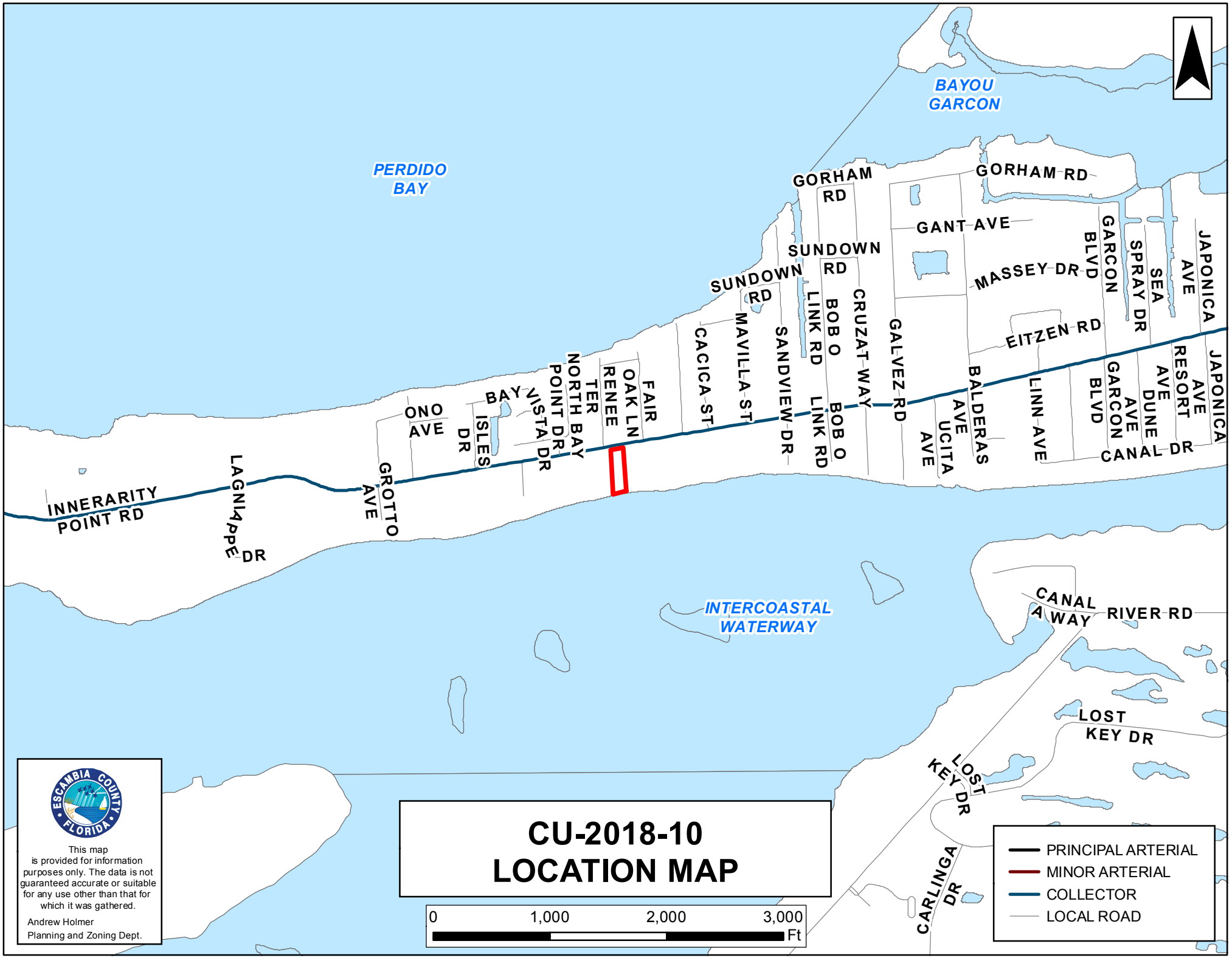
STAFF FINDINGS

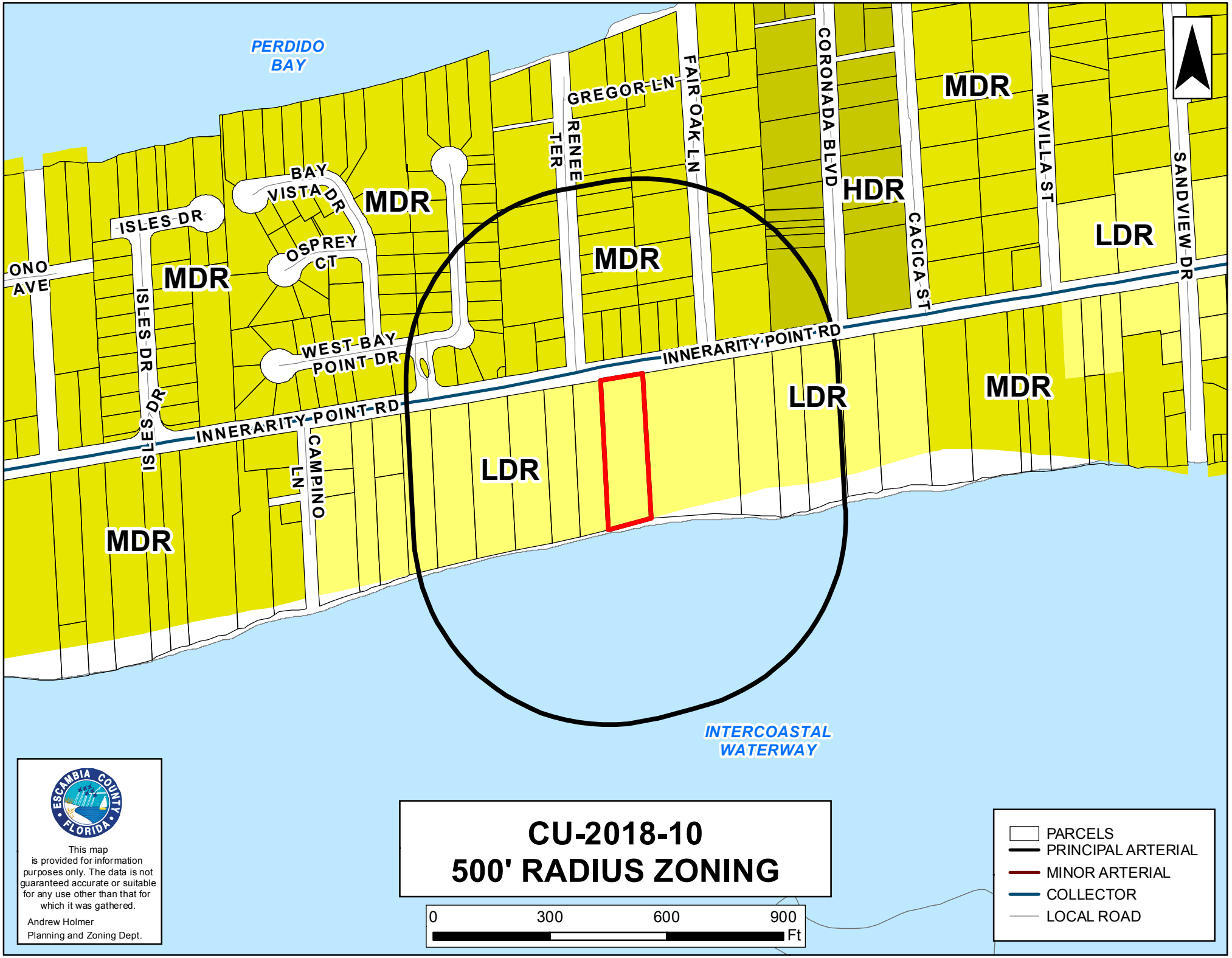
Staff finds that the applicant can address all of the Conditional Use criteria that would allow for an accessory structure to be located in the front yard of a waterfront lot, if the structures are at least 60 feet from the front lot line, therefore, staff recommends approval. If the Conditional Use is approved, the applicant must obtain all necessary permits prior to construction.

Attachments

Working Case File

CU-2018-10


BAYOU GARCON
PERDIDO BAY
INTERCOASTAL WATERWAY
GORHAM RD
GORHAM RD
GANT AVE
SUNDOWN RD
SUNDOWN RD
MASSEY DR
GARCON BLVD
SEA SPRAY DR
JAPONICA AVE
EITZEN RD
CACICA ST
MAVILLA ST
SANDVIEW DR
BOB O LINK RD
BOB O LINK RD
CRUZAT WAY
GALVEZ RD
BALDERAS AVE
UCITA AVE
LINN AVE
GARCON BLVD
DUNE AVE
RESORT AVE
JAPONICA
CANAL DR
FAIR OAK LN
RENEE TER
NORTH BAY POINT DR
VISTA DR
BAY ISLES DR
ONO AVE
GROTTO AVE
LAGNIAPPE DR
INNERARITY POINT RD
CANAL A WAY
RIVER RD
LOST KEY DR
LOST KEY DR
CARLINGA DR
CU-2018-10
LOCATION MAP
0
1,000
2,000
3,000
Ft
PRINCIPAL ARTERIAL
MINOR ARTERIAL
COLLECTOR
LOCAL ROAD
ESCAMBIA COUNTY FLORIDA
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.


PERDIDO BAY
GREGOR LN
RENEE TER
FAIR OAK LN
CORONADA BLVD
MAVILLA ST
SANDVIEW DR
BAY VISTA DR
ISLES DR
OSPREY CT
ONO AVE
WEST BAY POINT DR
INNERARITY POINT RD
CACICA ST
CAMPINO LN
MDR
HDR
LDR
INTERCOASTAL WATERWAY
CU-2018-10
500' RADIUS ZONING
0
300
600
900
Ft
PARCELS
PRINCIPAL ARTERIAL
MINOR ARTERIAL
COLLECTOR
LOCAL ROAD
ESCAMBIA COUNTY FLORIDA
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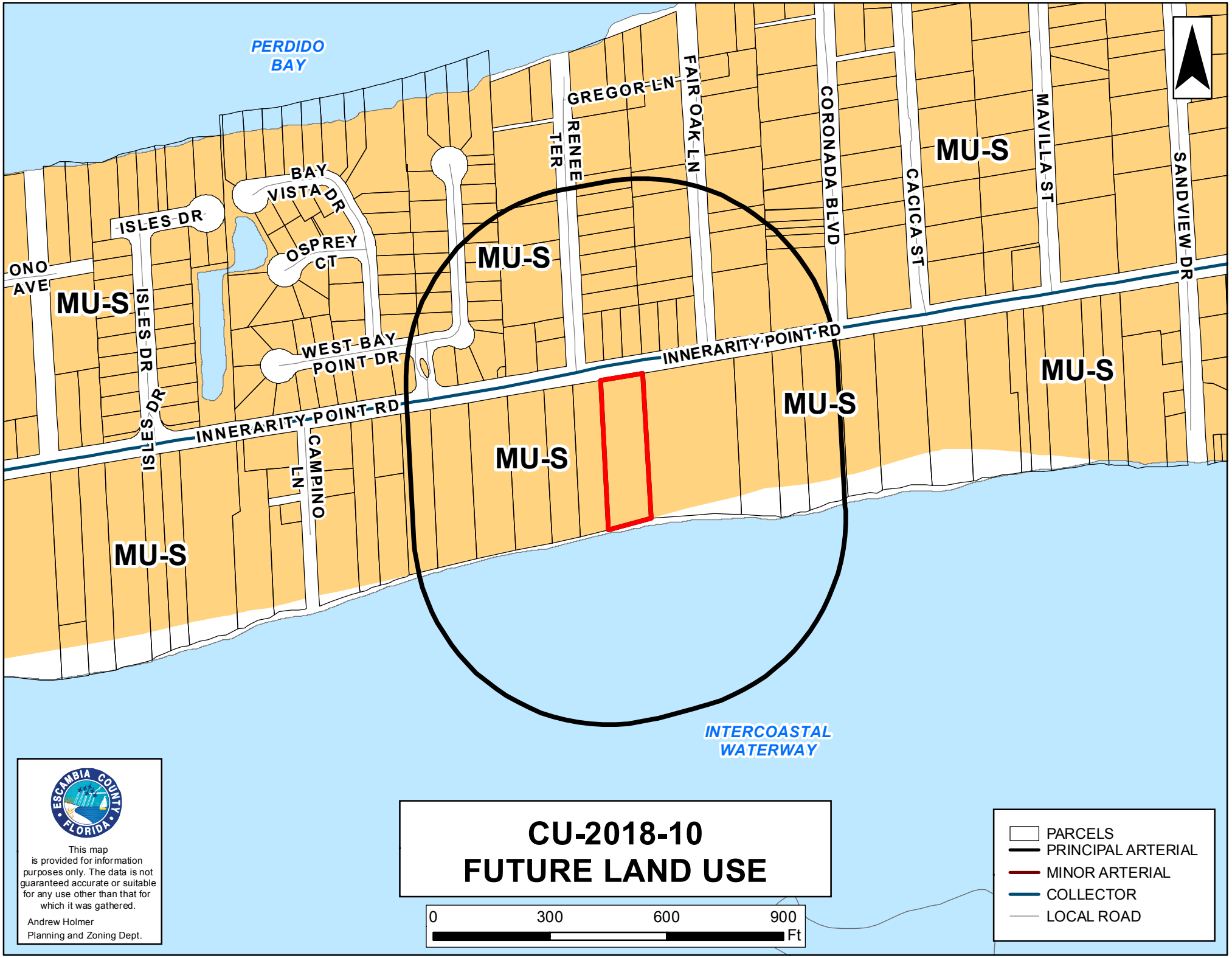

PERDIDO BAY
GREGOR LN
FAIR OAK LN
CORONADA BLVD
CACICA ST
MAVILLA ST
SANDVIEW DR
RENEE TER
BAY VISTA DR
ISLES DR
OSPREY CT
ONO AVE
WEST BAY POINT DR
INNERARITY POINT RD
CAMPINO LN
MU-S
INTERCOASTAL WATERWAY
CU-2018-10
FUTURE LAND USE
0
300
600
900
Ft
PARCELS
PRINCIPAL ARTERIAL
MINOR ARTERIAL
COLLECTOR
LOCAL ROAD
ESCAMBIA COUNTY FLORIDA
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.

RENEE TER
INNERARITY POINT RD
CU-2018-10
AERIAL MAP
0
75
150
225
Ft
PARCELS
PRINCIPAL ARTERIAL
MINOR ARTERIAL
COLLECTOR
LOCAL ROAD
ESCAMBIA COUNTY FLORIDA
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.

Notice of Public Hearing Sign

Looking into Subject Property

Looking West along Innerarity Point Rd

Looking North across Innerarity Point Rd

Looking East along Innerarity Point Rd

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: _____

Conditional Use Request for: Christine Beck, 14485 Innerarity Pt. Rd., Garage

Variance Request for: ✓

1. **Contact Information:**

   A. **Property Owner/Applicant:** Christine Beck
   Mailing Address: 13430 Gulf Beach Hwy, PMB #108, Pensacola FL 32507
   Business Phone: N/A Cell: (916) 837-4744
   Email: cbattistella@surewest.net

   B. **Authorized Agent (if applicable):** Brian Benson
   Mailing Address: 13430 Gulf Beach Hwy, PMB #108, Pensacola FL 32507
   Business Phone: N/A Cell: (916) 225-7964
   Email: brian.benson.ci@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: 14485 Innerarity Point Rd.
   Parcel ID (s): 15-3S-32-1000-001-012

   B. Total acreage of the subject property: 0.9592

   C. Existing Zoning: LDR
   FLU Category: MU-S

   D. Is the subject property developed (if yes, explain): Existing residence built in 1955. No existing garage or covered parking.

   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.

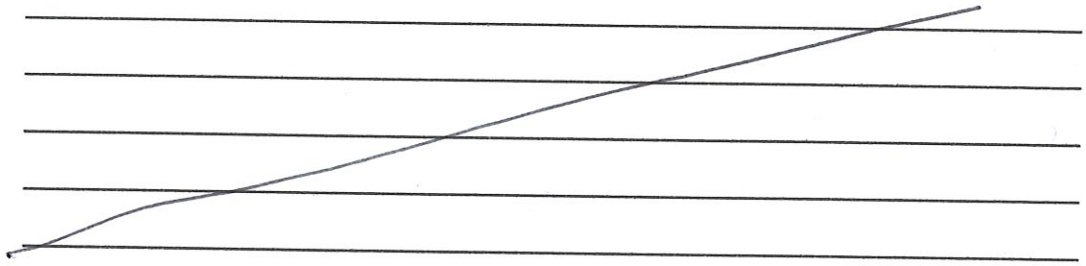
The proposed accessory structure (garage) is necessary and appropriate as there is no existing garage or covered parking on site. The site is a waterfront lot with existing residence that necessitates siting of the garage in the front yard, proposed siting to preserve existing large oak trees on property.

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

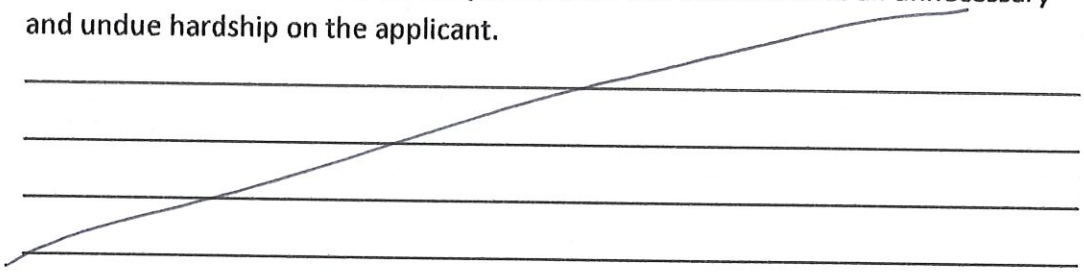
1. Special conditions and circumstances exist which are peculiar to the land, structure or building and which are not applicable to other lands, structures or buildings in the same zoning district.

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

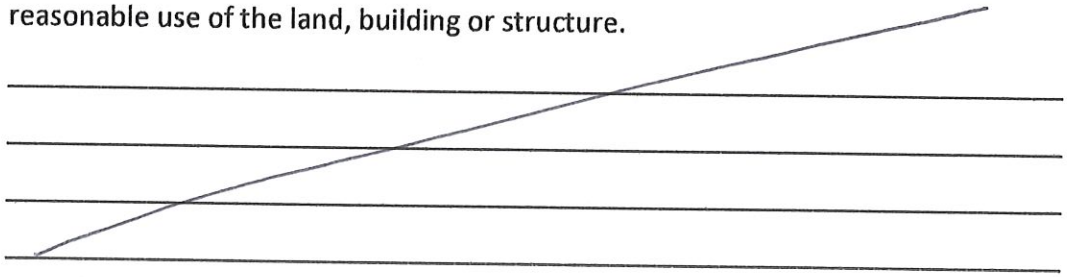
3. Granting the variance requested will not confer on the applicant any special privilege that is denied by this land development code to other lands, buildings or structures in the same zoning district.



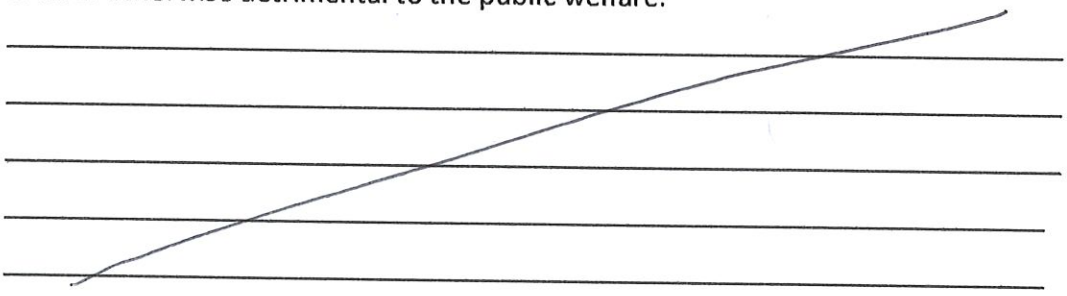
4. Strict application of the provisions of the land development code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development code and would create an unnecessary and undue hardship on the applicant.



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 <u>Conditional Use</u> 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 site is a waterFront residential lot with an existing home but no garage or covered parking. Other waterFront homes in the area that have garages typically have them located in the Front yard (street side) as provided for in the Land Development Code.

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.

Existing public Facilities, services, utilities, etc. to the site are adequate to serve the proposed accessory structure (garage).

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.

The proposed structure (garage) will be adjacent to and accessible from an existing driveway. On-site parking, loading, emergency vehicle access, etc. will not be degraded in any way.

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.

The accessory structure (garage) will be only used for the typical purposes of a residential garage.

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 on-site solid waste containers will be appropriately located.

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.

Existing vegetation will largely screen the proposed accessory structure from view from the street and adjoining properties. Supplemented vegetation (i.e trees and shrubs) will be installed to supplement existing screening.

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.

Exterior lighting will be compatible with adjoining properties, all lights will be at entry points from driveway, downward facing, and of wattage not to exceed 60watts, and lighting will not impede traffic safety.

8. **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.

The proposed accessory structure (garage) is of compatible size, shape, height, etc. The proposed siting of the garage is to preserve existing large oak trees on the site.

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

The proposed use complies with Part III, Escambia County Land Developement Code, Sec. 4-73 (a)(4) b. Waterfront Lots (subject to Conditional Use Permit).

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 14485 Innerarity Point Road, Pensacola, Florida, property reference number(s) 15-35-32-1000-001-012

I hereby designate Brian Benson for the sole purpose of completing this application and making a presentation to the Board of Adjustment on the above referenced property. This Limited Power of Attorney is granted on this 11 day of May the year of, 2018, and is effective until 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 Department.

Agent Name: Brian Benson Email: brian.benson.ci@gmail.com

Address: 14485 Innerarity Point Rd, Pensacola FL 32507 Phone: (916) 225-7964

Christine Beck — Signature of Property Owner

Christine Beck — Printed Name of Property Owner

5/11/18 — Date

STATE OF Florida COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 11 day of June 20 18

by

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

Kristi L Korte — Signature of Notary

Kristi L Korte — Printed Name of Notary

KRISTI L KORTE
MY COMMISSION # GG010444
EXPIRES July 11, 2020
(407) 398-0153 FloridaNotaryService.com

(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 595-3475.

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. ✓ 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 place a public notice sign(s) on the property referenced herein.; and
5) I am aware that Public Hearing notices (legal ad and/or postcards) for the request shall be provided by the Development Services Department.

Christine Beck
Signature of Owner/Agent

Christine Beck
Printed Name of Owner/Agent

STATE OF Florida COUNTY OF Escambia The foregoing instrument was acknowledged before me this 11 day June of

2018, by Christine Beck

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

Kristi L Korte
Signature of Notary

Kristi L Korte
Printed Name of Notary

KRISTI L KORTE
MY COMMISSION # GG010444
EXPIRES July 11, 2020
(407) 398-0153 FloridaNotaryService.com

(Notary Seal)

Recorded in Public Records 09/14/2016 at 09:28 AM OR Book 7589 Page 1771, Instrument #2016070758, Pam Childers Clerk of the Circuit Court Escambia County, FL Recording $27.00 Deed Stamps $4935.00

Prepared by:
William E. Farrington, II
Wilson, Harrell, Farrington, Ford, et.al., P.A.
14758 Perdido Key Drive
Pensacola, Florida 32507

File Number: 1-51122

General Warranty Deed

Made this September 9, 2016 A.D. By **Charles D. Cook, an unmarried man and Mary Dudley Long,** an unmarried woman , hereinafter called the grantor, to **Christine Beck** ,whose post office address is: 601 41st Street, Sacramento, California 95819, hereinafter called the grantee:

**** AN UNMARRIED WOMAN

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, ($10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Escambia County, Florida, viz:

See Attached Schedule "A"

Parcel ID Number: **153S321000001012**

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

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

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2015.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Printed Name PETER C. KING

Witness Printed Name Lisa A. Durant

Charles D. Cook

Mary Dudley Long

State of Florida
County of

The foregoing instrument was acknowledged before me this 9th day of September, 2016, by Charles D. Cook and Mary Dudley Long, who is/are personally known to me or who has produced Drivers Licenses as identification.

LISA A. DURANT
MY COMMISSION # EE 853148
EXPIRES: December 10, 2016
Bonded Thru Budget Notary Services

Notary Public Print Name: Lisa A. Durant

My Commission Expires:

DEED Individual Warranty Deed with Legal on Schedule A

BK: 7589 PG: 1772

Prepared by:
William E. Farrington, II
Wilson, Harrell, Farrington, Ford, et.al., P.A.
14758 Perdido Key Drive
Pensacola, Florida 32507

File Number: 1-51122

"Schedule A"

The East 100 feet of Lot 12, Innerarity Point, as shown by a map of the East half of Innerarity Point, Section 15, Township 3 South, Range 32 West, Escambia County, Florida, according to a plat recorded in Deed Book 94, Page 609 of the public records of said County.

http://dory.escambiaclerk.com/LandmarkWebv1.4.6.125/Search/DocumentAndInfoByBookPage?Key=Assessor&booktype=OR&booknumber=7589&pagenumber=

RESIDENTIAL SALES ABUTTING ROADWAY MAINTENANCE DISCLOSURE

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

NAME OF ROADWAY: 14485 Innerarity Point Road

LEGAL ADDRESS OF PROPERTY: 14485 Innerarity Point Road, Pensacola, Florida 32507

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

This form completed by: Wilson, Harrell, Farrington, Ford, Wilson, Spain & Parsons P.A.
14758 Perdido Key Drive
Pensacola, FL 32507

AS TO SELLER(S):

Charles D. Cook

Mary Dudley Long

WITNESSES TO SELLER(S):

Printed Name: USHADLEAF

Printed Name: Shannon Moreira

AS TO BUYER(S):

Christine Beck

WITNESSES TO BUYER(S):

Printed Name: USHADLEAF

Printed Name: Shannon Moreira

This form approved by the
Escambia County Board
of County Commissioners
Effective: 4/15/95

1100
12JUN18

ECPA Home

Chris Jones
Escambia County Property Appraiser

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

Back

Navigate Mode ◉Account ○Reference

Printer Friendly Version

General Information

Reference:	153S321000001012
Account:	104185000
Owners:	BECK CHRISTINE
Mail:	14485 INNERARITY POINT RD PENSACOLA, FL 32507
Situs:	14485 INNERARITY POINT RD 32507
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
2017	$325,500	$168,179	$493,679	$493,679
2016	$260,000	$127,450	$387,450	$372,299
2015	$260,000	$120,686	$380,686	$369,712

Disclaimer

Amendment 1/Portability Calculations

› File for New Homestead Exemption Online

Sales Data

Sale Date	Book	Page	Value	Type	Official Records (New Window)
09/08/2016	7589	1771	$705,000	WD	View Instr
06/2002	4932	780	$42,500	WD	View Instr
11/2000	4642	1312	$100	WD	View Instr
11/1999	4496	1209	$347,500	WD	View Instr
05/1983	2912	112	$100	QC	View Instr

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

2017 Certified Roll Exemptions
None

Legal Description
E 100 FT OF LT 12 S/D OF E1/2 OF SEC PLAT DB 94 PAGE 609 OR 7589 P 1771

Extra Features
BLOCK/BRICK BUILDING
BOAT DOCK
BOAT HOUSE
BOAT LIFT
UTILITY BLDG
WOOD DECK

Parcel Information

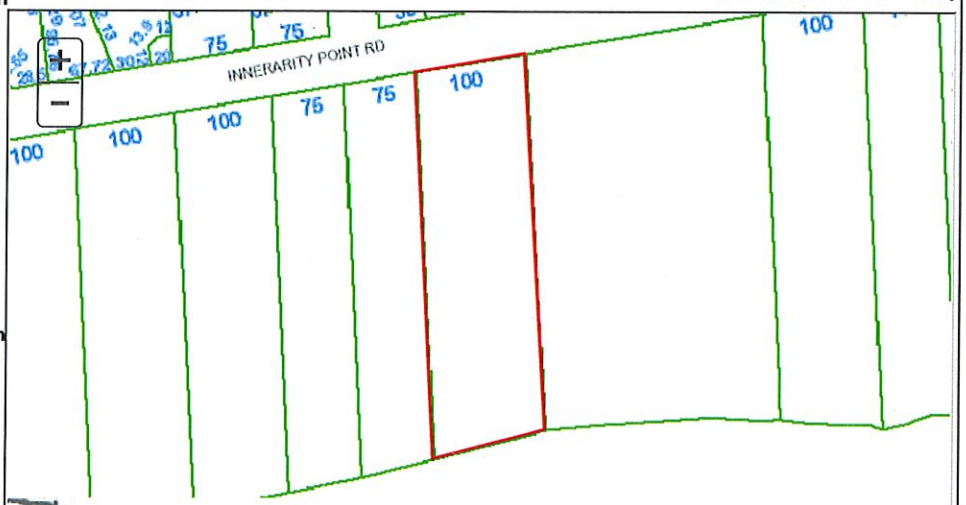
Launch Interactive Map

Section Map Id: 15-3S-32-1

Approx. Acreage: 0.9592

Zoned: LDR

Evacuation & Flood Information Open Report



View Florida Department of Environmental Protection(DEP) Data

Buildings

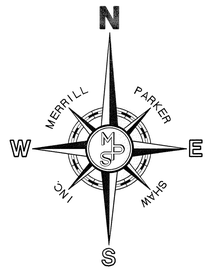
Address:14485 INNERARITY POINT RD, Year Built: 1955, Effective Year: 1999

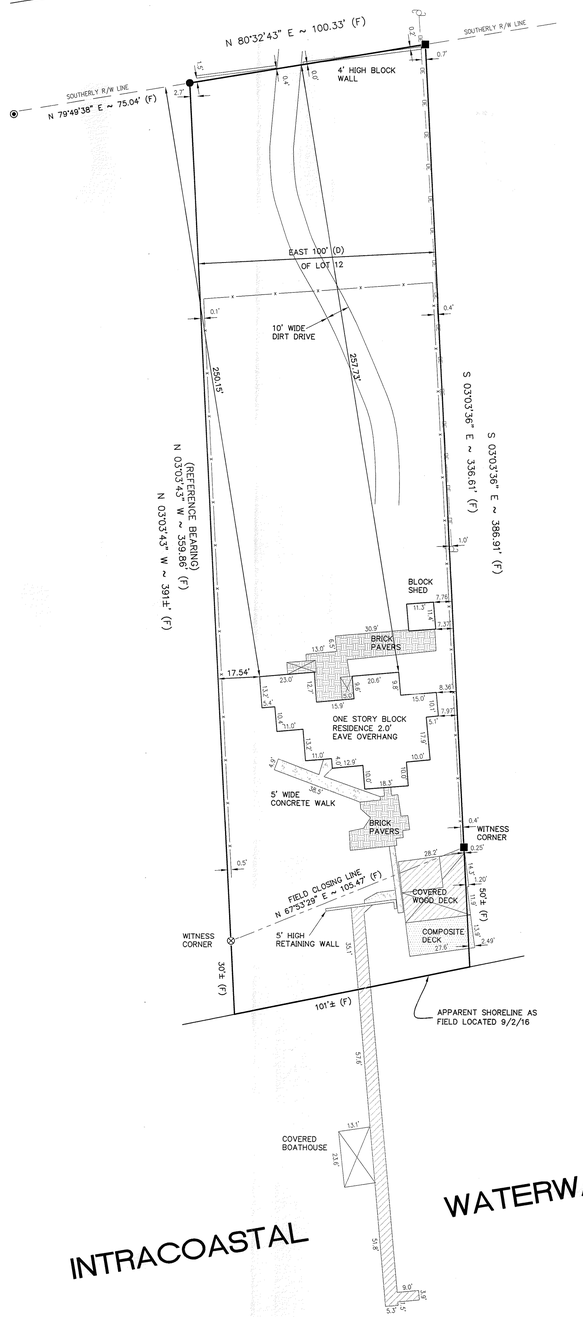
Structural Elements
DECOR/MILLWORK-*MAXIMUM*
DWELLING UNITS-*1*
EXTERIOR WALL-*CONCRETE BLOCK*
FLOOR COVER-*TILE/STAIN CONC/BRICK*

BOUNDARY SURVEY

A PORTION OF SECTION 15, TOWNSHIP-3-SOUTH, RANGE-32-WEST, ESCAMBIA COUNTY, FLORIDA.

ADDRESS: 14485 INNERARITY POINT ROAD





GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

LEGEND:

- ■ ~ 4" x 4" PLAIN CONCRETE MONUMENT (FOUND)
- ⊗ ~ 1/2" CAPPED IRON ROD, NUMBER 7174 (SET)
- ● ~ 1/2" PLAIN IRON ROD, UNNUMBERED (FOUND)
- ◉ ~ 5/8" PLAIN IRON ROD, UNNUMBERED (FOUND)
- R/W ~ RIGHT OF WAY
- (F) ~ FIELD MEASUREMENT/INFORMATION
- (D) ~ DESCRIPTION INFORMATION
- ——x——x—— ~ 4' HIGH CHAIN LINK FENCE
- —— OE —— OE —— ~ OVERHEAD UTILITY LINES
- ~ UTILITY POLE

DESCRIPTION: *O.R. BOOK 4932, PAGE 780*

The East 100 feet of Lot 12, Innerarity Point, as shown by a map of the East one-half of Innerarity Point, Section 15, Township 3 South, Range 32 West, Escambia County, Florida, according to a plat recorded in Deed Book 94 at Page 609 of the public records of said County.

SURVEYOR'S NOTES:

1.) THE NORTH ARROW AND FIELD BEARINGS AS SHOWN HEREON ARE BASED ON THE BEARING OF NORTH 03 DEGREES 03 MINUTES 43 SECONDS WEST ALONG THE WESTERLY LINE OF THE SUBJECT PARCEL, RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM NORTH ZONE, LAMBERT PROJECTION, NAD 83 (2011) USING THE VRSNOW G.P.S. NETWORK.

2.) SOURCE OF INFORMATION: THE DESCRIPTION RECORDED IN O.R. BOOK 4932, AT PAGE 780, OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA, AND EXISTING FIELD MONUMENTATION.

3.) NO TITLE SEARCH WAS PERFORMED BY OR FURNISHED TO MERRILL PARKER SHAW, INC. FOR THE SUBJECT PROPERTY. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, RIGHT-OF-WAYS, EASEMENTS, BUILDING SETBACKS, RESTRICTIVE COVENANTS, GOVERNMENTAL JURISDICTIONAL AREAS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES AND/OR USE OF THE SUBJECT PROPERTY.

4.) ONLY THE ABOVE GROUND VISIBLE ENCROACHMENTS AND IMPROVEMENTS WERE FIELD LOCATED AS SHOWN HEREON, UNLESS OTHERWISE NOTED. UNDERGROUND ENCROACHMENTS AND IMPROVEMENTS, IF ANY, WERE NOT FIELD LOCATED OR VERIFIED, UNLESS OTHERWISE NOTED.

5.) THE DIMENSIONS OF THE BUILDINGS (IF ANY) AS SHOWN HEREON ARE ALONG THE OUTSIDE FACE OF THE BUILDINGS AND DO NOT INCLUDE THE EAVES OVERHANG OR THE FOOTINGS OF THE FOUNDATIONS.

6.) THE SURVEY AS SHOWN HEREON DOES NOT DETERMINE OWNERSHIP.

7.) THE MEASUREMENTS MADE IN THE FIELD, INDICATED THUSLY (F), AS SHOWN HEREON WERE MADE IN ACCORDANCE WITH UNITED STATES STANDARDS.

8.) 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 ANY OTHER TRANSACTION. THIS DRAWING CANNOT BE USED FOR THE BENEFIT OF ANY OTHER PERSON, COMPANY OR FIRM WITHOUT PRIOR WRITTEN CONSENT OF THE COPYRIGHT OWNER AND IS TO BE RETURNED UPON REQUEST.

CERTIFY TO:
CHRISTINE BECK
WILSON, HARRELL, FARRINGTON, FORD, WILSON, SPAIN & PARSONS, P.A.
WESTCOR LAND TITLE INSURANCE COMPANY
THE SURVEY SHOWN HEREON MEETS THE FLORIDA STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS & MAPPERS IN THE STATE OF FLORIDA, ACCORDING TO FLORIDA ADMINISTRATIVE CODE, CHAPTER 5J-17.050, CHAPTER 5J-17.051 AND 5J-17.052, PURSUANT TO SECTION 472.027 FLORIDA STATUES.

MERRILL PARKER SHAW, INC.
4928 N. DAVIS HIGHWAY, PENSACOLA, FL. 32503

E. Wayne Parker 9/7/16

E. WAYNE PARKER, PROFESSIONAL LAND SURVEYOR
REGISTRATION NUMBER 3683 CORPORATE NUMBER 7174
STATE OF FLORIDA

COPYRIGHT © 2016 BY MERRILL PARKER SHAW, INC.

NO.	DATE	APPR.	REVISIONS:

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

MERRILL PARKER SHAW, INC.
4928 N. DAVIS HWY.
PENSACOLA, FL. 32503
PH: (850) 478-4923
FAX: (850) 478-4824
FLORIDA CORPORATION NUMBER 7174

SCALE: 1" = 30' | DRAWN: WPJ | CHECKED: EWP | DATE: 9/7/16

FIELD DATE: 9/2/16 | FIELD BOOK: 334, PAGES 40-41

BOUNDARY SURVEY
A PORTION OF SECTION 15, TOWNSHIP-3-SOUTH, RANGE-32-WEST, ESCAMBIA COUNTY, FLORIDA.

PREPARED FOR: CHRISTINE BECK
REQUESTED BY: FRAN OGDEN

JOB NO. 16-8841-1 | SHEET 1 OF 1

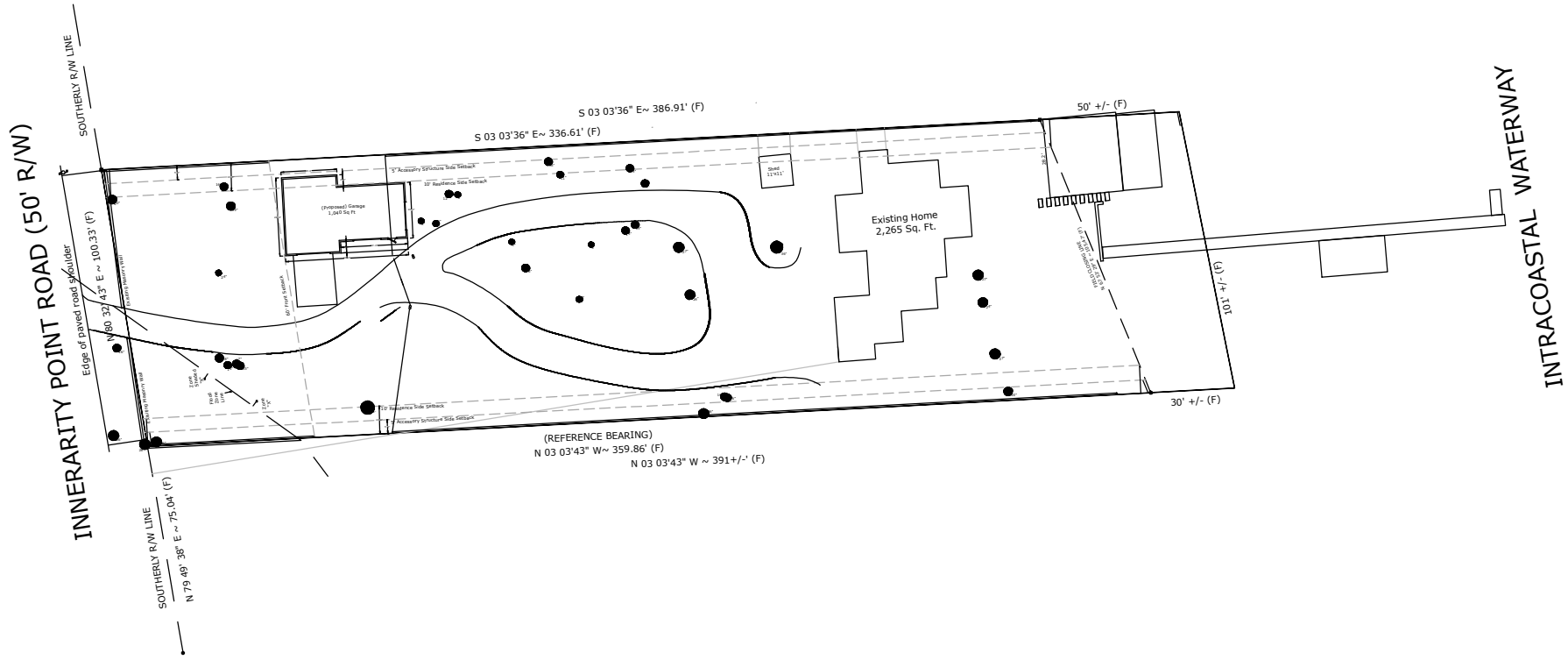
SITE PLAN

A PORTION OF SECTION 15
TOWNSHIP-3-SOUTH, RANGE-32-WEST,
ESCAMBIA COUNTY, FLORIDA

ADDRESS: 14485 INNERARITY POINT ROAD
PENSACOLA, FL 32507

DESCRIPTION: *O.R. BOOK 4932, PAGE 780*

The East 100 feet of Lot 12, Innerarity Point, as shown by a map of the East one-half of Innerarity Point, Section 15, Township 3 South, Range 32 West, Escambia County, Florida, according to a plat recorded in Deed Book 94 at Page 609 of the public records of said County.



Site Plan

Accessory Structure -- Garage
14485 Innerarity Point Rd
Pensacola, FL 32507
Parcel Ref 15-3S-32-1000-001-012

Date: 3/12/18
Revision: PRELIMINARY

Contacts:
Brian Benson
(916) 225-7964
brian.benson.ci@gmail.com

Christine Beck
(916) 837-4744

Do Not Scale

Sheet
1 of 3

Board of Adjustment **6. C.**

Meeting Date:	07/18/2018
CASE:	CU-2018-11
APPLICANT:	Dave Hemphill, Agent for Jefferey S. Kates & Michael Ow, Owners
ADDRESS:	1730 E Nine Mile Rd, 1750 E Nine Mile Rd, Barranger Road, Plainfield Avenue
PROPERTY REFERENCE NO.:	05-1S-30-0407-001-002 05-1S-30-0407-002-002 05-1S-30-0407-021-002 05-1S-30-0407-004-002
ZONING DISTRICT:	Com, Commercial
FUTURE LAND USE:	C, Commercial
OVERLAY DISTRICT:	NA

SUBMISSION DATA:

REQUESTED CONDITIONAL USE:
To allow for the parcel boundary of any restaurant or brewpub with drive-in or drive-through service to be less than 200 feet from any LDR or MDR zoning.

RELEVANT AUTHORITY:
Land Development Code of Escambia County, Florida (Ordinance 96-3 as amended), Section:3-2.10 Commercial district (Com).,b) Permitted uses. (3) Retail services. The following retail services, excluding permanent outdoor storage:
g. Restaurants and brewpubs, including on-premises consumption of alcoholic beverages, drive-in and drive-through service, and brewpubs with the distribution of on-premises produced alcoholic beverages for off-site sales. The parcel boundary of any restaurant or brewpub with drive-in or drive-through service shall be at least 200 feet from any LDR or MDR zoning district unless separated by a 50-foot or wider street right-of-way.

CRITERIA:
Land Development Code of Escambia County, Florida (Ordinance 96-3 as amended), Section 2-6.4
Sale of Alcohol, Section 4-7.5(e)

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
The four parcels are in the southern most part of Plainfield platted subdivision, dated

December 1953. Review of the submitted proposed site plan shows the final layout of the development as two separate parcels, one with frontage on Hwy 90 along Plainfield Avenue and the second parcel, also with frontage on Hwy 90 along Barranger Road. Based on a site visit and aerial photograph analysis, the vast majority of parcels facing Nine Mile Road, a heavily traveled East-West minor arterial corridor, from the Santa Rosa-Escambia County line to Pine Forest Road, are predominantly commercial in nature; to the East there is a high-density development, Jasmine Creek Apartments; to the West, there is a gas station; to the South and across from Nine Mile Road, University Town Center, a commercial development. Based on the adjacent existing uses and the general commercial intensity of the development along Nine Mile Road, the proposed business can be conducted and operated in a compatible manner. If approved, the projects will have to submit a formal Development Review Committee (DRC) application and meet all of the requirements of the Land Development Code (LDC).

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

Based on the application language and staff's site visit and evaluation, the existing structures have operated as business for the past few years, one as a dental clinic and the other as a variety of commercial activities. The applicant stated that both sites have the necessary existing public utilities. If the Conditional Use is approved and a formal application submitted, the DRC staff will have an opportunity to evaluate and implement all of the applicable requirements of the LDC.

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

Although the applicant did submit a proposed site plan with the documents and provided comments addressing ingress and egress for the properties, Nine Mile is a State road. The DRC staff will review and comment on any proposed layout to ensure vehicle and pedestrian safety and convenience are addressed, as well as the efficiency of the traffic flow and control. On-site parking, loading and emergency vehicle access will be reviewed for compliance with the LDC regulations.

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 applicant stated that they will provide buffers to adjacent single-family subdivision. The protection of the existing residential uses against the proposed commercial uses is a primary concern to the County. Any perceived adverse impacts will be analyzed and minimized using the existing LDC regulations.

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 location of trash container for solid waste, visibility and control of nuisance impacts on adjacent properties will be reviewed during the DRC process using existing regulations.

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:
The use of screening and buffering for the protection and mitigation of lower intensity residential uses against more intense commercial uses will be reviewed during the DRC 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:
Sign and lighting standards will be reviewed and compliance with the LDC regulations will be implemented at the time of DRC approval.

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:
Based on the application documents, the existing structures will be removed; the four existing lots will be combined into two lots with a total area of +/- 1.73 acres. If the Conditional Use is approved, then the applicant will submit a formal DRC project application that will address all site characteristics as identified in the LDC. Based on

site visit, the intensity of the proposed operations will be compatible with other sites in the area.

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:
Based on the applicant's request, the primary use of the property is for fast food restaurants, allowed under the current zoning; conventionally, the proposed uses include a drive-through amenity. The reason for the request is to address the parcels boundaries that are located less than 200 feet from an MDR zoning. There are no additional Conditional Use requirements.

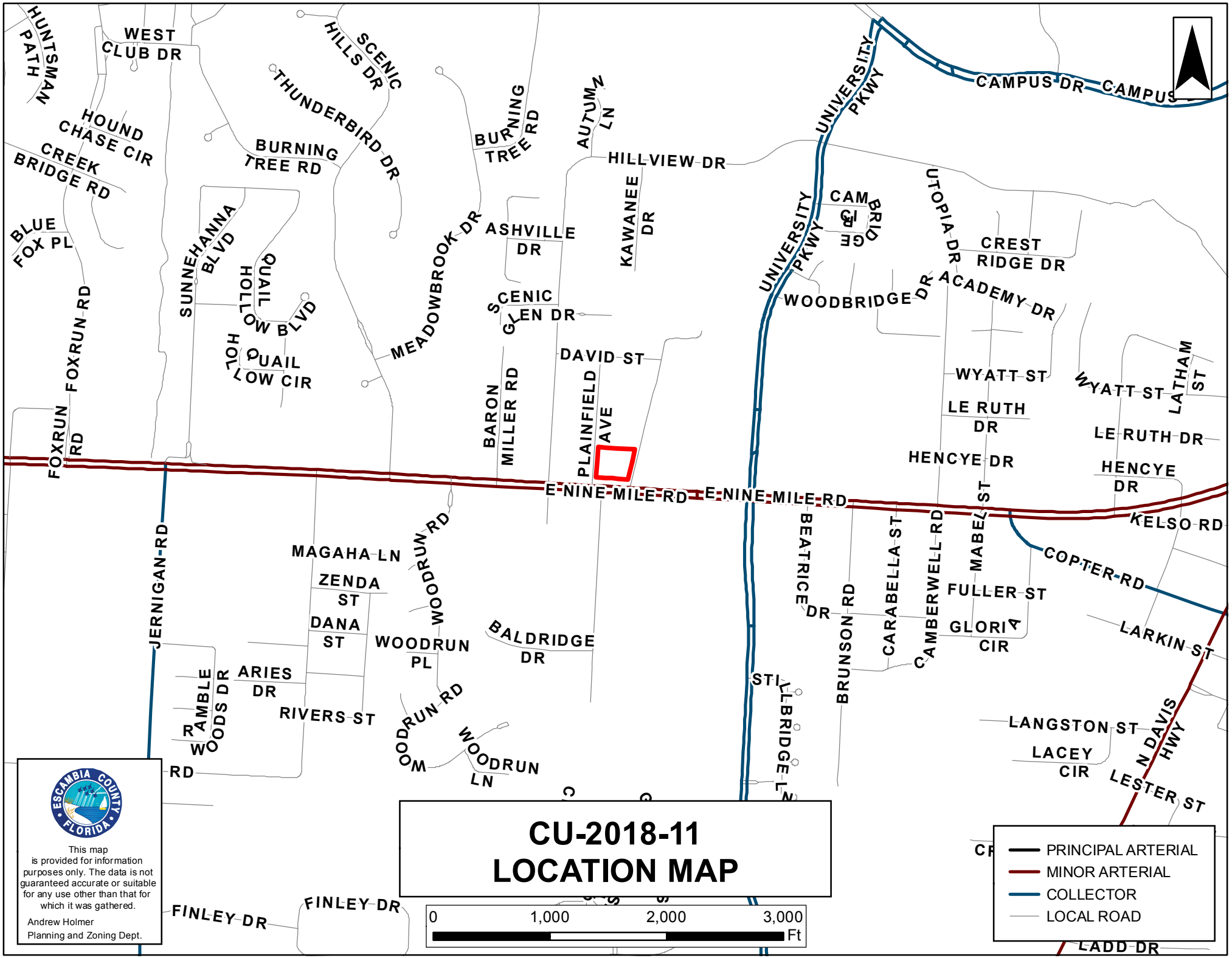
STAFF FINDINGS

Staff finds that the applicant's request for a Conditional Use can meet all of the requirements under the existing regulations. Staff recommends approval of the Conditional Use. The applicant will submit the project applications to the DRC for review and approval; there will be no land disturbance on-site until a Development Order is issued or the necessary permits are approved.

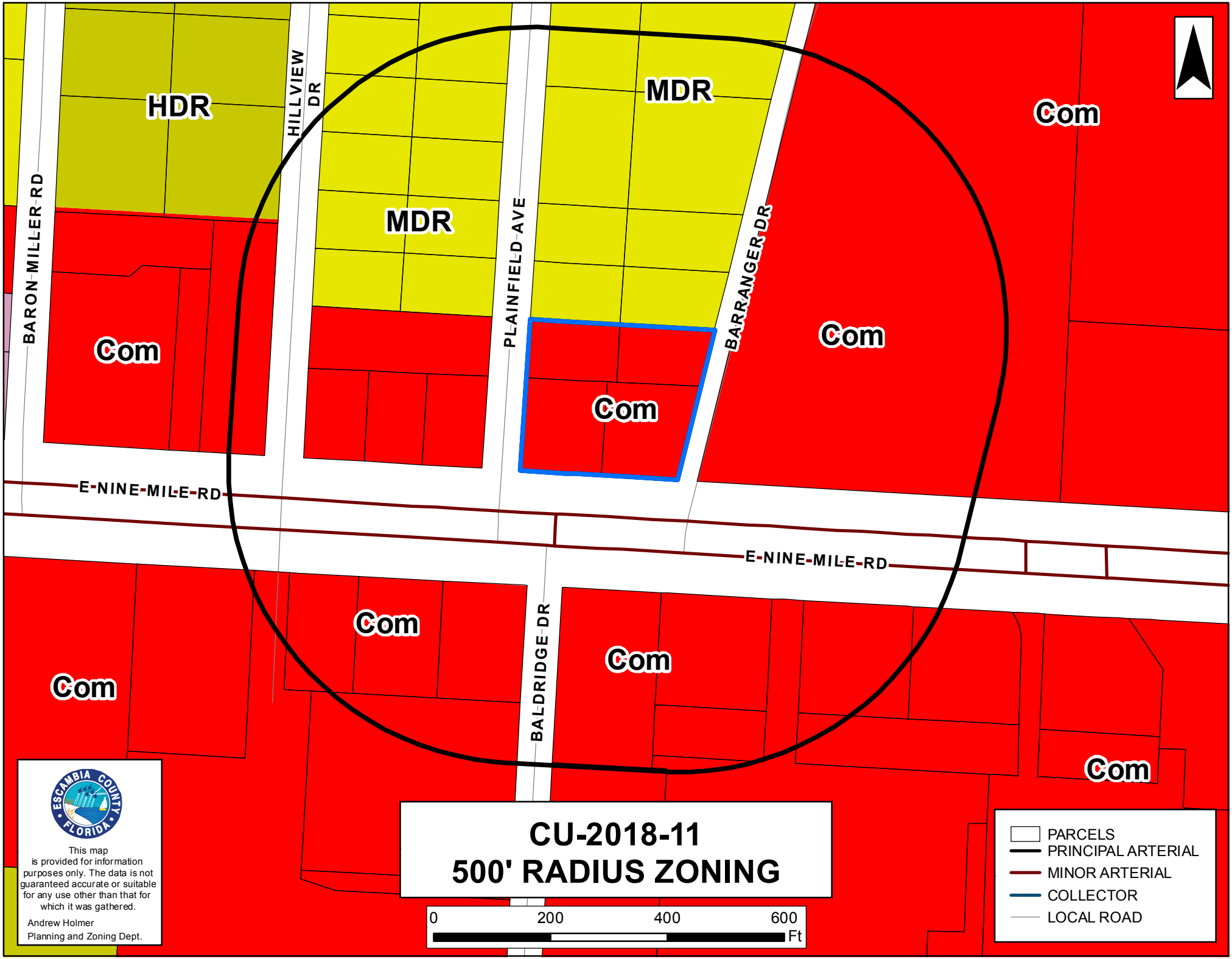
Attachments

Working Case File

CU-2018-11



CU-2018-11
LOCATION MAP


HDR
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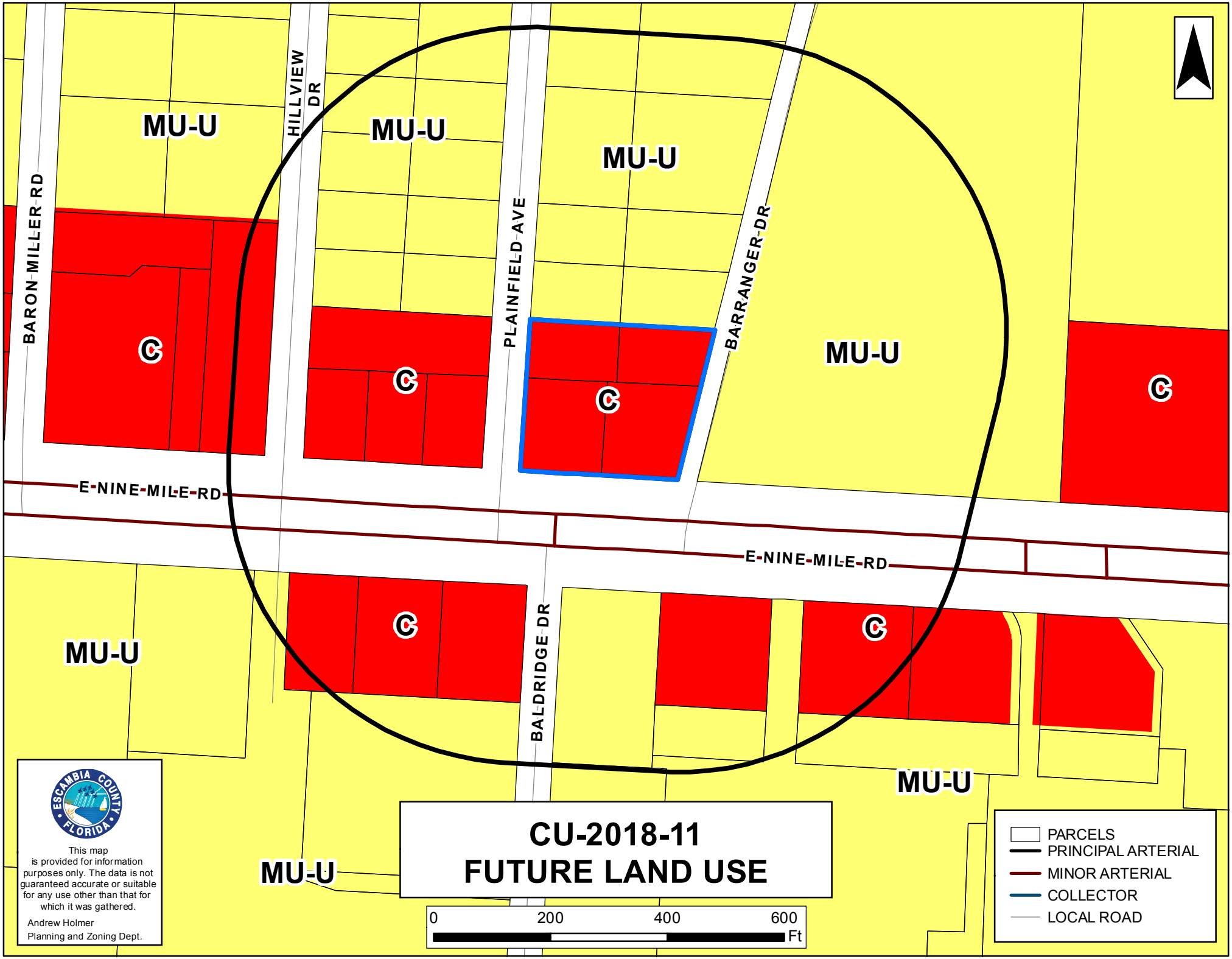
HILL VIEW DR
BARON MILLER RD
PLAINFIELD AVE
BARRANGER DR
E NINE MILE RD
E NINE MILE RD
BALDRIDGE DR
CU-2018-11
500' RADIUS ZONING
0
200
400
600
Ft
PARCELS
PRINCIPAL ARTERIAL
MINOR ARTERIAL
COLLECTOR
LOCAL ROAD
ESCAMBIA COUNTY FLORIDA
This map is provided for information purposes only. The data is not 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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BARON MILLER RD
HILLVIEW DR
PLAINFIELD AVE
BARRANGER DR
E NINE MILE RD
E NINE MILE RD
BALDRIDGE DR
CU-2018-11
FUTURE LAND USE
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200
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600
Ft
PARCELS
PRINCIPAL ARTERIAL
MINOR ARTERIAL
COLLECTOR
LOCAL ROAD
ESCAMBIA COUNTY FLORIDA
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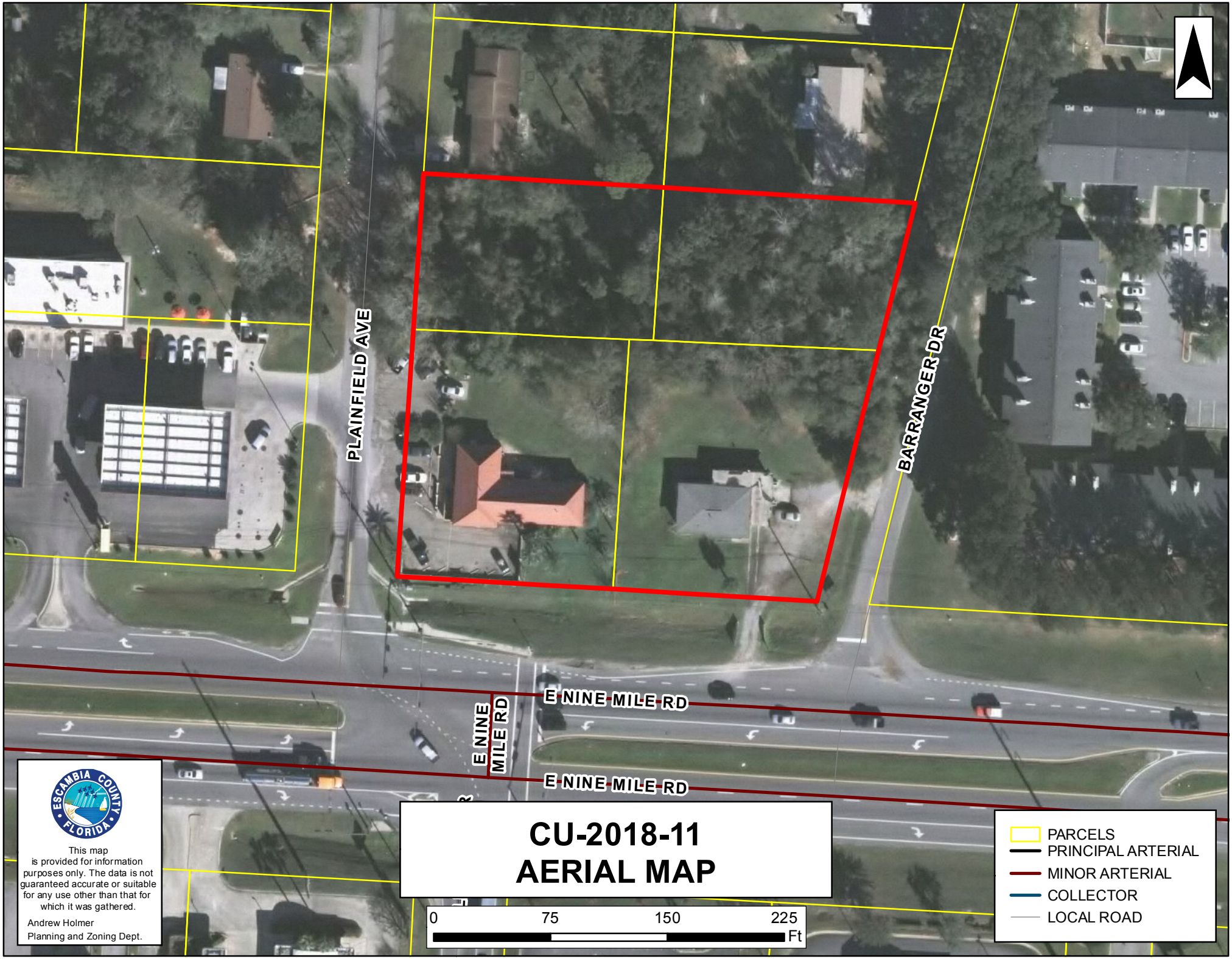

PLAINFIELD AVE
BARRANGER DR
E NINE MILE RD
E NINE MILE RD
E NINE MILE RD
CU-2018-11
AERIAL MAP
0
75
150
225
Ft
PARCELS
PRINCIPAL ARTERIAL
MINOR ARTERIAL
COLLECTOR
LOCAL ROAD
ESCAMBIA COUNTY FLORIDA
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.
Andrew Holmer
Planning and Zoning Dept.

LOOKING EAST ALONG HWY 90

LOOKING EAST AT THE INTERSECTION OF BARRANGER AND HWY 90

LOOKING NORTH FROM HWY 90 ONTO PARCEL

LOOKING NORTHWEST FROM HWY 90 ONTO PARCEL

LOOKING WEST ALONG HWY 90 ACROSS FROM PLAINFIELD AVE

LOOKING SOUTH ALONG HILLVIEW AND ACROSS HWY 90

PUBLIC HEARING SIGN ON BARRANGER

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: _____

Conditional Use Request for: Drive thru Restaurant adjacent to SF Residential

Variance Request for: _____

1. **Contact Information:**

   A. **Property Owner/Applicant:** Jeffrey S. Kates / Michael Ow

   B. Mailing Address: 1730 E. 9 Mile Road, Pensacola, FL 32514 / 1750 E. 9 Mile Road

   Business Phone: (850) 433-4999 Cell: (850) 485-6219 (Ow)

   Email: _____

   C. **Authorized Agent (if applicable):** Dave Hemphill

   Mailing Address: Baskerville-Donovan, Inc. 449 West Main St., Pensacola, FL 32502

   Business Phone: (850) 430-1762 Cell: (850) 572-1996

   Email: dhemphill@baskervilledonovan.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: 1730 and 1750 E. 9 Mile Road

   Parcel ID (s): 05-1S-30-0407-001-002 and 05-1S-30-0407-002-002 and 05-1S-30-0407-021-002 (Nuview) and 05-1S-30-0407-004-002 (OW)

   B. Total acreage of the subject property: 1.735 acres

   C. Existing Zoning: Commercial

   FLU Category: C 1

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

   1730 – Dentist Office 1750 – Retail

   E. Sanitary Sewer: X Septic: _____

3. **Amendment Request**

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

Two restaurants – Krispy Kreme and Burger King are proposed for this site fronting 9 Mile Road. Adjacent to the north are single-family homes. The conditional use is need because both restaurants utilize drive-thru windows.

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 1000foot 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.*

   Much of 9 Mile Road frontage has become commercial. The request is to allow two restaurants to utilize drive-thru windows adjacent to single-family houses on Plainfield.

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.

   This site has all required utilities. It is unique in that it will utilize an existing signalized intersection for ingress / egress. Stormwater will be handled on-site. Meetings with FDOT indicate no improvements will be required to the left-turn lane on 9 Mile Road or the right turn movement on 9 Mile Road.

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.

   Reference the site plan. The two businesses provide for interconnected circulation through both parking lots. The main ingress occurs at a signalized intersection. Two points of egress are provided.

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.

   Both restaurants are well known, as are their daily operations. Traffic will use 9 Mile Road. The adjacent business is a Dodge's Fried Chicken / gas station. The 16' buffer will be provided to the adjacent single family subdivision.

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.

   Both restaurants have a standard dumpster enclosures – covered and screened.

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.

   Agreed. The buffer to the north is 16' wide and will provide screening between the two users and the adjacent houses.

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.

   Agreed. A sign permit application will be submitted showing size, location and height of proposed signs.

8. **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.

   The rectangular site has two existing operating businesses that will relocate for the two new restaurants. The site slopes gently to 9 Mile Road. It will be regraded to meet a lesser slope.

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

   Restaurants are approved in this zone – the conditional use is for drive-thru windows.

5. Submittal Requirements

A. __X__ 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 595-3475.

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

D. __X__ 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 place a public notice sign(s) on the property referenced herein.; and
5) I am aware that Public Hearing notices (legal ad and/or postcards) for the request shall be provided by the Development Services Department.

David K. Hemphill

Signature of Owner/Agent

David K. Hemphill

Printed Name of Owner/Agent

STATE OF Florida COUNTY OF Escambia The foregoing instrument was acknowledged before me this 13 day June of 20 18,

by David K. Hemphill.

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

Susan M Wieczorek

Signature of Notary

Susan M Wieczorek

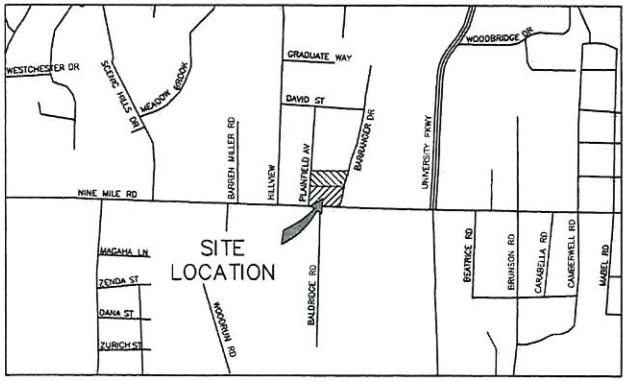
Printed Name of Notary

(Notary Seal)

SUSAN M WIECZOREK
Notary Public - State of Florida
Commission # FF 244564
My Comm. Expires Aug 29, 2019
Bonded through National Notary Assn.

ALTA/NSPS LAND TITLE SURVEY

A PORTION OF SECTION 5, TOWNSHIP 1 SOUTH, RANGE 30 WEST,
ESCAMBIA COUNTY, FLORIDA



NOT TO SCALE

SCHEDULE B SECTION II EXCEPTIONS:

ITEM 7. GULF POWER BLANKET EASEMENT AS RECORDED IN DEED BOOK 143, PAGE 206, APPEARS TO AFFECT THE SUBJECT PROPERTY.

DESCRIPTION—EXHIBIT "A"
(OFFICIAL RECORDS BOOK 4101, PAGE 0301)

LOT 1, AND THE WEST HALF OF LOT 2, BLOCK 2, PLAINFIELD SUBDIVISION, BEING A SUBDIVISION OF A PORTION OF SECTION 5, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 3, AT PAGE 47, PUBLIC RECORDS OF SAID COUNTY.

DESCRIPTION—EXHIBIT "A"
(OFFICIAL RECORDS BOOK 4826, PAGE 1411)

LOT 3, AND THE EAST ONE-HALF OF LOT 2, IN BLOCK 2, PLAINFIELD, A SUBDIVISION OF SECTION 5, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO PLAT RECORDED IN PLAT BOOK 3, AT PAGE 47, OF THE PUBLIC RECORDS OF SAID COUNTY.

DESCRIPTION—EXHIBIT "A"
(OFFICIAL RECORDS BOOK 3964, PAGE 0346)

LOT 4, BLOCK 2, PLAINFIELD SUBDIVISION, A SUBDIVISION OF A PORTION OF SECTION 5, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ACCORDING TO PLAT FILED IN PLAT BOOK 3, PAGE 47, OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA.

DESCRIPTION—EXHIBIT "A"
(OFFICIAL RECORDS BOOK 1853, PAGE 274)

LOT 21, BLOCK 2, PLAINFIELD SUBDIVISION, A SUBDIVISION OF A PORTION OF SECTION 5, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ACCORDING TO THE PLAT FILED IN PLAT BOOK 3, PAGE 47, OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA.

GENERAL NOTES

1. NORTH AND THE SURVEY DATUM SHOWN HEREON IS BASED ON THE PLAT OF PLAINFIELD SUBDIVISION, PLAT BOOK 3, PAGE 47, OF ESCAMBIA COUNTY, FLORIDA, THE FLORIDA STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NORTH AMERICAN DATUM OF 1983 (NAD83), AND EXISTING FIELD MONUMENTATION.
2. ELEVATIONS SHOWN HEREON ARE RELATIVE TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
3. TWO TITLE COMMITMENTS PREPARED BY STEWART TITLE GUARANTY COMPANY, FILE NO. ATP0288, WITH AN EFFECTIVE DATE OF NOVEMBER 03, 2017 AT 8:00 AM, AND ALSO FILE NO. ATP0287, WITH AN EFFECTIVE DATE OF NOVEMBER 04, 2017 AT 8:00 AM, WERE USED IN PREPARING THIS SURVEY.
4. IT IS THE OPINION OF THE UNDERSIGNED SURVEYOR THAT THE PARCEL OF LAND SHOWN HEREON IS IN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, BASED ON THE FLOOD INSURANCE RATE MAPS FOR ESCAMBIA COUNTY, FLORIDA, MAP NUMBER 12033C0315G, DATED SEPTEMBER 28, 2006.
5. THE FIELD SURVEY WAS PERFORMED FROM DECEMBER 28, 2017 THROUGH JANUARY 10, 2018 AND RECORDED IN FIELD BOOK 17-08, PAGES 28-30.
6. UTILITIES AS SHOWN ARE BASED ON VISIBLE LOCATION; SUBSURFACE UTILITIES WERE LOCATED BY SUNSHINE ONE CALL.
7. THE ENCROACHMENTS ARE AS SHOWN HEREON.
8. THE ADJACENT PROPERTY OWNER INFORMATION WAS OBTAINED USING THE ESCAMBIA COUNTY PROPERTY APPRAISER WEBSITE (HTTP://WWW.ESCPA.ORG).
9. THERE WAS NO EVIDENCE FOUND THAT THE PROPERTY SHOWN HAS BEEN USED AS A CEMETERY.
10. THE DESCRIPTION SHOWN HEREON DESCRIBES THE SAME PROPERTY AS INSURED IN THE TITLE COMMITMENT PREPARED BY STEWART TITLE GUARANTY COMPANY.
11. NO WETLANDS DELINEATION OF WETLANDS MARKED OR OBSERVED ON PROPERTY SHOWN HEREON.

PROPERTY ZONING REPORT

- SITE NAME:
  NINE MILE ROAD AND PLAINFIELD DR.
- SITE ADDRESS:
  1730 E NINE MILE ROAD
  PENSACOLA, FLORIDA 32514
  AND ALSO
  1750 E NINE MILE ROAD
  PENSACOLA, FLORIDA 32514
  AND ALSO
  BARRANGER ROAD
  32514
  AND ALSO
  PLAINFIELD DRIVE
  32514
- SITE AREA:
  1.74 ACRES± TOTAL
  (PARCEL 1: (1730 E NINE MILE ROAD) = 0.48 ACRES±)
  (PARCEL 2: (1750 E NINE MILE ROAD) = 0.50 ACRES±)
  (PARCEL 1: (PLAINFIELD AVE.) = 0.37 ACRES±)
  (PARCEL 2: (BARRANGER ROAD) = 0.37 ACRES±)
- JURISDICTION:
  ESCAMBIA COUNTY, FLORIDA
- ZONING DESIGNATION:
  COMMERCIAL DISTRICT (COM).
- USE INFORMATION:
  BUSINESS
- SETBACKS:
  FRONT AND REAR – 15 FEET IN BOTH FRONT AND REAR

  SIDES – 10 FEET ON EACH SIDE, INCLUDING ANY GROUP OF ATTACHED TOWNHOUSES. FOR STRUCTURES EXCEEDING 35 FEET ABOVE HIGHEST ADJACENT GRADE, AN ADDITIONAL 2 FEET FOR EACH ADDITIONAL 10 FEET IN HEIGHT.

  CORNER LOTS – WILL HAVE ONE FRONT SETBACK AND ONE SIDE SETBACK.
- BUILDING HEIGHT:
  A MAXIMUM STRUCTURE HEIGHT OF 150 FEET ABOVE ADJACENT GRADE.
- DENSITY:
  A MAXIMUM DENSITY OF 25 DWELLING UNITS PER ACRE THROUGHOUT THE DISTRICT. LODGING UNIT DENSITY NOT LIMITED BY ZONING
- OFF-STREET PARKING:
  EXISTING PARKING SPACES = 13

SURVEYOR'S CERTIFICATION:

TO:
- DELANEY PROPERTY GROUP, LLC
- ANCHOR TITLE & ESCROW, LLC
- STEWART TITLE GUARANTY COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6b, 7A, 7B1, 8, 9, 11, 13, 14, 16, 17 AND 18 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON DECEMBER 28, 2017.

FURTHERMORE: THE SURVEY SHOWN HEREON WAS PREPARED IN COMPLIANCE WITH THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS IN CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES TO THE BEST OF MY KNOWLEDGE AND BELIEF.

FOR: BASKERVILLE-DONOVAN INC.
CORPORATE NUMBER 0340

BY:

ROBERT SCOTT MILLS
FLORIDA REGISTRATION NO. 5509

ROBERT SCOTT MILLS CERTIFICATE NO. 5509 STATE OF FLORIDA PROFESSIONAL SURVEYOR & MAPPER

01/15/18
DATE

BASKERVILLE-DONOVAN, INC.
Innovative Infrastructure Solutions
446 WEST MAIN STREET
PENSACOLA, FLORIDA 32502 (850) 438-9661
ENGINEERING BUSINESS: EB-0000340

A PORTION OF SECTION 5, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA

NO.	DATE	APPR.	REVISION/ACTION TAKEN
1	01/01/18	RSM	REVISED TO ADD GULF POWER BLANKET EASEMENT

The drawing is the property of Baskerville-Donovan, Inc. and is to be returned upon request. All ideas, designs and drawings are the property of Baskerville-Donovan, Inc. and are not to be used in any way without the written permission of Baskerville-Donovan, Inc.

DOES NOT REPRESENT THE BOUNDARY SURVEY UNLESS SIGNED AND SEALED BY A FLORIDA LICENSED SURVEYOR AND MAPPER

PROJECT NO: 117401.01
SCALE: 1"=20'
DRAWN BY: ANP
CHK'D BY: RSM
PROJ. MGR: RSM
DATE: 01/15/18

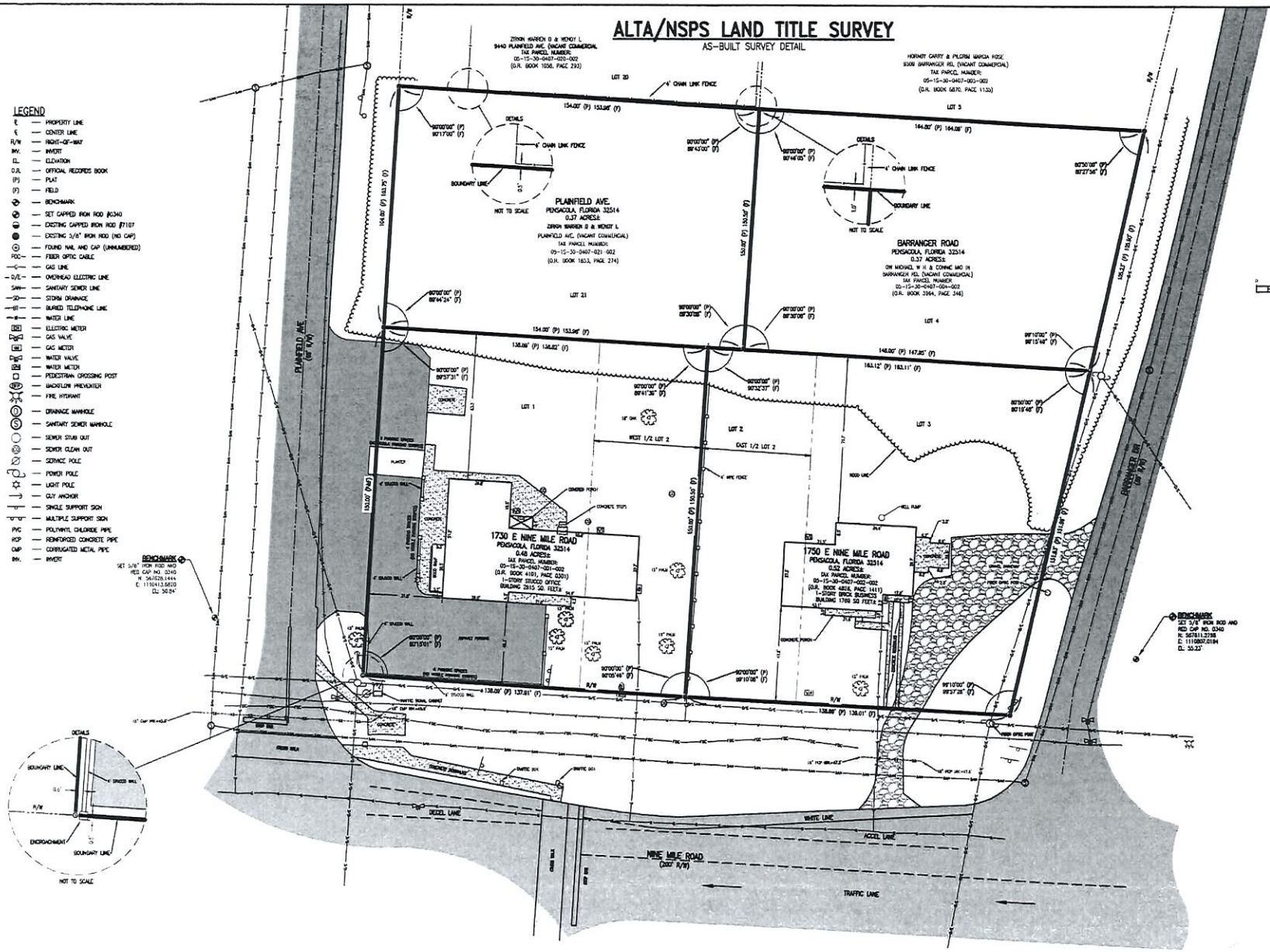
ALTA/NSPS TITLE SURVEY

PREPARED FOR & CERTIFIED TO:
DELANEY PROPERTY GROUP, LLC
ANCHOR TITLE & ESCROW, LLC
STEWART TITLE GUARANTY COMPANY

K:\SURVEY\117A\117401.01-Bergen Kirg-Kirby Rivers\DWG\117401.01.dwg, Jan 15, 2018 - 11:27:58AM dpbiggs

ALTA/NSPS LAND TITLE SURVEY

AS-BUILT SURVEY DETAIL



BASKERVILLE-DONOVAN, INC.
Innovative Infrastructure Solutions
449 WEST MAIN STREET
PENSACOLA, FLORIDA 32502 (850) 438-9661
ENGINEERING BUSINESS EB-0000340

A PORTION OF SECTION 5,
TOWNSHIP 1 SOUTH, RANGE 30
WEST, ESCAMBIA COUNTY, FLORIDA

NO.	DATE	APPR.	REVISION/ACTION TAKEN
1	01/31/18	RSM	REVISED TO ADD GULF POWER BLANKET EASEMENT

ALTA/NSPS LAND TITLE SURVEY

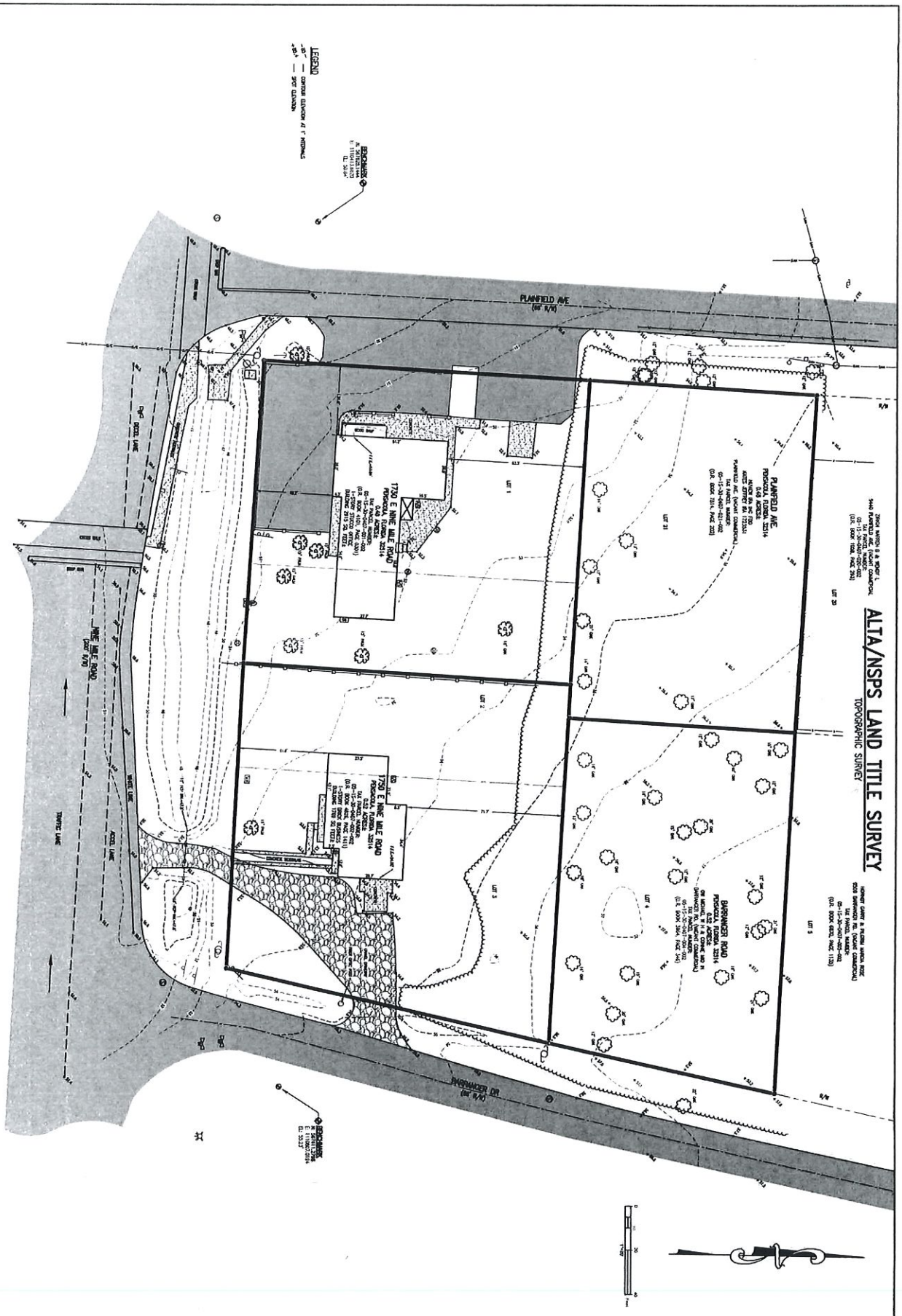
PREPARED FOR & CERTIFIED TO:
DELANEY PROPERTY GROUP, LLC
ANCHOR TITLE & ESCROW, LLC
STEWART TITLE GUARANTY COMPANY

PROJECT NO: 117401.01
SCALE: 1"=20'
DRAWN BY: AKP
CHK'D BY: RSM
PROJ. MGR.: RSM
DATE: 01/15/18

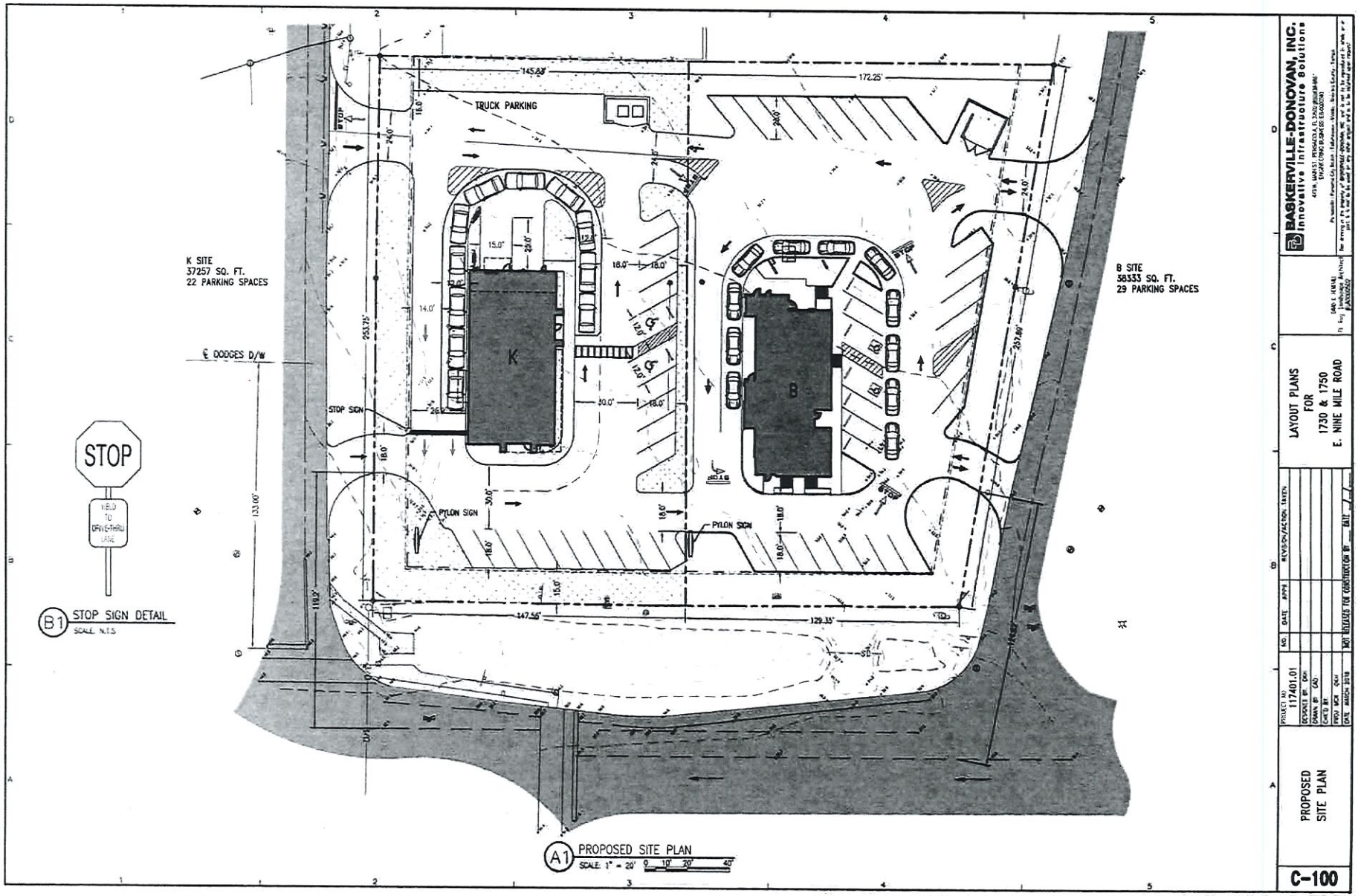
THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

K:\SURVEY\117401\117401.01-Barger Kris-Knox Krene\DWG\117401.01.dwg, Jan 13, 2018 - 11:26:28AM, apchaps

K:\SURVEY\1174\117401.01-Burger King-Krispy Kreme\DWG\117401.01.dwg, Jun 13, 2018 - 11:25:09AM, cphillips



3 OF 3	ALTA/NSPS LAND TITLE SURVEY	PROJECT NO: 117401.01	This drawing is the property of BASKERVILLE-DONOVAN, INC. and is not to be reproduced in whole or in part. It is not to be used on any other project and is to be returned upon request.	NO.	DATE	APPR.	REVISION/ACTION TAKEN	A PORTION OF SECTION 5, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA	BASKERVILLE-DONOVAN, INC. Innovative Infrastructure Solutions
	PREPARED FOR & CERTIFIED TO: • DELANEY PROPERTY GROUP, LLC • ANCHOR TITLE & ESCROW, LLC • STEWART TITLE GUARANTY COMPANY	SCALE: 1"=20' DRAWN BY: AKP CHK'D BY: RSN PROJ. MGR: RSN DATE: 01/15/18	NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER	1	01/31/18	RSN	REVISED TO ADD GULF POWER BLANKET EASEMENT		449 WEST MAIN STREET PENSACOLA, FLORIDA 32502 (850) 438-9661 ENGINEERING BUSINESS EB-0000340



BASKERVILLE-DONOVAN, INC.
Innovative Infrastructure Solutions

LAYOUT PLANS FOR 1730 & 1750 E. NINE MILE ROAD

PROPOSED SITE PLAN

PROJECT NO. 117401.01

C-100

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 1730 and 1750 East Nine Mile Road, Florida, property reference number(s) 051S300407001002 051S300407002002

Jeffrey S. Kates I hereby designate Dave K Hemphill for the sole purpose of completing this application and making a presentation to the Board of Adjustment on the above referenced property. This Limited Power of Attorney is granted on this 12th day of June the year of 2018, and is effective until 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 Department.

Agent Name: Dave K Hemphill of Baskerville-Donnovan, Inc.
Email: dhemphil@baskervilledonovan.com

Address: 449 W. Main Street, Pensacole, FL 32502
Phone: 850-430-1762

Signature of Property Owner | Jeffrey S. Kates Printed Name of Property Owner | 6/12/18 Date

STATE OF Florida COUNTY OF Santa Rosa
The foregoing instrument was acknowledged before me this 12th day of June 2018
by Jeffrey Kates

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

Signature of Notary | Brooke Arnold Printed Name of Notary

(Notary Seal)

BROOKE ARNOLD
Notary Public - State of Florida
Commission # GG 139018
My Comm. Expires Aug 28, 2021
Bonded through National Notary Assn.

Last Updated: 06/21/17

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 Barranger Road
Escambia County, Florida, property reference number(s)
051S300407004002
OW Michael WH + CONNIE MID IN
OW Michael WH + CONNIE MID IN I hereby
designate Dave K Hemphill for the sole purpose of completing this application and making a presentation to the Board of Adjustment on the above referenced property. This Limited Power of Attorney is granted on this 13 day of June the year of, 2018, and is effective until 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 Department.

Agent Name: Dave K Hemphill of Baskerville-Donnovan, Inc.
Email: dhemphil@baskervilldonovan.com

Address: 449 W. Main Street, Pensacole, FL 32502
850-485-6219 Phone: 850-430-1762

Signature of Property Owner	Printed Name of Property Owner	Date
	OW Michael W.H	6/13/18
	Connie MID IN	6/13/18

STATE OF FLORIDA COUNTY OF ESCAMBIA
The foregoing instrument was acknowledged before me this 13 day of JUNE 2018,
by

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

Signature of Notary

Julie A. Broadwater
Printed Name of Notary

JULIE BROADWATER
MY COMMISSION # GG 128830
EXPIRES: July 27, 2021
Bonded Thru Notary Public Underwriters

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 Plainfield Avenue
Escambia County, Florida, property reference number(s)
051S300407021002

NuView Trust FBO Jeffrey Kater Roth IRA I hereby designate Dave K Hemphill for the sole purpose of completing this application and making a presentation to the Board of Adjustment 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 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 Department.

Agent Name: Dave K Hemphill of Baskerville-Donnovan, Inc.
Email: dhemphil@baskervilldonovan.com

Address: 449 W. Main Street, Pensacole, FL 32502
Phone: 850-430-1762

Tammy Bruner NuView Trust FBO Jeffrey Kater Roth IRA 6/12/18
Signature of Property Owner | Printed Name of Property Owner | Date

STATE OF Florida COUNTY OF Seminole
The foregoing instrument was acknowledged before me this 12th day of June 2018,
by Tammy Bruner, Authorized Signer

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

Barbara J Welch
Signature of Notary

Barbara J. Welch
Printed Name of Notary

(Notary Seal)

BARBARA J. WELCH
Notary Public - State of Florida
Commission # FF 993759
My Comm. Expires May 30, 2020
Bonded through National Notary Assn.

Chris Jones
Escambia County Property Appraiser

Navigate Mode ◉ Account ○ Reference

Printer Friendly Version

General Information

Reference:	051S300407021002
Account:	013953000
Owners:	NUVIEW IRA INC FBO KATES JEFFREY IRA 1723531
Mail:	LONGWOOD, FL 32750
Situs:	PLAINFIELD AVE 32514
Use Code:	VACANT COMMERCIAL
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
2017	$60,861	$0	$60,861	$60,861
2016	$60,861	$0	$60,861	$60,861
2015	$60,861	$0	$60,861	$60,861

Disclaimer

Amendment 1/Portability Calculations

File for New Homestead Exemption Online

Sales Data

Sale Date	Book	Page	Value	Type	Official Records (New Window)
10/26/2017	7814	202	$85,000	WD	View Instr
12/1983	1853	274	$9,000	WD	View Instr
01/1975	861	663	$600	WD	View Instr

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

2017 Certified Roll Exemptions

None

Legal Description

LT 21 BLK 2 OR 7814 P 202 PLAINFIELD S/D PB 3 P 47

Extra Features

None

Parcel Information

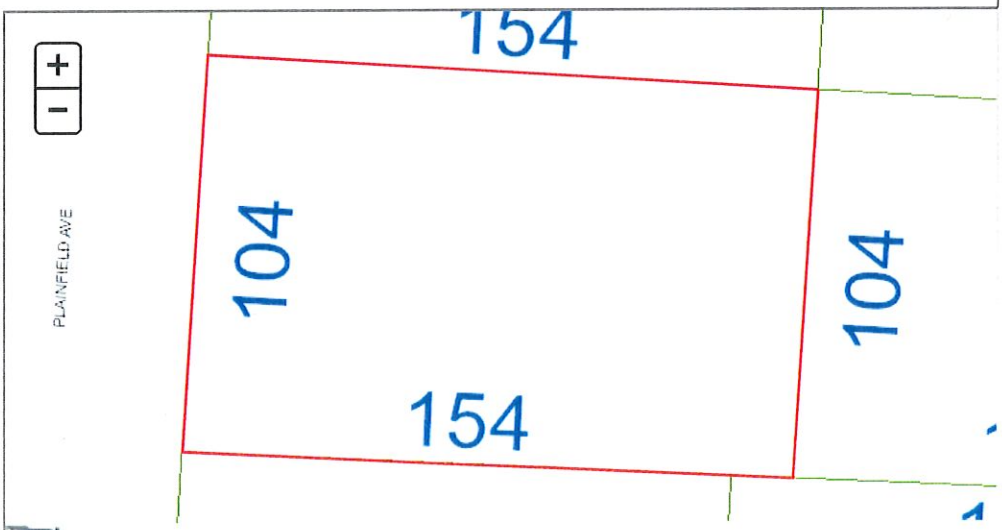
Launch Interactive Map

Section Map Id:
05-1S-30

Approx. Acreage:
0.3677

Zoned:
Com

Evacuation & Flood Information
Open Report



View Florida Department of Environmental Protection(DEP) Data

Buildings

Images

None

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

Last Updated: 06/27/2018 (tc.2599)

ALTA Commitment Form

COMMITMENT FOR TITLE INSURANCE
ISSUED BY

Stewart Title Guaranty Company

STEWART TITLE GUARANTY COMPANY, a Texas Corporation ("Company"), for a valuable consideration, commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the Proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest in the land described or referred to in Schedule A, upon payment of the premiums and charges and compliance with the Requirements; all subject to the provisions of Schedules A and B and to the Conditions of this Commitment.

This Commitment shall be effective only when the identity of the Proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A by the Company.

All liability and obligation under this Commitment shall cease and terminate six months after the Effective Date or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue the policy or policies is not the fault of the Company.

The Company will provide a sample of the policy form upon request.

This Commitment shall not be valid or binding until countersigned by a validating officer or authorized signatory.

IN WITNESS WHEREOF, Stewart Title Guaranty Company has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A.

Countersigned by:

Authorized Officer

Anchor Title & Escrow, LLC
Company Name

Pensacola, FL
City, State

stewart
title guaranty company

STEWART TITLE GUARANTY CO. INCORPORATED 1966 TEXAS

Matt Morris
President and CEO

Denise Carraux
Secretary

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AMERICAN LAND TITLE ASSOCIATION
stewart title guaranty company

CONDITIONS

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.

2. If the proposed Insured has or acquired actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions.

3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions and Conditions and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.

4. This Commitment is a contract to issue one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.

5. *The policy to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance is $2,000,000 or less shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. You may review a copy of the arbitration rules at http://www.alta.org/.*

STEWART TITLE GUARANTY COMPANY

All notices required to be given the Company and any statement in writing required to be furnished the Company shall be addressed to it at P.O. Box 2029, Houston, Texas 77252.

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COMMITMENT

SCHEDULE A

File Number: ATP0287

Inquiries should be directed to:

Anchor Title & Escrow, LLC
1331 Creighton Rd., Suite D
Pensacola, FL 32504

1. Effective Date: November 04, 2017 at 8:00 AM

2. Policy or Policies to be issued:	Amount
(a) ALTA Owner's Policy (6/17/06) with Florida Modifications	$900,000.00
Proposed Insured: Delaney Property Group, LLC	Premium:
(b) ALTA Loan Policy (6/17/06) with Florida Modifications	
Proposed Insured:	Premium:

3. The estate or interest in the land described or referred to in this Commitment and covered herein is: FEE SIMPLE

4. Title to the FEE SIMPLE estate or interest in said land is at the effective date hereof vested in:

Michael Wai Ham Ow and Connie Mio In Ow, husband and wife - As to Lot 4 and Warren B. Zirkin and Wendy L. Zirkin, husband and wife - As to Lot 21, by virtue of that certain Warranty Deed recorded in Official Records Book 1853, Page 274 and Warranty Deed recorded in Official Records Book 3964, Page 346, of the Public Records of Escambia County, Florida.

5. The land referred to in this Commitment is described as follows:

SEE EXHIBIT "A" ATTACHED HERETO FOR LEGAL DESCRIPTION

_____
Authorized Countersignature
(This Schedule A valid only when Schedule B is attached.)

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COMMITMENT

EXHIBIT "A"

File No.: ATP0287

Lot 4, Block 2, Plainfield Subdivision, a subdivision of a portion of Section 5, Township 1 South, Range 30 West, according to plat filed in Plat Book 3, Page 47, of the Public Records of Escambia County, Florida.

AND

Lot 21, Block 2, Plainfield Subdivision, a subdivision of a portion of Section 5, Township 1 South, Range 30 West, according to the plat filed in Plat Book 3, Page 47, of the Public Records of Escambia County, Florida.

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COMMITMENT

SCHEDULE B-I

File No.: ATP0287

The following are the requirements to be complied with:

A. Instruments necessary to create the estate or interest to be insured must be properly executed, delivered and duly filed for record.

1. Record a Warranty Deed from Michael Wai Ham Ow and Connie Mio In Ow to Delaney Property Group, LLC conveying the property in Schedule "A".
   NOTE: If the grantors are individuals, and the property is homestead property, the spouse of said grantor must join in the execution of the Deed/Mortgage. If not homestead, then a statement to that effect must be reflected on the Deed/Mortgage. (As to Lot 4, Block 2)

2. Record a Warranty Deed from Warren B. Zirkin and Wendy L. Zirkin to Delaney Property Group, LLC conveying the property in Schedule "A".
   NOTE: If the grantors are individuals, and the property is homestead property, the spouse of said grantor must join in the execution of the Deed/Mortgage. If not homestead, then a statement to that effect must be reflected on the Deed/Mortgage. (As to Lot 21, Block 2)

3. The Company will require the following as to Delaney Property Group, LLC:

   A. Satisfactory evidence must be furnished establishing that Delaney Property Group, LLC is duly organized, validly existing, and in good standing under the laws of Florida currently and at date it acquired an interest in the insured property. On-line confirmation of both of the foregoing is sufficient.

   B. The deed or mortgage to be insured must be executed by a manager of a manager-managed limited liability company or a member of a member-managed limited liability company unless there is a recorded certified statement of authority which limits that authority. The online information provided by the Florida Department of State, Division of Corporations can be relied upon to obtain the identity of the manager or the member, as the case may be.

   C. If the members or managers are not identified in the articles of organization or the Department of State, Division of Corporation's website, the operating agreement must be produced. If an operating agreement does not exist or the information in the operating agreement conflicts with the information on file with the Division of Corporations, a recorded certified Statement of Authority certified by the Florida Secretary of State is to be recorded in official records of the county where the property lies.

   D. If a certified Statement of Authority, which is less than 5 years old is recorded in official records in the county where the property lies, you may rely upon it to establish the authority and identity of the party(ies) to execute the deed or mortgage to be insured. Determination must be made that the Statement of Authority has not been cancelled, limited by a subsequent Statement of Authority or a statement of disassociation by the named member or manager (such as being a debtor in bankruptcy.

   E. If a power of attorney is to be used to convey or mortgage the property on behalf of the limited liability company, absent a recorded certified statement of authority, review the articles of organization and the operating agreement to confirm the delegation of authority is permitted.

4. Affidavit from the current owner stating there are no open mortgages that would affect the subject property. The company reserves the right to make such additional requirements as it may deem necessary.

5. Taxes for the year 2017 under Tax ID 05-1S-30-0407-004-002 in the gross amount of $900.58 and special assessments, if any must be paid.

6. Taxes for the year 2017 under Tax ID 05-1S-30-0407-021-002 in the gross amount of $886.98 and special assessments, if any must be paid.

   Payment of any and all Special Assessments, Bills, Charges or Municipal Liens levied and/or assessed.

B. Affidavit from the seller and borrower stating:

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1. That there are no matters pending against them that could give rise to a lien that would attach to the subject property between the effective date of the Commitment and the recording of instruments giving rise to the interest to be insured.

2. That the affiants have not executed and will not execute any instruments that would adversely affect the title to the subject property or the lien of any mortgage to be insured pursuant to the Commitment.

C. The closing funds pertaining to the transaction must be disbursed by or at the direction of the insurer or its agent.

D. Overlimits Approval for issuance of commitment and policy must be obtained from STG Underwriting Counsel if proposed amount of insurance in Schedule A exceeds issuing agent's authority as set forth in Underwriting Agreement.

E. An updated title examination, commencing as of the effective date of this Commitment, which shall be performed at or shortly prior to the closing of the transaction, should not reveal any title defects or other adverse matters appearing should be disposed of prior to closing to the satisfaction of the insurer or its agent.

END OF SCHEDULE B-I

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COMMITMENT

SCHEDULE B-II

File No.: ATP0287

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the Public Records or attaching subsequent to the Effective Date but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.

2. Standard Exceptions:

   a. Rights or claims of parties in possession not shown by the public records.

   b. Easements, or claims of easements, not shown by the public records.

   c. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey and inspection of the premises.

   d. Any lien, or right to a lien, for services, labor, or material hereto or hereafter furnished, imposed by law and not shown by the public records.

   e. Any adverse ownership claim by the State of Florida by right of sovereignty to any portion of the lands insured hereunder, including submerged, filled, and artificially exposed lands and lands accreted to such lands.

Special Exceptions:

3. Taxes and assessments for the year 2018 and subsequent years, which are not yet due and payable.

4. Any lien arising under Chapter 159, Florida Statutes, in favor of any city, town, village or port authority for unpaid service charges for service by any water system, sewer system or gas system servicing the lands described herein.

5. All matters shown on the plat recorded in Plat Book 3, Page 47, of the Public Records of Escambia County, Florida.

6. Covenants, conditions, easements and restrictions recorded in Deed Book 441, Page 52, of the Public Records of Escambia County, Florida, together with all amendments thereto, which may provide for association dues, fees and/or assessments, prior approval of sale, in addition to any easements, reservations, covenants, building set back requirements, option to purchase, right of first refusal, and any special assessments which may come due but omitting any such covenant based on race, color, religion, sex, familial status, national origin, handicap, sexual orientation, marital status, ancestry, source of income, disability, medical condition, or other unlawful basis.

7. Easement granted to Gulf Power Company as recorded in Deed Book 143, Page 206, of the Public Records of Escambia County, Florida.

8. NOTE: The following 24 month chain of title is shown for informational purposes only and not the purpose of insuring: NONE

END OF SCHEDULE B-II

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STG Privacy Notice 1 (Rev 01/26/09) Stewart Title Companies

WHAT DO THE STEWART TITLE COMPANIES DO WITH YOUR PERSONAL INFORMATION?

Federal and applicable state law and regulations give consumers the right to limit some but not all sharing. Federal and applicablestate law regulations also require us to tell you how we collect, share, and protect your personal information. Please read this noticecarefully to understand how we use your personal information. This privacy notice is distributed on behalf of the Stewart TitleGuaranty Company and its affiliates (the Stewart Title Companies), pursuant to Title V of the Gramm-Leach-Bliley Act (GLBA).

The types of personal information we collect and share depend on the product or service that you have sought through us. Thisinformation can include social security numbers and driver's license number.

All financial companies, such as the Stewart Title Companies, need to share customers' personal information to run their everydaybusiness-to process transactions and maintain customer accounts. In the section below, we list the reasons that we can sharecustomers' personal information; the reasons that we choose to share; and whether you can limit this sharing.

Reasons we can share your personal information	Do we share?	Can you limit this sharing?
For our everyday business purposes- to process your transactions andmaintain your account. This may include running the business and managingcustomer accounts, such as processing transactions, mailing, and auditing services,and responding to court orders and legal investigations.	Yes	No
For our marketing purposes- to offer our products and services to you.	Yes	No
For joint marketing with other financial companies	No	We don't share
For our affiliates' everyday business purposes- information about yourtransactions and experiences. Affiliates are companies related by commonownership or control. They can be financial and non-financial companies. *Ouraffiliates may include companies with a Stewart name; financial companies,such as Stewart Title Company*	Yes	No
For our affiliates' everyday business purposes- information about yourcreditworthiness.	No	We don't share
For our affiliates to market to you-For your convenience, Stewart has developed a means for you to opt out from its affiliates marketing even though such mechanism is not legally required.	Yes	Yes, send your first and last name, the email address used in your transaction, your Stewart file number and the Stewart office location that is handling your transaction by email to optout@stewart.com or fax to 1-800-335-9591.
For non-affiliates to market to you. Non-affiliates are companies not related bycommon ownership or control. They can be financial and non-financial companies.	No	We don't share

We may disclose your personal information to our affiliates or to non-affiliates as permitted by law. If you request a transaction with anon-affiliate, such as a third party insurance company, we will disclose your personal information to that non-affiliate. [We do notcontrol their subsequent use of information, and suggest you refer to their privacy notices.]

Sharing Practices	
How often do the Stewart Title Companies notify me about their practices?	We must notify you about our sharing practices when you request a transaction.
How do the Stewart Title Companies protect my personal information?	To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. The measures include computer, file and building safeguards.
How do the Stewart Title Companies collect my personal information?	We collect your personal information, for example, when you • request insurance-related services • provide such information to us We also collect your personal information form others, such as the real

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	estate agent or lender involved in your transaction, credit reporting agencies, affiliates or other companies.
What sharing can I limit?	Although federal and state law give you the right to limit sharing (e.g., opt out) in certain instances, we do not share your personal information in those instances.

Contact Us	If you have any questions about this privacy notice, please contact us at: Stewart Title Guaranty Company, 1980 Post Oak Blvd., Privacy Officer, Houston, Texas 77056

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PLAINFIELD

ESCAMBIA COUNTY, FLORIDA

A SUBDIVISION OF A PORTION OF SECTION 5, T1S, R30W

J.W. COOK
REG. SURVEYOR

SCALE 1" = 100'

PENSACOLA, FLA.
DECEMBER 1953

PB 3 PG 47

DEDICATION

MRS. BERTA O. BARRANGER, A WIDOW, THE OWNER OF THE LAND HEREON DESCRIBED AND SUBDIVIDED, HEREBY APPROVE AND ADOPT THIS PLAT THEREOF AND DEDICATE TO THE USE OF THE PUBLIC, THE STREETS AS INDICATED HEREON.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Barbara J. Hess — Lute E. Davenport (SEAL)

J.W. Cook

STATE OF FLORIDA
COUNTY OF ESCAMBIA

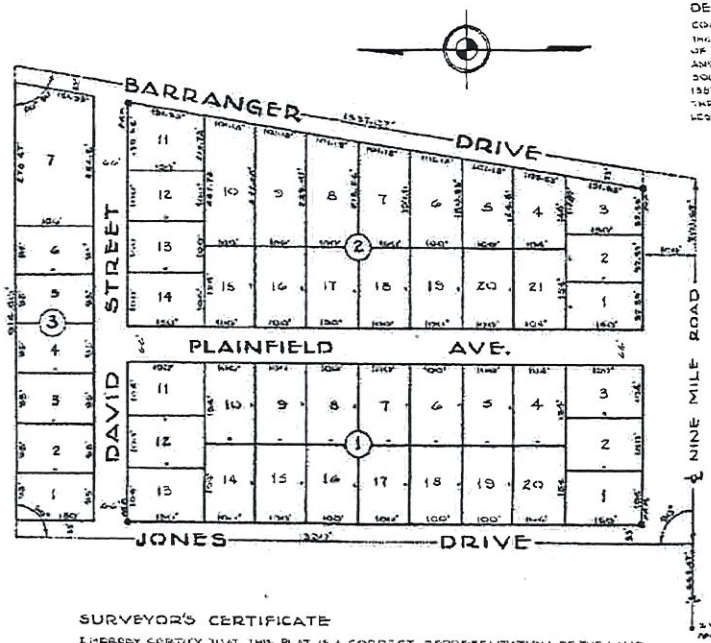
BEFORE THE SUBSCRIBER PERSONALLY APPEARED MRS. BERTA O. BARRANGER, KNOWN TO ME TO BE THE INDIVIDUAL DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND SHE ACKNOWLEDGED THAT SHE EXECUTED THE SAME FOR USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS 7th DAY OF DECEMBER 1953.

J.W. Cook

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXPIRES 2-19-57

NOTARY SEAL



DESCRIPTION

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 5, T1S, R30W, THENCE EAST ALONG THE SOUTH LINE OF SAID SECTION 5 A DISTANCE OF 663.47 FEET TO POINT OF BEGINNING, THENCE NORTH AT RIGHT ANGLE 1320 FEET, (MEASD. EAST) AT RIGHT ANGLE TURN 90° TO RT., THENCE SOUTHERLY WITH AN INTERIOR ANGLE OF 89°50' A DISTANCE OF 1987.67 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION, THENCE WEST ALONG SAID LINE 701.67 FEET TO POINT OF BEGINNING, LESS THE SOUTH 100 FEET FOR R/W OF THE NINE MILE ROAD.

CERTIFICATE OF APPROVAL OF COUNTY COMMISSIONERS

I, LANGLEY BELL, COUNTY CLERK OF ESCAMBIA COUNTY, FLA., HEREBY CERTIFY THAT THE WITHIN PLAT, BEING PRESENTED TO THE BOARD OF COUNTY COMMISSIONERS OF SAID COUNTY AT THEIR MEETING HELD THIS ____ DAY OF DECEMBER 1953, WAS APPROVED FOR FILING BY THE SAID BOARD AND I, CLERK OF SAID BOARD INSTRUCTED AS TO CERTIFY HEREON.

Langley Bell

COUNTY CLERK ESCAMBIA COUNTY, FLA.

COUNTY CLERK'S CERTIFICATE

I, LANGLEY BELL, CLERK OF THE CIRCUIT COURT OF ESCAMBIA COUNTY, FLA. HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH ALL THE REQUIREMENTS OF THE FLA. ACT (CHAPTER 10275 OF THE 1925 ACTS OF THE LEGISLATURE OF FLA.) AND THE SAME WAS FILED FOR RECORD ON THE ____ DAY OF DECEMBER 1953, AND IN PLAT BOOK NO. 3 OF SAID COUNTY AT PAGE NO. 47.

Langley Bell

CLERK OF CIRCUIT COURT
ESCAMBIA COUNTY, FLA.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND HEREON DESCRIBED; THAT SAID LAND HAS BEEN SUBDIVIDED AND STAKED AS INDICATED; THAT PERMANENT REFERENCE MONUMENTS (PRIDERTED P.R.M.) HAVE BEEN PLACED AS REQUIRED BY THE PLAT ACT (CHAPTER 10275 OF THE 1925 ACTS OF THE LEGISLATURE OF FLORIDA) THAT THE SIGN (') MEANS FEET OR MINUTES AND THAT THE SIGN (°) MEANS DEGREES.

J.W. Cook

LAND SURVEYOR FLA. REG. CERT. NO. 455

OFFICE COPY

Item No.
RESTRICTIONS

IN RE:

PLAINFIELD SUBDIVISION

Deed Book 441 page 52
Ack: March 27, 1956 before N.P.,
Seal (com exp 6/6/58)
Filed: April 9, 1956
2 Witnesses; Seal
Cons: premises

WHEREAS I the undersigned owner in fee simple of all of the Property known as Plainfield, being a subdivision of a portion of Section 5, Township 1 South, Range 30 West, Escambia County, Florida, described according to plat of said subdivision recorded in Plat Book 3 at page 47 of the Public Records of said County, desiring to encumber all of said property with restrictions set forth hereinafter, to enhance the value of the said property.

NOW, THEREFORE, in consideration of the premises and the benefits accruing therefrom, I Berta D. Barranger, a widow, owner in fee simple as aforesaid, do hereby encumber the above described property, each and every lot included therein with the following restrictive covenants and conditions which shall run with the land, and shall be binding on all persons and parties claiming under them, until January 1, 1990. If the parties hereto, or any of them, or their successors conditions herein, contained, it shall be lawful for any other person or persons owning any real property situated in said subdivision above described, to prosecute any proceedings at law or in equity, against such person or persons or corporations violating or attempting ot violate, any such covenante and conditions, to prevent such person or persons, from violating said covenante and conditions, and to recover damages for such violation.

Invalidation of any of these covenants by judgment or court order shall in no wise affect any of the other covenants which shall remain in full force and effect.

A. All lots heretofore described shall be known as residential lots, except those lots which are specifically excepted in Paragraph "B", and no structure shall be erected on any residential building lot, other than undetached single family dwelling, not to exceed two stories in height, and a private garage for the use of the occupants of said dwelling with living quarters above for servants, provided, however, no garage shall be erected with living quarters above for servants unless there shall first be constructed a dwelling house with not less than 850 square feet floor space.

B. Lots 1, 2 and 3 of Blcok 1; and Lots 1, 2 and 3 of Block 2 of said subdivision may be occupied for multi-family dwelling not to exceed two stories in height. All other restrictions of residential single family lots shall apply.

C. No building shall be located nearer than 30 feet from the front lot line or nearer than 10 feet to the side plot line. In any event, no building shall be located on any residential building plot nearer than 30 feet to the front lot line nor nearer than 10 feet to any side street line, nor nearer than 10 feet to any inside plot line, except a detached garage located 55 feet or more from the front lot line, but in any event no garage shall be located nearer than 3 feet to any side plot line.

continued

OFFICE COPY

D. No residential structure shall be erected or placed on any building plot, which has an area of less than 8,400 square feet.

E. All dwelling shall have at least one flush type toilet and one sink and must comply with Chapter 8 of the State Sanitary Code.

F. No noxious or offensive trade or activity shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

G. No basement, shack, garage, barn or other out building erected in the tract shall at any time be used as a residence, temporarily or permanently, nor shall any structure of a temporary character be used as a residence. Excepting trailor which may be used as a residence for not more than 1 year on any said lot.

H. No dwelling having a square foot area of less than 850 square feet in the floor space shall be constructed in the subdivision.

I. No fence of any description shall be erected nearer to the front lot line than the rear of the house on that lot. This restriction does not apply to a growing fence or hedge not over approximately 3 feet high.

J. All private pumping systems for water service for each indvidual home within this subdivision shall be enclosed.

ITEM NO.
EASEMENT

John B. Cotton and wife
Jessie Cotton

to

Gulf Power Company, a corporation

Deed Book 143 page 206
Dated: December 29, 1936
Ack: December 29, 1936
Before N. P., Seal (Com. exp. 12-14-40)
Filed: Jan. 4, 1937
2 Witnesses, Seals
Cons: $1.00

Grants and conveys the right to construct, maintain and operate its line of poles (consisting of 3 poles) as the same shall be located by said company, with the right from time to time to string wires thereon for the transmission of electric power and also the right to install, maintain and use the necessary anchors and guy wires in connection therewith upon, over and across the following described land in Escambia County, Florida, to-wit:

The SE¼ of Lot 4, and the SW¼ of Lot 5, Section 5, Township 1 South, Range 30 West, containing 40 acres more or less.

This line is to be constructed on the West side of large oak trees in front of my residence.

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Return to: (enclose self-addressed stamped envelope)
Name: STEWART TITLE OF PENSACOLA, INC.
Address: 401 East Chase Street Suite 104
Pensacola, FL 32501
This Instrument Prepared by: TERESA DOWNS
of STEWART TITLE OF PENSACOLA, INC.
as a necessary incident to the fulfillment of conditions
contained in a title insurance commitment issued by it.
Property Appraisers Parcel Identification (Folio) Number(s):
05-1S-30-0407-004-02
Grantee(s) S.S.#(s):

OR Bk3964 Pg0346
INSTRUMENT 00291430

D S PD $245.00
Mort 80.00 ASUM 80.00
APRIL 29, 1996
Ernie Lee Magaha,
Clerk of the Circuit Court
By: D.C.

SPACE ABOVE THIS LINE FOR PROCESSING DATA

FILE NO: 96027473 WARRANTY DEED

(The terms "grantor" and "grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)

This Warranty Deed Made this 25th day of April A.D. 19 96 , by
Shadrach Schwartz

whose marital status is:
hereinafter called the grantor, whose post office address is: 9733 PICKWOOD DRIVE PENSACOLA, FL 32514
to Michael Wai Ham Ow and Connie Mio In Ow, husband and wife

whose post office address is: 628 Greenbriar Blvd Pensacola FL 32514

hereinafter called the grantee,
WITNESSETH: That said grantor, for and in consideration of the sum of $10.00 Dollars, and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Escambia County, Florida, viz:
Lot 4, Block 2, in Plainfield Subdivision, a subdivision of a portion of Section Five, Township 1 South, Range 30 West, according to plat filed in Plat Book 3, at page 47 of the Public Records of Escambia County, Florida.

SUBJECT ALSO TO OIL, GAS AND MINERAL RESERVATIONS OF RECORD.

THIS IS NOT THE CONSTITUTIONAL HOMESTEAD OF THE GRANTOR WHO RESIDES AT 9733 PICKWOOD DRIVE, PENSACOLA, FL 32514

This property [is] [is not] the homestead of the Grantor(s).
TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.
To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 19 95, reservations, restrictions and easements of record, if any.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, Sealed and Delivered in Our Presence:

Witness Signature: _____
Witness Printed Name: _____
Witness Signature: _____
Witness Printed Name: _____
Witness Signature: _____
Witness Printed Name: _____
Witness Signature: _____
Witness Printed Name: _____

_____ (Seal)
Shadrach Schwartz

_____ (Seal)

STATE OF FLORIDA
COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 25th day of April , 19 96
by Shadrach Schwartz

who is/are personally known to me or who has/have produced _____
as identification.

My Commission expires: Betty S. Bond
Notary Public, State of Florida
Commission No. CC 466987
My Commission Expires 05/23/99
1-800-3-NOTARY - FL Notary Service & Bonding Co.

_____
Printed Name:
Notary Public
Serial Number

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OR Bk3964 Pg0347
INSTRUMENT 00291430

RESIDENTIAL SALES ABUTTING ROADWAY MAINTENANCE DISCLOSURE

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

NAME OF ROADWAY: Lot 4, Block 2. Plainfield

LEGAL ADDRESS OF PROPERTY: LOT 4 BLOCK 2 PLAINFIELD SUBDIVISION

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

This form completed by: STEWART TITLE OF PENSACOLA
401 EAST CHASE STREET, SUITE #104
PENSACOLA, FLORIDA 32501

AS TO SELLER(S):

SELLER(S) NAME:
SHADRACH SCHWARTZ

WITNESS' NAME:

SELLER(S) NAME:

WITNESS' NAME:

AS TO BUYER(S):

BUYER(S) NAME:
MICHAEL WAI HAM OW

WITNESS' NAME:

BUYER(S) NAME:
CONNIE MIO IN OW

WITNESS' NAME:

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

Instrument 00291430
Filed and recorded in the
Official Records
APRIL 29, 1996
at 03:38 P.M.
ERNIE LEE MAGAHA,
CLERK OF THE CIRCUIT COURT
Escambia County,
Florida

OR BOOK 1853 PAGE 274

THIS INSTRUMENT PREPARED BY
Gayle A. Valinsky
OF DALE TITLE COMPANY
P.O. BOX 386, PENSACOLA, FL.
IN CONNECTION WITH ISSUANCE
OF TITLE INSURANCE.

FILE NO. 83-7705
DOC. 45.00
REC. 5.00
TOTAL 50.00
STATE OF FLORIDA
COUNTY OF ESCAMBIA

WARRANTY DEED

Tax ID # _____

Return to:
Dale Title Company, Inc.
P. O. Box 386
Pensacola, Florida 32592
File Number: 83-7705GV

KNOW ALL MEN BY THESE PRESENTS: That

Earlene S. Odom, a divorced woman

, Grantor*

for and in consideration of Ten Dollars ($10.00) and other good and valuable considerations the receipt of which is hereby acknowledged has bargained, sold, conveyed and granted unto

Warren B. Zirkin and Wendy L. Zirkin, husband and wife

, Grantee*

Address: 421 Plainfield Ave. Pensacola, FL.

grantee's heirs, executors, administrators and assigns, forever, the following described property, situate, lying and being in the County of Escambia, State of Florida, to wit:

Lot TwentyOne (21) Block Two (2) in Plainfield Subdivision a subdivision of a portion of Section Five (5) Township One (1) South, Range Thirty (30) West according to plat filed in Plat Book Three (3) at Page Forty-seven (47) of the Public Records of Escambia County, Florida.

FILED & RECORDED IN THE PUBLIC RECORDS OF ESCAMBIA CO, FLA.
Dec 28 11 27 AM '83
JOE A. FLOYD
CLERK CIRCUIT COURT
ESCAMBIA COUNTY, FLA.

259237

Subject to taxes for current year and to valid easements and restrictions of record affecting the above property, if any, which are not hereby reimposed. Subject also to oil, gas and mineral reservations of record.
Said grantor does fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

*Wherever used herein, the term "grantee/grantor" shall include the heirs, personal representatives, successors and/or assigns of the respective parties hereto, the use of singular number shall include the plural, and the plural the singular, the use of any gender shall include the genders

IN WITNESS WHEREOF, grantor has hereunto set grantor's hand and seal on December 27, 1983

Signed, sealed and delivered
In the presence of:

Elizabeth Bergeron
Gayle A. Valinsky

Earlene S. Odom (SEAL)
Earlene S. Odom (SEAL)
(SEAL)
(SEAL)

STATE OF Florida
COUNTY OF Escambia

Before me the subscriber personally appeared Earlene S. Odom, a divorced woman

known to me, and known to me to be the individual described by said name in and who executed the foregoing instrument and acknowledged that, as grantor, executed the same for the uses and purposes therein set forth.

Given under my hand and seal on December 27, 19 83.

STATE OF FLORIDA
DOCUMENTARY STAMP TAX
DEPT. OF REVENUE
RECEIVED
$ 4.00

Gayle A. Valinsky
Notary Public
My Commission Expires: 2/5/85

(SEAL)

ALTA Commitment Form

COMMITMENT FOR TITLE INSURANCE
ISSUED BY

Stewart Title Guaranty Company

STEWART TITLE GUARANTY COMPANY, a Texas Corporation ("Company"), for a valuable consideration, commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the Proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest in the land described or referred to in Schedule A, upon payment of the premiums and charges and compliance with the Requirements; all subject to the provisions of Schedules A and B and to the Conditions of this Commitment.

This Commitment shall be effective only when the identity of the Proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A by the Company.

All liability and obligation under this Commitment shall cease and terminate six months after the Effective Date or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue the policy or policies is not the fault of the Company.

The Company will provide a sample of the policy form upon request.

This Commitment shall not be valid or binding until countersigned by a validating officer or authorized signatory.

IN WITNESS WHEREOF, Stewart Title Guaranty Company has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A.

Countersigned by:

Authorized Officer

Anchor Title & Escrow, LLC
Company Name

Pensacola, FL
City, State

stewart
title guaranty company

Matt Morris
President and CEO

Denise Carraux
Secretary

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CONDITIONS

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.

2. If the proposed Insured has or acquired actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions.

3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions and Conditions and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.

4. This Commitment is a contract to issue one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.

5. *The policy to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance is $2,000,000 or less shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. You may review a copy of the arbitration rules at http://www.alta.org/.*

STEWART TITLE GUARANTY COMPANY

All notices required to be given the Company and any statement in writing required to be furnished the Company shall be addressed to it at P.O. Box 2029, Houston, Texas 77252.

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COMMITMENT

SCHEDULE A

File Number: ATP0288

Inquiries should be directed to:

Anchor Title & Escrow, LLC
1331 Creighton Rd., Suite D
Pensacola, FL 32504

1. Effective Date: November 03, 2017 at 8:00 AM

2. Policy or Policies to be issued:	Amount
(a) ALTA Owner's Policy (6/17/06) with Florida Modifications	$1,000,000.00
Proposed Insured: Delaney Property Group, LLC	Premium:
(b) ALTA Loan Policy (6/17/06) with Florida Modifications	
Proposed Insured:	Premium:

3. The estate or interest in the land described or referred to in this Commitment and covered herein is: FEE SIMPLE

4. Title to the FEE SIMPLE estate or interest in said land is at the effective date hereof vested in:

Jeffrey J. Kates, by virtue of that certain Quit Claim Deed recorded in Official Records Book 5266, Page 1721, of the Public Records of Escambia County, Florida.

5. The land referred to in this Commitment is described as follows:

SEE EXHIBIT "A" ATTACHED HERETO FOR LEGAL DESCRIPTION

_____
Authorized Countersignature
(This Schedule A valid only when Schedule B is attached.)

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COMMITMENT

EXHIBIT "A"

File No.: ATP0288

Lot 1 and the West half of Lot 2, Block 2, Plainfield Subdivision, being a subdivision of a portion of Section 5, Township 1 South, Range 30 West, Escambia County, Florida, according to plat recorded in Plat Book 3, at Page 47, of the Public Records of said County.

AND

Lot 3 and the East one-half of Lot 2, Block 2, Plainfield Subdivision, being a subdivision of a portion of Section 5, Township 1 South, Range 30 West, Escambia County, Florida, according to plat recorded in Plat Book 3, at Page 47, of the Public Records of said County.

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COMMITMENT

SCHEDULE B-I

File No.: ATP0288

The following are the requirements to be complied with:

A. Instruments necessary to create the estate or interest to be insured must be properly executed, delivered and duly filed for record.

1. Record a Warranty Deed from Jeffrey J. Kates to Delaney Property Group, LLC conveying the property in Schedule "A". NOTE: If the grantors are individuals, and the property is homestead property, the spouse of said grantor must join in the execution of the Deed/Mortgage. If not homestead, then a statement to that effect must be reflected on the Deed/Mortgage.

2. The Company will require the following as to Delaney Property Group, LLC:

   A. Satisfactory evidence must be furnished establishing that Delaney Property Group, LLC is duly organized, validly existing, and in good standing under the laws of Florida currently and at date it acquired an interest in the insured property. On-line confirmation of both of the foregoing is sufficient.

   B. The deed or mortgage to be insured must be executed by a manager of a manager-managed limited liability company or a member of a member-managed limited liability company unless there is a recorded certified statement of authority which limits that authority. The online information provided by the Florida Department of State, Division of Corporations can be relied upon to obtain the identity of the manager or the member, as the case may be.

   C. If the members or managers are not identified in the articles of organization or the Department of State, Division of Corporation's website, the operating agreement must be produced. If an operating agreement does not exist or the information in the operating agreement conflicts with the information on file with the Division of Corporations, a recorded certified Statement of Authority certified by the Florida Secretary of State is to be recorded in official records of the county where the property lies.

   D. If a certified Statement of Authority, which is less than 5 years old is recorded in official records in the county where the property lies, you may rely upon it to establish the authority and identity of the party(ies) to execute the deed or mortgage to be insured. Determination must be made that the Statement of Authority has not been cancelled, limited by a subsequent Statement of Authority or a statement of disassociation by the named member or manager (such as being a debtor in bankruptcy.

   E. If a power of attorney is to be used to convey or mortgage the property on behalf of the limited liability company, absent a recorded certified statement of authority, review the articles of organization and the operating agreement to confirm the delegation of authority is permitted.

3. Release of the insured property from the Mortgage recorded 12/28/2001, in Official Records Book 4826, Page 1414, of the Public Records of Escambia County, Florida, in the original principal amount of $225,000.00 from Jeffrey J. Kates, a married man, individually and as Dr. Jeffrey Kates DDS, P.A., a Florida professional association to Suntrust Bank, d/b/a Suntrust Bank Northwest Florida.

4. Release of Assignment of Rents and Leases executed by Dr. Jeffrey Kates DDS, P.A., a Florida professional association to Suntrust Bank, d/b/a Suntrust Bank Northwest Florida recorded on 12/28/2001, in Official Records Book 4826, Page 1424, of the Public Records of Escambia County, Florida.

5. Taxes for the year 2017 under Tax ID 05-1S-30-0407-001-002 in the gross amount of $3,990.31 and special assessments, if any must be paid.

6. Taxes for the year 2017 under Tax ID 05-1S-30-0407-002-002 in the gross amount of $3,110.75 and special assessments, if any must be paid.

   Payment of any and all Special Assessments, Bills, Charges or Municipal Liens levied and/or assessed.

B. Affidavit from the seller and borrower stating:

1. That there are no matters pending against them that could give rise to a lien that would attach to the subject property

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between the effective date of the Commitment and the recording of instruments giving rise to the interest to be insured.

2. That the affiants have not executed and will not execute any instruments that would adversely affect the title to the subject property or the lien of any mortgage to be insured pursuant to the Commitment.

C. The closing funds pertaining to the transaction must be disbursed by or at the direction of the insurer or its agent.

D. Overlimits Approval for issuance of commitment and policy must be obtained from STG Underwriting Counsel if proposed amount of insurance in Schedule A exceeds issuing agent's authority as set forth in Underwriting Agreement.

E. An updated title examination, commencing as of the effective date of this Commitment, which shall be performed at or shortly prior to the closing of the transaction, should not reveal any title defects or other adverse matters appearing should be disposed of prior to closing to the satisfaction of the insurer or its agent.

END OF SCHEDULE B-I

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COMMITMENT

SCHEDULE B-II

File No.: ATP0288

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the Public Records or attaching subsequent to the Effective Date but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Standard Exceptions:

   a. Rights or claims of parties in possession not shown by the public records.

   b. Easements, or claims of easements, not shown by the public records.

   c. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey and inspection of the premises.

   d. Any lien, or right to a lien, for services, labor, or material hereto or hereafter furnished, imposed by law and not shown by the public records.

   e. Any adverse ownership claim by the State of Florida by right of sovereignty to any portion of the lands insured hereunder, including submerged, filled, and artificially exposed lands and lands accreted to such lands.

Special Exceptions:

3. Taxes and assessments for the year 2018 and subsequent years, which are not yet due and payable.
4. Any lien arising under Chapter 159, Florida Statutes, in favor of any city, town, village or port authority for unpaid service charges for service by any water system, sewer system or gas system servicing the lands described herein.
5. All matters shown on the plat recorded in Plat Book 3, Page 47, of the Public Records of Escambia County, Florida.
6. Covenants, conditions, easements and restrictions recorded in Deed Book 441, Page 52, of the Public Records of Escambia County, Florida, together with all amendments thereto, which may provide for association dues, fees and/or assessments, prior approval of sale, in addition to any easements, reservations, covenants, building set back requirements, option to purchase, right of first refusal, and any special assessments which may come due but omitting any such covenant based on race, color, religion, sex, familial status, national origin, handicap, sexual orientation, marital status, ancestry, source of income, disability, medical condition, or other unlawful basis.
7. Easement granted to Gulf Power Company as recorded in Deed Book 143, Page 206, of the Public Records of Escambia County, Florida.
8. Rights of parties in possession of the subject property by reason of unrecorded leases, if any.
9. Existing unrecorded leases, if any.

NOTE: The following 24 month chain of title is shown for informational purposes only and not the purpose of insuring: NONE

END OF SCHEDULE B-II

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STG Privacy Notice 1 (Rev 01/26/09) Stewart Title Companies

WHAT DO THE STEWART TITLE COMPANIES DO WITH YOUR PERSONAL INFORMATION?

Federal and applicable state law and regulations give consumers the right to limit some but not all sharing. Federal and applicablestate law regulations also require us to tell you how we collect, share, and protect your personal information. Please read this noticecarefully to understand how we use your personal information. This privacy notice is distributed on behalf of the Stewart TitleGuaranty Company and its affiliates (the Stewart Title Companies), pursuant to Title V of the Gramm-Leach-Bliley Act (GLBA).

The types of personal information we collect and share depend on the product or service that you have sought through us. Thisinformation can include social security numbers and driver's license number.

All financial companies, such as the Stewart Title Companies, need to share customers' personal information to run their everydaybusiness-to process transactions and maintain customer accounts. In the section below, we list the reasons that we can sharecustomers' personal information; the reasons that we choose to share; and whether you can limit this sharing.

Reasons we can share your personal information	Do we share?	Can you limit this sharing?
For our everyday business purposes- to process your transactions andmaintain your account. This may include running the business and managingcustomer accounts, such as processing transactions, mailing, and auditing services,and responding to court orders and legal investigations.	Yes	No
For our marketing purposes- to offer our products and services to you.	Yes	No
For joint marketing with other financial companies	No	We don't share
For our affiliates' everyday business purposes- information about yourtransactions and experiences. Affiliates are companies related by commonownership or control. They can be financial and non-financial companies. *Ouraffiliates may include companies with a Stewart name; financial companies,such as Stewart Title Company*	Yes	No
For our affiliates' everyday business purposes- information about yourcreditworthiness.	No	We don't share
For our affiliates to market to you-For your convenience, Stewart has developed a means for you to opt out from its affiliates marketing even though such mechanism is not legally required.	Yes	Yes, send your first and last name, the email address used in your transaction, your Stewart file number and the Stewart office location that is handling your transaction by email to optout@stewart.com or fax to 1-800-335-9591.
For non-affiliates to market to you. Non-affiliates are companies not related bycommon ownership or control. They can be financial and non-financial companies.	No	We don't share

We may disclose your personal information to our affiliates or to non-affiliates as permitted by law. If you request a transaction with anon-affiliate, such as a third party insurance company, we will disclose your personal information to that non-affiliate. [We do notcontrol their subsequent use of information, and suggest you refer to their privacy notices.]

Sharing Practices	
How often do the Stewart Title Companies notify me about their practices?	We must notify you about our sharing practices when you request a transaction.
How do the Stewart Title Companies protect my personal information?	To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. The measures include computer, file and building safeguards.
How do the Stewart Title Companies collect my personal information?	We collect your personal information, for example, when you • request insurance-related services • provide such information to us We also collect your personal information form others, such as the real

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PLAINFIELD

ESCAMBIA COUNTY, FLORIDA

A SUBDIVISION OF A PORTION OF SECTION 5, T1S, R30W

J.W. COOK
REG. SURVEYOR

SCALE 1" = 100'

PENSACOLA, FLA.
DECEMBER 1955

PB 3 PG 47

DEDICATION

MRS. BERTA G. BARRANGER, A WIDOW, THE OWNER OF THE LAND HEREIN DESCRIBED AND SUBDIVIDED, HEREBY APPROVE AND ADOPT THIS PLAT THEREOF AND DEDICATE TO THE USE OF THE PUBLIC, THE STREETS AS INDICATED HEREON.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Barbara G. Hicks Berta G. Barranger (SEAL)

J.W. Cook

STATE OF FLORIDA
COUNTY OF ESCAMBIA

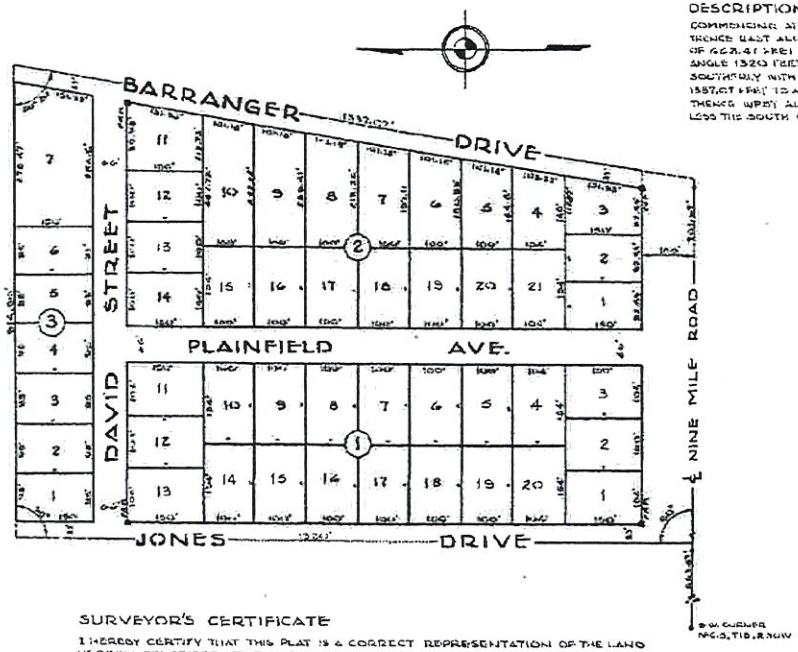
BEFORE THE SUBSCRIBER PERSONALLY APPEARED MRS. BERTA G. BARRANGER, KNOWN TO ME TO BE THE INDIVIDUAL DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND SHE ACKNOWLEDGED THAT SHE EXECUTED THE SAME FOR USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS 7th DAY OF DECEMBER 1955.

J.W. Cook

NOTARY PUBLIC - STATE OF FLORIDA
MY COMMISSION EXPIRES 12-19-58

NOTARY SEAL



DESCRIPTION

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 5, T1S, R30W, THENCE EAST ALONG THE SOUTH LINE OF SAID SECTION 5 A DISTANCE OF 662.41 FEET TO POINT OF BEGINNING, THENCE NORTH AT RIGHT ANGLE 1320 FEET, THENCE EAST AT RIGHT ANGLE 1314.50 FEET, THENCE SOUTHERLY WITH AN INTERIOR ANGLE OF 80°56' A DISTANCE OF 1387.67 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION, THENCE WEST ALONG SAID LINE 701.67 FEET TO POINT OF BEGINNING. LESS THE SOUTH 100 FEET FOR R/W OF THE NINE MILE ROAD.

CERTIFICATE OF APPROVAL OF COUNTY COMMISSIONERS

I, LANGLEY BELL, COUNTY CLERK OF ESCAMBIA COUNTY, FLA., HEREBY CERTIFY THAT THE WITHIN PLAT, BEING PRESENTED TO THE BOARD OF COUNTY COMMISSIONERS OF SAID COUNTY AT THEIR MEETING HELD THIS ____ DAY OF DECEMBER 1955, WAS APPROVED FOR FILING BY THE SAID BOARD AND I, CLERK OF SAID BOARD INSTRUCTED AS TO CERTIFY HEREON.

Langley Bell

COUNTY CLERK, ESCAMBIA COUNTY, FLA.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND HEREON DESCRIBED; THAT SAID LAND HAS BEEN SUBDIVIDED AND STAKED AS INDICATED; THAT PERMANENT REFERENCE MONUMENTS (INDICATED P.R.M.) HAVE BEEN PLACED AS REQUIRED BY THE PLAT ACT (CHAPTER 10278 OF THE 1925 ACTS OF THE LEGISLATURE OF FLORIDA) THAT THE SIGN (') MEANS FEET OR MINUTE AND THAT THE SIGN (") MEANS DEGREES.

J.W. Cook

LAND SURVEYOR FLA. REG. CERT. NO. 450

COUNTY CLERK'S CERTIFICATE

I, LANGLEY BELL, CLERK OF THE CIRCUIT COURT OF ESCAMBIA COUNTY, FLA. HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH ALL THE REQUIREMENTS OF THE PLAT ACT (CHAPTER 10278 OF THE 1925 ACTS OF THE LEGISLATURE OF FLA.) AND THE SAME WAS FILED FOR RECORD ON THE ____ DAY OF DECEMBER 1955, AND IN PLAT BOOK NO. 3 OF SAID COUNTY AT PAGE NO. 47.

Langley Bell

CLERK OF CIRCUIT COURT
ESCAMBIA COUNTY, FLA.

OFFICE COPY

Item No.
RESTRICTIONS

IN RE:

PLAINFIELD SUBDIVISION

Deed Book 441 page 52
Ack: March 27, 1956 before N.P.,
Seal (com exp 6/6/58)
Filed: April 9, 1956
2 Witnesses; Seal
Cons: premises

WHEREAS I the undersigned owner in fee simple of all of the Property known as Plainfield, being a subdivision of a portion of Section 5, Township 1 South, Range 30 West, Escambia County, Florida, described according to plat of said subdivision recorded in Plat Book 3 at page 47 of the Public Records of said County, desiring to encumber all of said property with restrictions set forth hereinafter, to enhance the value of the said property.

NOW, THEREFORE, in consideration of the premises and the benefits accruing therefrom, I Berta D. Barranger, a widow, owner in fee simple as aforesaid, do hereby encumber the above described property, each and every lot included therein with the following restrictive covenants and conditions which shall run with the land, and shall be binding on all persons and parties claiming under them, until January 1, 1990. If the parties hereto, or any of them, or their successors conditions herein, contained, it shall be lawful for any other person or persons owning any real property situated in said subdivision above described, to prosecute any proceedings at law or in equity, against such person or persons or corporations violating or attempting ot violate, any such covenante and conditions, to prevent such person or persons, from violating said covenante and conditions, and to recover damages for such violation.

Invalidation of any of these covenants by judgment or court order shall in no wise affect any of the other covenants which shall remain in full force and effect.

A. All lots heretofore described shall be known as residential lots, except those lots which are specifically excepted in Paragraph "B", and no structure shall be erected on any residential building lot, other than undetached single family dwelling, not to exceed two stories in height, and a private garage for the use of the occupants of said dwelling with living quarters above for servants, provided, however, no garage shall be erected with living quarters above for servants unless there shall first be constructed a dwelling house with not less than 850 square feet floor space.

B. Lots 1, 2 and 3 of Blcok 1; and Lots 1, 2 and 3 of Block 2 of said subdivision may be occupied for multi-family dwelling not to exceed two stories in height. All other restrictions of residential single family lots shall apply.

C. No building shall be located nearer than 30 feet from the front lot line or nearer than 10 feet to the side plot line. In any event, no building shall be located on any residential building plot nearer than 30 feet to the front lot line nor nearer than 10 feet to any side street line, nor nearer than 10 feet to any inside plot line, except a detached garage located 55 feet or more from the front lot line, but in any event no garage shall be located nearer than 3 feet to any side plot line.

continued

OFFICE COPY

D. No residential structure shall be erected or placed on any building plot, which has an area of less than 8,400 square feet.

E. All dwelling shall have at least one flush type toilet and one sink and must comply with Chapter 8 of the State Sanitary Code.

F. No noxious or offensive trade or activity shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

G. No basement, shack, garage, barn or other out building erected in the tract shall at any time be used as a residence, temporarily or permanently, nor shall any structure of a temporary character be used as a residence. Excepting trailor which may be used as a residence for not more than 1 year on any said lot.

H. No dwelling having a square foot area of less than 850 square feet in the floor space shall be constructed in the subdivision.

I. No fence of any description shall be erected nearer to the front lot line than the rear of the house on that lot. This restriction does not apply to a growing fence or hedge not over approximately 3 feet high.

J. All private pumping systems for water service for each indvidual home within this subdivision shall be enclosed.

ITEM NO.
EASEMENT

John B. Cotton and wife
Jessie Cotton

to

Gulf Power Company, a corporation

Deed Book 143 page 206
Dated: December 29, 1936
Ack: December 29, 1936
Before N. P., Seal (Com. exp. 12-14-40)
Filed: Jan. 4, 1937
2 Witnesses, Seals
Cons: $1.00

Grants and conveys the right to construct, maintain and operate its line of poles (consisting of 3 poles) as the same shall be located by said company, with the right from time to time to string wires thereon for the transmission of electric power and also the right to install, maintain and use the necessary anchors and guy wires in connection therewith upon, over and across the following described land in Escambia County, Florida, to-wit:

The SE¼ of Lot 4, and the SW¼ of Lot 5, Section 5, Township 1 South, Range 30 West, containing 40 acres more or less.

This line is to be constructed on the West side of large oak trees in front of my residence.

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Rec 10.50
Doc 1,627.50

Prepared by: THOMAS G. VAN MATRE, JR.
Taylor & Van Matre, P.A.
4300 Bayou Blvd, Suite 16 Pensacola, FL 32503
Incidental to the issuance of a title insurance policy.
File No.: 0172*L9-4386
Parcel ID # 05-1S-30-0407-001-002
Grantee(s) SS #

OR BK 4101 PG0301
Escambia County, Florida
INSTRUMENT 97-363370
DEED DOC STAMPS PD @ ESC CO $1627.50
02/18/97 ERNIE LEE MAGAHA, CLERK
By

WARRANTY DEED
(INDIVIDUAL)

This WARRANTY DEED, dated February 13, 1997
by
MICHAEL D. ODLAND and JODI A. ODLAND,
HUSBAND AND WIFE
whose post office address is
76 HIGHPOINT DRIVE GULF BREEZE, FL 32561
hereinafter called the GRANTOR, to
JEFFREY J. KATES, A MARRIED MAN

whose post office address is
1012 MALDONADO DRIVE, PENSACOLA BEACH, FL 32561
hereinafter called the GRANTEE:
(Wherever used herein the terms "GRANTOR" and "GRANTEE" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

WITNESSETH: That the GRANTOR, for and in consideration of the sum of $10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the GRANTEE, all that certain land situate in ESCAMBIA County, Florida, viz:

LOT 1, AND THE WEST HALF OF LOT 2, BLOCK 2, PLAINFIELD SUBDIVISION, BEING A SUBDIVISION OF A PORTION OF SECTION 5, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO PLAT RECORDED IN PLAT BOOK 3, AT PAGE 47, PUBLIC RECORDS OF SAID COUNTY.

SUBJECT TO covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes and assessments for the year 1997 and subsequent years; and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any.

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

TO HAVE AND TO HOLD, the same in fee simple forever.

AND THE GRANTOR hereby covenants with said GRANTEE that except as above noted, the GRANTOR is lawfully seized of said land in fee simple; that the GRANTOR has good right and lawful authority to sell and convey said land; that the GRANTOR hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, GRANTOR has signed and sealed these presents the date set forth above.

SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES:

Signature:
Print Name: Thomas G. Van Matre, JR.

Signature:
Print Name: Geri L. Lites

MICHAEL D. ODLAND

JODI A. ODLAND

State of Florida
County of ESCAMBIA

I am a notary public of the state of Florida, and my commission expires: 7/13/99

THE FOREGOING INSTRUMENT was acknowledged before me on February 13, 1997 by
MICHAEL D. ODLAND and JODI A. ODLAND, HUSBAND AND WIFE

who is personally known to me or who has produced PERSONALLY KNOWN as identification and who DID NOT take an oath.
(type of identification) (did/did not)

Thomas G. Van Matre, Jr.
Notary Public, State of Florida
Commission No. CC 463946
My Commission Expires 7/13/99

Signature:
Print Name: Notary Public

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OR BK 4101 PG0302
Escambia County, Florida
INSTRUMENT 97-363370

RESIDENTIAL SALES

ABUTTING ROADWAY MAINTENANCE DISCLOSURE

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

NAME OF ROADWAY: E. Nine Mile Road (STATE ROAD)

LEGAL ADDRESS OF PROPERTY: Lot 1, and the W 1/2 of Lot 2, Block 2, Plainfield

THE COUNTY ( ) HAS ACCEPTED (X) HAS NOT ACCEPTED THE ABUTTING ROADWAY FOR MAINTENANCE.

This form completed by: Taylor & Van Matre, P.A.
Name Thomas G. Van Matre, Jr.
4300 Bayou Blvd., Suite 16
Address
Pensacola, FL 32503
County, State, Zip Code
File # L9-4386

AS TO SELLER(S):

Seller's Name: Michael D. Odland

Seller's Name: Jodi A. Odland

Witness' Name: Thomas G. Van Matre, Jr.

Witness's Name: GERRI L. LILES

AS TO BUYER(S):

Buyer's Name: Jeffrey J. Kates

Buyer's Name:

Witness' Name: Thomas G. Van Matre, Jr.

Witness' Name: GERRI L. LILES

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

RCD Feb 18, 1997 03:17 pm
Escambia County, Florida

Ernie Lee Magaha
Clerk of the Circuit Court
INSTRUMENT 97-363370

15.00
1575.00

This instrument prepared by
Raymond B. Palmer
Raymond B. Palmer, P.A.
913 Gulf Breeze Parkway, Suite 41
Gulf Breeze, FL 32561
850-916-1000

Tax Parcel ID: 05-1S-30-0407-002-002

File No.: RE481KAT-01

OR BK 4826 PG 1411
Escambia County, Florida
INSTRUMENT 2001-915969

DEED DOC STAMPS PD @ ESC CO $1575.00
12/28/01 ERNIE LEE MAGAHA, CLERK
By: D.C.

[space above this line for recording]

Warranty Deed

(Statutory Form - FS 689.02)

This Indenture, made December 7, 2001, between **Ruby E. Blackburn, an unremarried widow**, of the County of Escambia in the State of Florida, party of the first part, whose post address is 1750 East Nine Mile Road, Pensacola, FL 32514, and **Jeffrey J. Kates, a married man**, party of the second part, and whose post office address is 1012 Maldonado Drive, Pensacola FL 32561, and whose Taxpayer Identification Number is 159-48-0828,

Witnesseth:

That the said party of the first part, for and in consideration of the sum of $10.00 and other valuable consideration, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said party of the second part, his heirs and assigns forever, the following described land, to wit:

Lot 3 and the East one-half of Lot 2, in Block 2, Plainfield, a subdivision of Section 5, Township 1 South, Range 30 West, Escambia County, Florida, according to Plat recorded in Plat Book 3, at Page 47, of the Public Records of said County.

Subject to easements, restrictions and reservations of record not coupled with a right of reverter and taxes for the current year.

And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

Signed, sealed and delivered in the presence of:

Victoria L. Meier
VICTORIA L. Meier

Callie Bonifay
CALLIE BONIFAY

Ruby E. Blackburn
Ruby E. Blackburn

OR BK 4826 PG 1412
Escambia County, Florida
INSTRUMENT 2001-915969

[space below this line for acknowledgments]

STATE OF FLORIDA }
} ACKNOWLEDGMENT
COUNTY OF SANTA ROSA }

The foregoing instrument was acknowledged before me on December 7, 2001, by Ruby E. Blackburn, who produced a Florida Driver's License as identification and who did not take an oath.

{notarial seal}

NOTARY PUBLIC:

Victoria L Meier

~~Raymond B. Palmer~~ VICTORIA L MEIER
State of Florida at Large
My commission expires:
My commission number is:

RESIDENTIAL SALES
ABUTTING ROADWAY
MAINTENANCE DISCLOSURE

OR BK 4826 PG1413
Escambia County, Florida
INSTRUMENT 2001-915969

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

Name 9 Mile Road
Legal Address of Property: (State Highway)
The County ( ) **has accepted** (x) **has not accepted** the above abutting roadway for maintenance at the above address.

This form completed by: **Public Works, Roads & Bridges Division**
601 Hwy 297A
Cantonment, Florida 32533

AS TO SELLER (S)

Seller's Name: Ruby E. Blackburn

Witness' Name VICTORIA L Meier

Seller's Name:

Witness' Name CALLIE BONIFAY

AS TO BUYER(S)

Buyer's Name: Jeffrey J. Kates

Witness' Name: [illegible]

Buyer's Name:

Witness' Name: VICTORIA L Meier

THIS FORM APPROVED BY THE
ESCAMBIA COUNTY BOARD OF COUNTY COMMISSIONERS
Effective 4/5/95

RCD Dec 28, 2001 10:24 am
Escambia County, Florida

ERNIE LEE MAGAHA
Clerk of the Circuit Court
INSTRUMENT 2001-915969

Board of Adjustment		**6. D.**
Meeting Date:	07/18/2018	
CASE:	CU-2018-12	
APPLICANT:	Scott Nicola, agent for William Long Jr, Owner	
ADDRESS:	1368 and 1370 W Nine Mile Rd	
PROPERTY REFERENCE NO.:	09-1S-30-2101-081-005, 09-1S-30-2101-080-005	
ZONING DISTRICT:	HC/LI, Heavy Commercial and Light Industrial	
FUTURE LAND USE:	MU-U, Mixed-Use Urban	
OVERLAY DISTRICT:	N/A	

SUBMISSION DATA:

REQUESTED CONDITIONAL USE:
Conditional Use request to allow on-premise alcohol consumption within 1000' of a child care facility.

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
Sale of Alcohol, Section 4-7.5(e)

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 stated that the hours of operation will be between 11a.m. and 2:30 p.m. daily for use as a bar.
2. The 1000-foot minimum distance is not achieved. It appears that based upon

measurements taken from the Escambia County GIS, the distance from the closet corner of the proposed use parcel (southeast corner) to the front door of the existing child care facility, located at 9441 Bowman Ave, is approximately 980 feet. The closest corner of the proposed use site was used in this measurement as there is no building onsite. The location of the proposed use will determine the actually distance, which maybe greater than or less than the 1000' feet requirement. See Exhibit A.

3. There are no conflicting uses that are visible to each other.
4. The applicant provided a site plan that shows a proposed outdoor area. This project has not been issued a Development Order from the county and any development must meet all requirements of the LDC.
5. There are no conditions or circumstances that would mitigate any incompatibility.

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 applicant has stated that the development will provide adequate capacity to serve the proposed use. The availability of facilities and services will be evaluated during the Site Plan review process and must meet all requirements of the Escambia County LDC.

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 submitted a site plan showing the proposed ingress to and egress from the site. On-site circulation will be evaluated during the Site Plan review process and must meet all requirements of the Escambia County LDC.

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

There appears to be no nuisances or hazards associated with the proposed use that will impact adjoining properties and properties in the immediate area. Furthermore, any nuisances or hazards associated with the proposed use will be evaluated during the Site Plan review process and must meet all requirements of the Escambia County LDC.

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 has submitted a site plan showing the proposed location of the solid waste containers. The solid waste locations will be evaluated during the Site Plan review process and must meet all requirements of the Escambia County LDC.

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 and buffering requirements will be evaluated during the Site Plan review process and must meet all requirements of the Escambia County LDC.

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:
The applicant states that all signs and lighting will be compatible with properties in the immediate are and constructed to county standards. These requirements will be evaluated during the Site Plan review process and must meet all requirements of the Escambia County LDC.

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:
Site characteristics will be evaluated during the Site Plan review process and must meet all requirements of the Escambia County LDC.

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 complies with requirements of the HC/LI zoning district. Other use requirements will be evaluated during the Site Plan review process and must meet all requirements of the Escambia County LDC.

STAFF FINDINGS

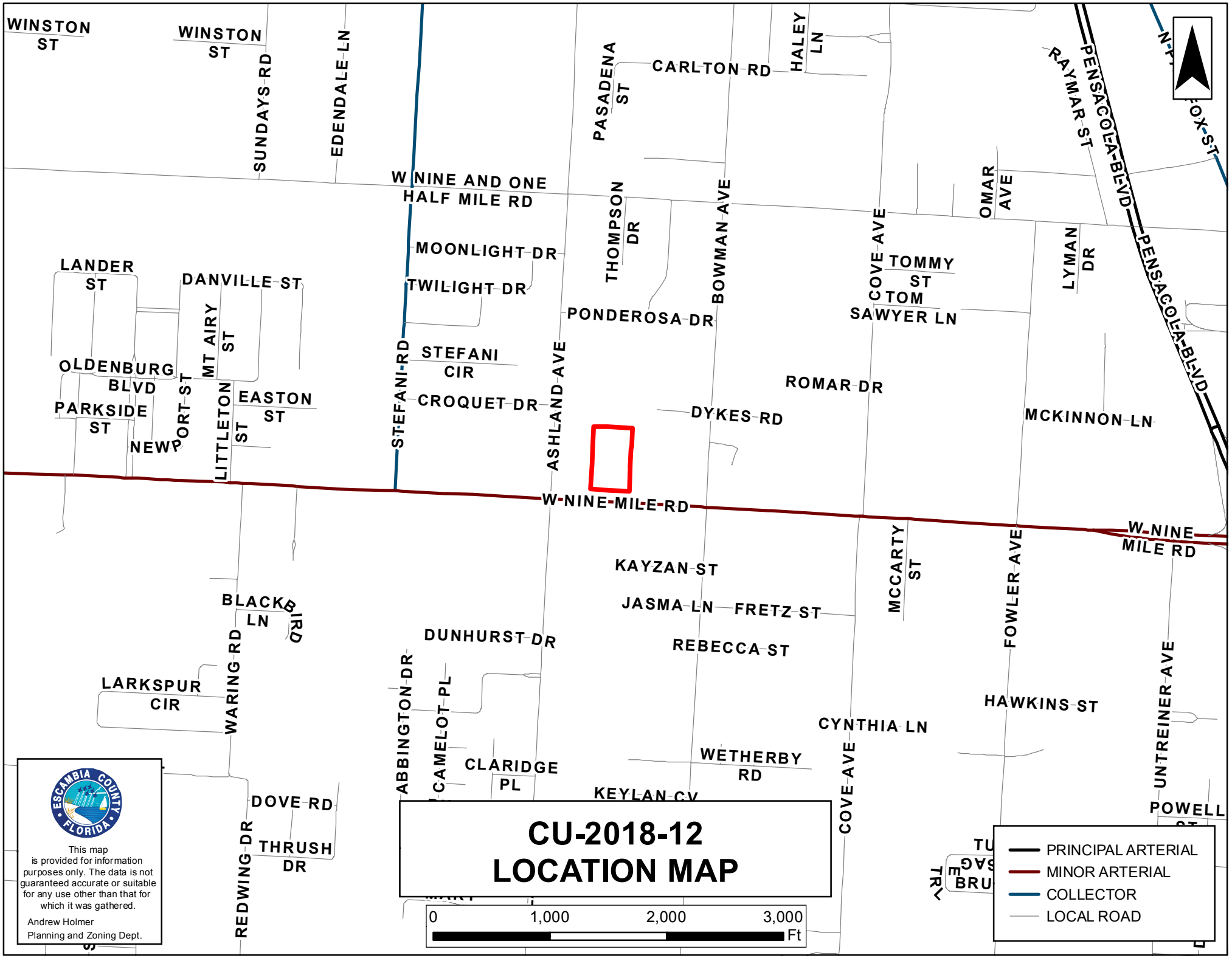
Staff recommends that the Board approve the proposed Conditional Use request with the following condition:

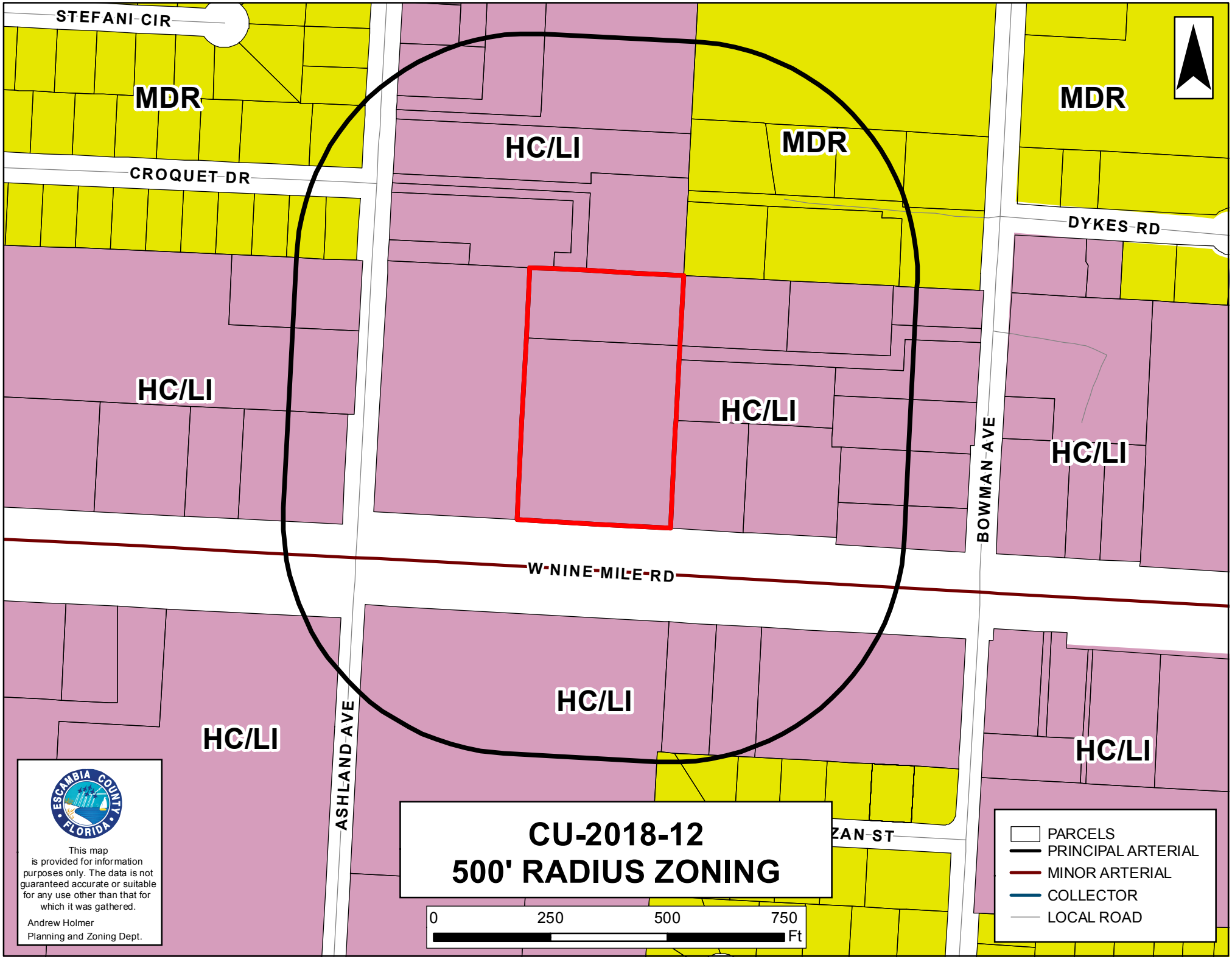
The project must meet all conditions imposed through the Development Review process.

Attachments

Working Case File
EXHIBIT A

CU-2018-12


WINSTON ST
WINSTON ST
SUNDAYS RD
EDENDALE LN
PASADENA ST
CARLTON RD
HALEY LN
RAYMAR ST
PENSACOLA BLVD
PENSACOLA BLVD
FOX ST
W NINE AND ONE HALF MILE RD
OMAR AVE
THOMPSON DR
BOWMAN AVE
COVE AVE
LYMAN DR
MOONLIGHT DR
TWILIGHT DR
TOMMY ST
TOM SAWYER LN
PONDEROSA DR
LANDER ST
DANVILLE ST
MT AIRY ST
OLDENBURG BLVD
PARKSIDE ST
NEWPORT ST
LITTLETON ST
EASTON ST
STEFANI CIR
STEFANI RD
CROQUET DR
ASHLAND AVE
ROMAR DR
DYKES RD
MCKINNON LN
W NINE MILE RD
W NINE MILE RD
KAYZAN ST
JASMA LN
FRETZ ST
MCCARTY ST
FOWLER AVE
BLACKBIRD LN
WARING RD
DUNHURST DR
REBECCA ST
ABBINGTON DR
CAMELOT PL
LARKSPUR CIR
HAWKINS ST
CYNTHIA LN
UNTREINER AVE
WETHERBY RD
CLARIDGE PL
KEYLAN CV
COVE AVE
POWELL
DOVE RD
THRUSH DR
REDWING DR
CU-2018-12
LOCATION MAP
0
1,000
2,000
3,000
Ft
PRINCIPAL ARTERIAL
MINOR ARTERIAL
COLLECTOR
LOCAL ROAD
ESCAMBIA COUNTY FLORIDA
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.


STEFANI CIR
CROQUET DR
DYKES RD
W NINE MILE RD
ASHLAND AVE
BOWMAN AVE
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HC/LI
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HC/LI
HC/LI
HC/LI
CU-2018-12
500' RADIUS ZONING
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250
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Ft
PARCELS
PRINCIPAL ARTERIAL
MINOR ARTERIAL
COLLECTOR
LOCAL ROAD
ESCAMBIA COUNTY FLORIDA
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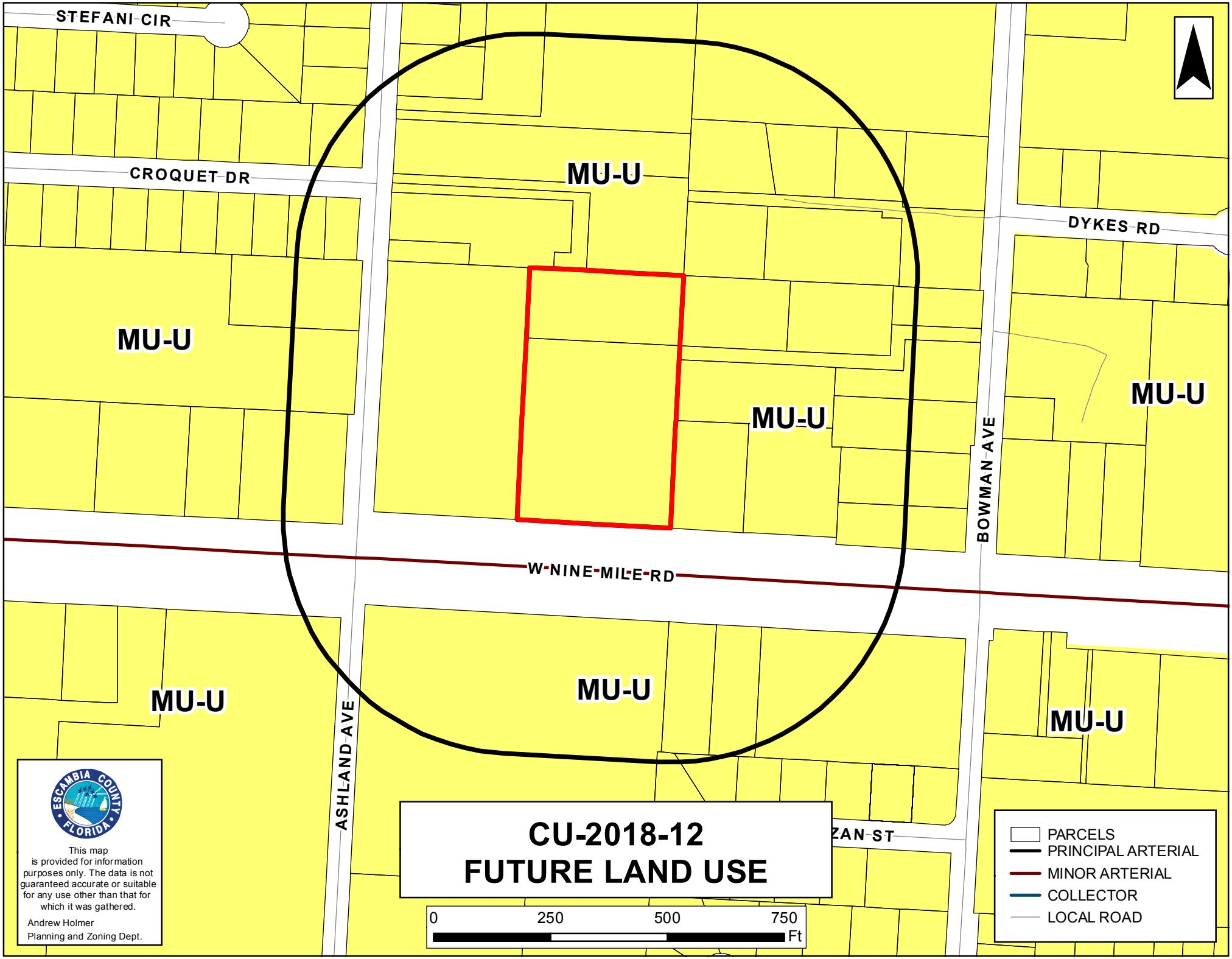
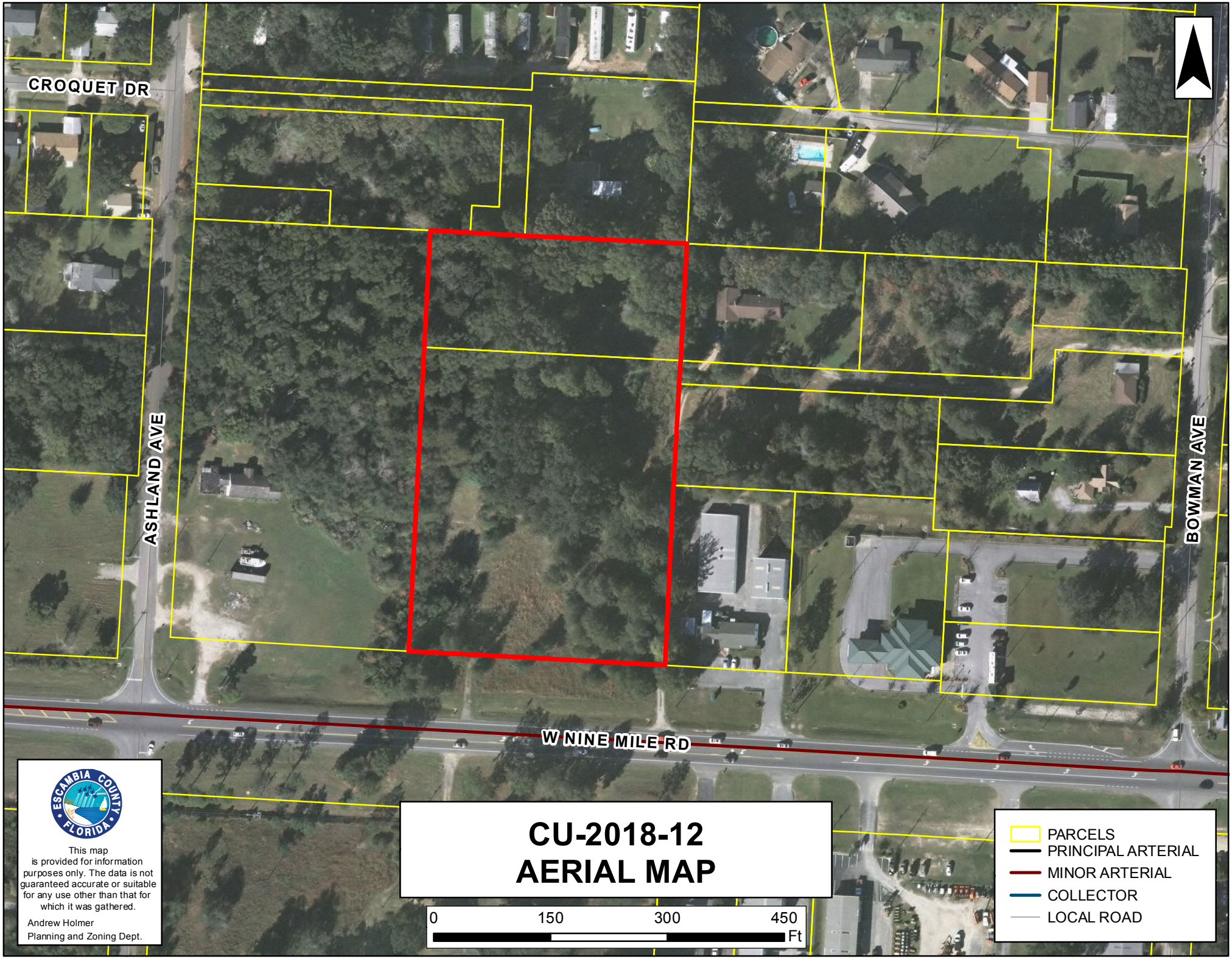
Planning and Zoning Dept.


STEFANI CIR
CROQUET DR
DYKES RD
BOWMAN AVE
W NINE MILE RD
ASHLAND AVE
ZAN ST
MU-U
MU-U
MU-U
MU-U
MU-U
MU-U
CU-2018-12
FUTURE LAND USE
0
250
500
750
Ft
PARCELS
PRINCIPAL ARTERIAL
MINOR ARTERIAL
COLLECTOR
LOCAL ROAD
ESCAMBIA COUNTY FLORIDA
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.


CROQUET DR
ASHLAND AVE
BOWMAN AVE
W NINE MILE RD
CU-2018-12
AERIAL MAP
0
150
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Ft
PARCELS
PRINCIPAL ARTERIAL
MINOR ARTERIAL
COLLECTOR
LOCAL ROAD
ESCAMBIA COUNTY FLORIDA
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.

Notice of Public Hearing Sign

Looking North onto site

Looking East along Nine Mile Rd

Looking South across Nine Mile Rd

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-18-12 Accepted by: CM/KM BOA Meeting: 7/11/18

Conditional Use Request for: ALCOHOL USE

Variance Request for: _____

1. **Contact Information:**
   - **A. Property Owner/Applicant:** LONG WILLIAM R JR
     Mailing Address: 6945 CHESNUT RD, MOLINO, FL 32534
     Business Phone: _____ Cell: _____
     Email: _____
   - **B. Authorized Agent (if applicable):** Scott Nicola
     Mailing Address: 7333 N DAVIS HWY, PENSACOLA FL 32504
     Business Phone: 850-473-0717 Cell: 850-393-0503
     Email: SCOTT@TICKETSPORTSBAR.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: 1368 W NINE MILE RD. PENSACOLA FL 32534 / 1370 W NINE MILE RD. PENSACOLA. FL 32534
     Parcel ID (s): 09 1S 30 21 01 080005 AND 09 1S 30 21 01 081005
   - **B.** Total acreage of the subject property: 4
   - **C.** Existing Zoning: HC/LI
     FLU Category: _____
   - **D.** Is the subject property developed (if yes, explain): NO
   - **E.** Sanitary Sewer: X Septic: _____

3. **Amendment Request**

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

TICKET SPORTS BAR 2 INC. AND SCOTT NICOLA ARE REQUESTING CONDITION USE FOR ALCOHOL SALES.

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.*

THIS SITE IS COMPATIBLE WITH CURRENT ZONING REQUIREMENTS TO RETAIL ALCOHOL BEVERAGES. PROPOSED SITE WILL HAVE A BUILDING TO BE OPERATED AS A SPORTS BAR (APPROX 4500 SQ FT) WHICH WILL OPERATE NORMALLY DURING THE HOURS OF 11AM TO 2:30 AM DAILY.

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.

THE DEVELOPEMENT WILL PROVIDE ADEQUATE CAPACITY TO SERVE THE PROPOSED USE.

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.

ALL ZONING & CODE REQUIREMENTS WILL BE SATISFIED IN SITE DEVELOPEMENT PLAN TO BE SUBMITTED FOR APPROVAL.

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.

SEE ABOVE

THERE WILL BE NO NUISANCES OR HAZARDS FOR PROPERTIES IN 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.

SEE ABOVE

SOLID WASTE CONTAINERS WILL BE LOCATED APPROPRIATELY AND REMOVED FREQUENTLY TO PREVENT ODOR & 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.

SEE ABOVE

SCREENING & BUFFERING WILL BE PROVIDED AS PER ESC. COUNTY REQUIREMENTS.

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.

SEE PARA: C3
SIGNS AND LIGHTING WILL BE COMPATIBLE WITH PROPERTIES IN IMMEDIATE AREA AND CONSTRUCTED TO APPLICABLE COUNTY REQUIREMENTS.

8. **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.

SEE PARA: C3
THE SITE DOES APPEAR TO ADEQUATELY ACCOMMODATE THE PROPOSED DEVELOPEMENT.

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

SEE PARA: C3
THE PROPOSED USE OF THE SITE COMPLIES WITH REQUIREMENTS OF THE ZONING DISTRICT, USE AND OTHER PROVISIONS OF THE LDC.

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 1370 W Nine Mile Rd, Pensacola FL 32534 + 1368 W Nine Mile Rd, Pns, FL 32534, Florida, property reference number(s) 091S302101080005 + 091530210108005

I hereby designate Ticket Sports Bar 2 Inc for the sole purpose of completing this application and making a presentation to the Board of Adjustment on the above referenced property. This Limited Power of Attorney is granted on this 13th day of June the year of, 2018, and is effective until 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 Department.

Agent Name: Scott Nicola, Ticket Sports Bar 2 Inc. Email: Scott@ticketsportsbar.com

Address: 7333 N Davis Hwy. Pensacola FL 32504 Phone: 850 393 0503

Signature of Property Owner | William R Long Jr | 6/13/18
Printed Name of Property Owner | Date

STATE OF Florida COUNTY OF Escambia
The foregoing instrument was acknowledged before me this 13 day of June 20 18, by William R Long Jr

Personally Known ☑ OR Produced Identification ☐. Type of Identification Produced: I

Nicole Butler
Signature of Notary | Printed Name of Notary

NICOLE BUTLER
Notary Public, State of Florida
Commission No. GG 157531
My Commission Expires 05/07/19
(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 595-3475.

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. ✓ 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 place a public notice sign(s) on the property referenced herein.; and
5) I am aware that Public Hearing notices (legal ad and/or postcards) for the request shall be provided by the Development Services Department.

[signature] Signature of Owner/Agent

Scott Nicola Printed Name of Owner/Agent

STATE OF Florida COUNTY OF Escambia The foregoing instrument was acknowledged before me this 14th day June of

_____ 20 18, by Janice M Costin.

Personally Known ☐ OR Produced Identification☐. Type of Identification Produced: Florida DL

[signature] Signature of Notary

JANICE M. COSTIN
Commission # GG 142144
Expires September 12, 2021
Bonded Thru Budget Notary Services

Janice M Costin Printed Name of Notary

(Notary Seal)

OR BK 4774 PG0058
Escambia County, Florida
INSTRUMENT 2001-885539

DEED DOC STAMPS PD @ ESC CO $ 0.70
09/25/01 ERNIE LEE MAGAHA, CLERK
By: Jennifer Driscoll

Return to: **William R. & Mary B. Long, Sr.**
1370 W. Nine Mile Road
Pensacola, FL 32534

Prepared by: Kathleen K. DeMaria
Smith, Sauer & DeMaria
P.O. Box 12446
Pensacola, FL 32582-2446

This deed is being prepared without the examination of title, with legal description being provided to preparer by grantor.

WARRANTY DEED

THIS INDENTURE, made this 18th day of September, 2001, between W. R. Long, a/k/a William R. Long, Sr. and Mary Long, a/k/a Mary B. Long, husband and wife, of the County of Escambia, State of Florida, hereinafter referred to as "grantor" and William R. Long, Sr. and Mary B. Long for their lives, and William R. Long, Sr. and Mary B. Long as Trustees of the Long Family Trust dated September 18, 2001, by and between William R. Long, Sr. and Mary B. Long as Grantors and William R. Long, Sr. and Mary B. Long as Trustees, whose post office address is 1370 W. Nine Mile Road, Pensacola, Florida 32534, and whose Social Security Numbers are _____ and _____, hereinafter called "grantee".

WITNESSETH, That said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00), and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, William R. Long, Sr. and Mary B. Long for their lives, and William R. Long, Sr. and Mary B. Long as Trustees of the Long Family Trust dated September 18, 2001, by and between William R. Long, Sr. and Mary B. Long as Grantors and William R. Long, Sr. and Mary B. Long as Trustees all of their interest in the following described land, situate, lying and being in Escambia County, Florida, to wit:

The East Half (E½) of Lots Seven (7) and Eight (8) in Block Five (5), Section 9, Township 1 South, Range 30 West.

LESS AND EXCEPT the North 150 feet of the East Half (E½) of Lot Seven (7) in Block Five (5), Plat of Pensacola Farmlands Subdivision of Section 9, Township 1 South, Range 30 West as recorded in Deed Book 67, Page 345 of the Public Records of Escambia County, Florida.

THIS IS THE HOMESTEAD OF THE GRANTOR.

Subject to taxes for the current year, zoning ordinances and restrictions, limitations and easements of record.

The above described property bearing Property Appraiser Parcel Identification No. 09-1S-30-2101-080-005.

And said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever. Grantor of the trust has conferred on the trustee the power and authority to protect, conserve, sell, lease, encumber, or otherwise manage and dispose of the real property described in this instrument.

*"Grantor" and "Grantee" are used for singular or plural, as context requires.

Source: Escambia County Property Appraiser

Navigate Mode ◉ Account ○ Reference

Restore Full Page Version

General Information

Reference:	091S302101080005
Account:	014928000
Owners:	LONG WILLIAM R JR SUCCESSOR TRUSTEE FOR LONG FAMILY TRUST
Mail:	C/O WILLIAM R LONG JR 6945 CHESTNUT RD MOLINO, FL 32577
Situs:	1370 W NINE MILE RD 32534
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
2017	$304,710	$483	$305,193	$305,193
2016	$304,710	$483	$305,193	$305,193
2015	$304,710	$483	$305,193	$305,193

Disclaimer

Amendment 1/Portability Calculations

File for New Homestead Exemption Online

Sales Data

Sale Date	Book	Page	Value	Type	Official Records (New Window)
02/27/2008	6530	333	$100	OT	View Instr
08/2002	6530	334	$100	OT	View Instr
09/2001	6530	366	$100	OT	View Instr
09/2001	4774	58	$100	WD	View Instr

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

2017 Certified Roll Exemptions

None

Legal Description

E1/2 OF LTS 7 8 BLK 5 S/D OF SECTION LESS NE1/4 PLAT DB 67 P 345 DB 394 P 463 OR 4774 P 58 OR 6325 P 1304 OR 6530 P...

Extra Features

FRAME BUILDING
FRAME GARAGE
FRAME SHED
GAZEBO

Parcel Information

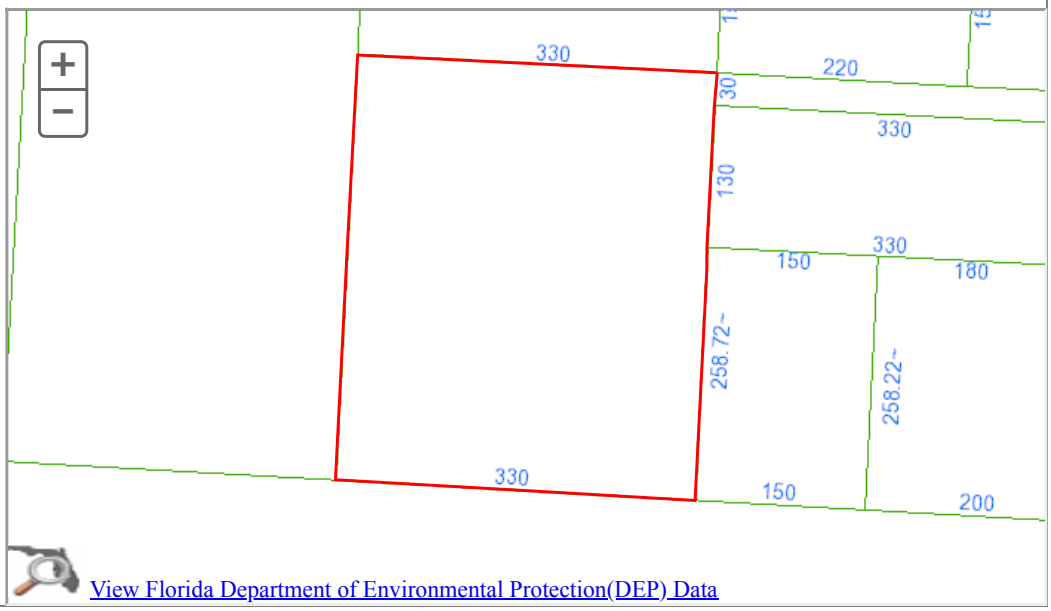
Launch Interactive Map

Section Map Id:
09-1S-30-2

Approx. Acreage:
3.1700

Zoned:
HC/LI

Evacuation & Flood Information
Open Report



View Florida Department of Environmental Protection(DEP) Data

ASHLAND AVE.

SW. COR. SEC. 9
T-1-S R-30-W
EXIST. ESC. Co
ENG. NAIL AND
DISC

N. 00°04'21" W.
WEST LINE SECTION 9

334.25'

N. 89°59'25"E.

NORTH R/W LINE

WEST ½ OF LOT 8
HOMESITE

LOT 8

LOT 7

WEST ½ OF LOT 7
WOODED

659.30'

NORTH

N. 89°59'37"E.
333.87'

N. LINE OF S.W.¼ OF S.W.¼ OF SEC. 9
N. LINE OF LOT 7

N. 00°06'20"W. 556.46'

103.42'

129.37'

23.3'

23.5'

60.0'

EXIST. WOODEN PRIVACY FENCE

CANOPY

EXIST. WOOD RAIL FENCE

POOL

129.50'

EXIST. 8' WIDE SHELL DRIVE

WOODEN STG. SHED

DOG PEN

CARPORT

WOODEN SHED

203.20'

334.19'

ONE STORY CONC. BLK RES.

CANOPY

206.02'

62.0'

EXIST. WD. FRAME & CONC. BLOCK GARAGE

EAST ½ LOT 8

EAST ½ LOT 7

77.20'

M. HOME

CARPORT

80.00'

57.00'

54.60'

54.90'

TIN SHED

EXIST. DIRT & CLAM SHELL DRIVE

102.81'

N. 00°08'19"W. 557.05'

SET ½" DIA. CAPPED IRON ROD No. 3286 TYP. OF 4 CORNERS

E. LINE OF S.W.¼ OF S.W.¼ OF SEC. 9
E. LINE OF LOTS 7 & 8

EXIST. 1" DIA I. ROD

HOMESITE

HOMESITE

BLOCK 5

10 - 9 MILE Rd.
200' R/W

S.R. No. 10

S. 89°59'25"E. 334.25'

SOUTH LINE SECTION 9

N. 89°54'18"W.

EXIST. WOVEN WIRE FENCE LINE

HOMESITE

9

10

Legal Description:

The East 1/2 of Lots 7 and 8, Block 5, plat of Pensacola Farmlands Subdivision of Section 9, Township 1 South, Range 30 West as recorded in deed book 67 at page 345 of the public records of Escambia County, Florida. Less and except that portion for road right-of-way.

Notes:
1. All measurements were made according to United States Standard Foot.
2. Survey not valid unless stamped with an embossed seal.
3. No underground installations or improvements have been located except as shown.
4. North & bearings shown are assumed using a base bearing of N 90°00'00" W for the north line of the S.W. 1/4 of Section 9, Township 1 South, Range 30 West.
5. No instruments of record reflecting easements, rights of way and or ownership were furnished this surveyor except as shown.
6. Encroachments and improvements are as shown.
7. Ref. source: deed legal description as furnished by client, Escambia County, Florida section map No. 34 & existing sectional monumentation.
8. Boundary closure meets rural standards as per section 472.007 of the Florida Statutes for land survey practices.

I HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREON IS NOT WITHIN THE 100 YEAR FLOOD PRONE AREA, ACCORDING TO THE FLOOD INSURANCE RATE MAP.

I HEREBY CERTIFY THE SURVEY SHOWN HEREON MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS, PURSUANT TO SECTION 47-17.027, FLORIDA STATUTES.

REGISTERED LAND SURVEYOR No. 3286 STATE OF FL

BOUNDARY SURVEY

SCALE: 1" = 40.00'	APPROVED BY:	F.B. 1-S 30, P. 36	DRAWN BY M.N.
DATE: DRN. 7/20/87	F.W. - B.M. 7/15/87		REVISED

FOR WILLIAM LONG SR.

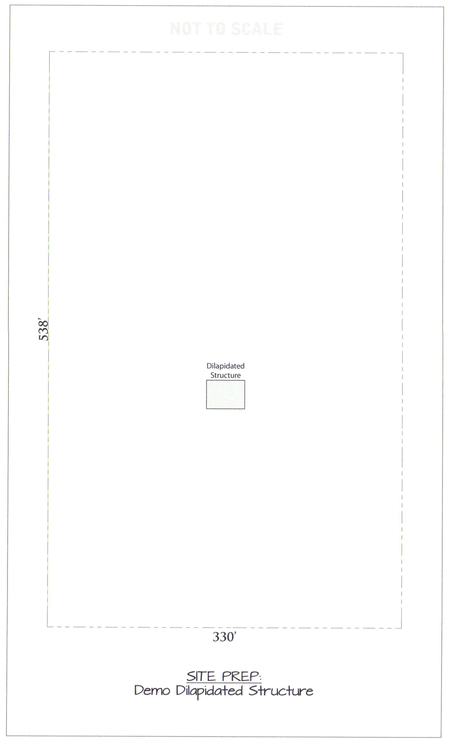
SEC. 9 T-1-S, R-30-W

DRAWING NUMBER 87/7-22

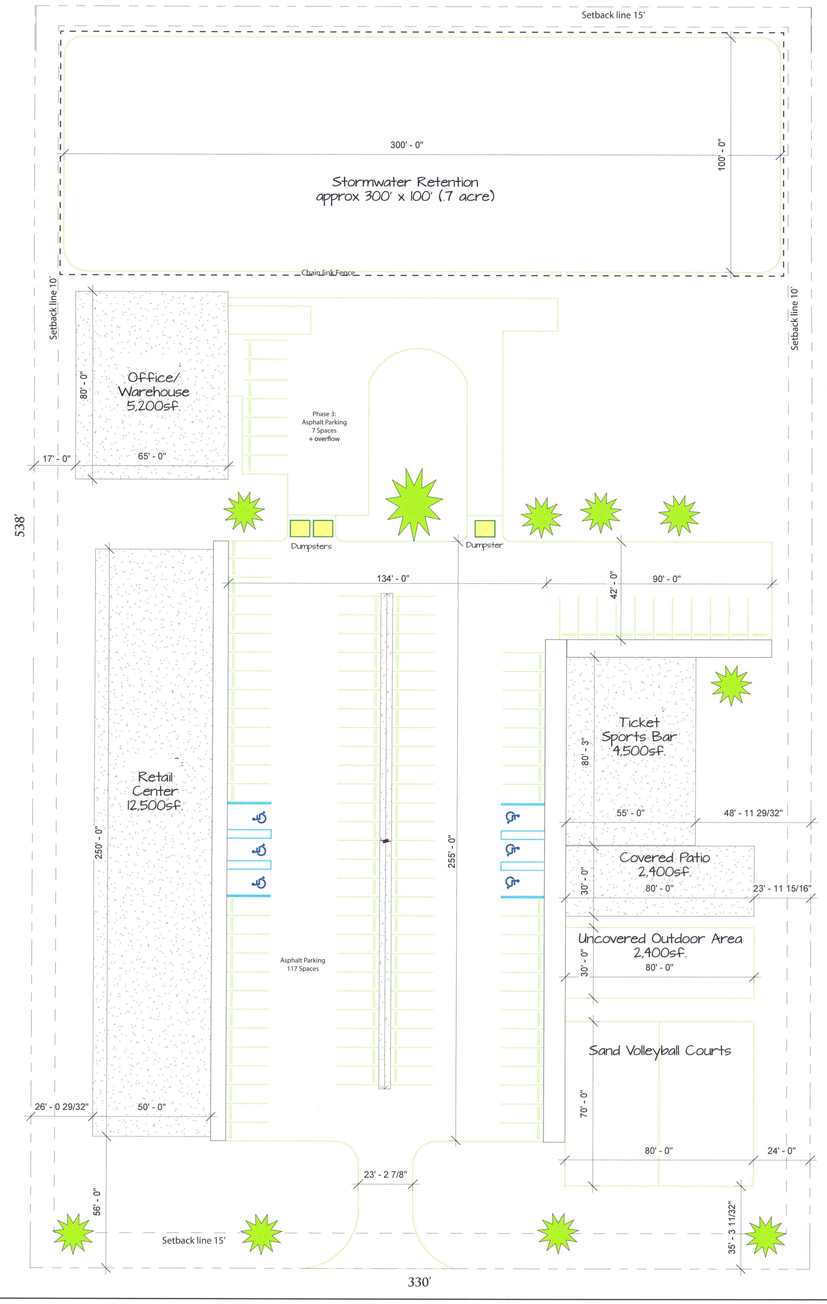
LEWIS J. PARKER R.L.S. 3560 W. FAIRFIELD DR. PENSACOLA FLORIDA

18 X 24 PRINTED ON NO. 1000H CLEARPRINT®

NOT TO SCALE



SITE PREP:
Demo Dilapidated Structure



IMPERVIOUS AREA
Totals- 71,303
approx 1.63 acres

Ticket Sports Bar	Retail Center	Office/Warehouse
Approx 6,900sf. Parking and Sidewalks approx 12,685sf.	Approx 12,500sf. Sidewalks approx 1,550sf.	Approx 5,200sf. Parking and Sidewalks approx 7,750sf.

DIRECTION OF WATERFLOW
Site is Flat

1 SITE PLAN
1" = 30'-0"

WEST NINE MILE ROAD

THE INFORMATION ON THIS SHEET IS COPYRIGHTED CONFIDENTIAL MATERIAL WHICH PROVIDED TO THE RECIPIENT FOR THE COORDINATION OF ITS WORK EFFORTS WITH BOYLES CONSTRUCTION. IT SHALL NOT BE COPIED OR PROVIDED TO ANY OTHER PARTIES FOR ANY USE. THIS INFORMATION SUPPLIED IS SUBJECT TO CHANGE AT THE DISCRETION OF BOYLES CONSTRUCTION AND IT IS THE RESPONSIBILITY OF THE RECIPIENT TO REQUEST PERIODIC UPDATES.

BOYLES CONSTRUCTION
design/build ▪ general contractor ▪ interiors
101 E. Brainerd St.
Pensacola, Florida 32501
Voice 850 ▪ 434 ▪ 5522
Fax 850 ▪ 434 ▪ 5565
BoylesConstruction.com
CBC1520402

TICKETS SPORTS BAR #3
NEW FACILITY
ESCAMBIA COUNTY, FLORIDA

SEAL:
date
NOT APPLICABLE

No.	Date	Revision
1	04/16/18	PAD LAYOUT

SITE PLAN LAYOUT

Dr.	
Ck.	MAB
Apr.	MAB
Date	MAB
Proj.	

SP101

STARLIGHT DR
PONDEROSA DR
STEFANI CIR
CROQUET DR
DYKES RD
PROPOSED USE
(ALCOHOL SALES)
CHILD CARE FACILITY
ASHLAND AVE
BOWMAN AVE
W NINE MILE RD
APPROX. 980' FEET
KAYZAN ST
CU-2018-12
EXHIBIT A
0
250
500
750
1,000
Ft
PARCELS
PRINCIPAL ARTERIAL
MINOR ARTERIAL
COLLECTOR
LOCAL ROAD
ESCAMBIA COUNTY FLORIDA
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.
Caleb MacCartee
Planning and Zoning Dept.

DEVELOPMENT SERVICES
ADMINISTRATIVE APPEAL WORKSHEET

Board of Adjustment **6. E.**
Meeting Date: 07/18/2018

I. SUBMISSION DATA:

Applicant: Frances Ogden
Date of Administrative Decision: Feb 12, 2018
Date of Appeal Application: June 11, 2018
Project Address: 5312 Pale Moon Dr.
Property Reference No.: 11-3S-32-3000-000-001
Zoning District: LDR, Low Density Residential
Future Land Use: MU-S, Mixed Use -Suburban

III. REQUESTED APPEAL::

The applicant is appealing an after-the-fact land disturbance permit granted for land clearing and fill on the subject property.

III. RELEVANT APPEAL AUTHORITY:

Land Development Code of Escambia County, Florida (Ordinance 96-3 as amended), Section: 2.04.00 & 2.04.01

Sections 2.04.00, Appeal of Administrative Decisions and 2.04.01, Procedures for the Appeal of Administrative Decisions of the Escambia County Land Development Code (Ordinance No. 96-3 as amended), provide the relevant authority for the BOA's review of administrative decisions.

A. The BOA is authorized to hear and to rule upon any appeal made by those persons aggrieved by administration of this Code. An administrative decision, or staff interpretation, shall not be reversed, altered, or modified by the BOA unless it finds that:

1. A written application for the appeal was submitted within 15 days of the administrative decision or action indicating the section of this Code under which said appeal applies together with a statement of the grounds on which the appeal is based; and

2. That the person filing said appeal has established that the decision or action of the administrative official was arbitrary and capricious; or

3. An aggrieved party who files an appeal of a decision of the DRC approving or approving with conditions a development plan application, must show, by competent substantial evidence that:

(i) The decision of the DRC is not in compliance with the Comprehensive Plan or the Land Development Code;

(ii) Their property will suffer an adverse impact as a result of the development approval decision;

(iii) The adverse impact must be to a specific interest protected or furthered by the Comprehensive Plan or the Land Development Code; and

(iv) It must be greater in degree than any adverse impact shared by the community at large.

4. In the event the owner, developer, or applicant is aggrieved or adversely affected by a denial of a development plan application or the imposition of conditions, the owner, developer or applicant filing the appeal must show, by competent substantial evidence, that the denial of the development plan or the imposition of conditions is neither required nor supported by the Comprehensive Plan or the Land Development Code or the application of technical design standards and specifications adopted by reference in the Code, or Concurrency Management Procedures and is, therefore, arbitrary and capricious.

IV. BACKGROUND INFORMATION

On January 11, 2018, an officer from the County Environmental Code Enforcement responded to a complaint regarding land clearing and fill on 5312 Pale Moon Drive. The officer found un-permitted land clearing, dirt fill, and a retaining wall along the north side of the site. A Notice of Violation (NOV) was issued upon those findings.

The site was reinspected on Jan. 29 and again on Feb. 5, resulting in an updated NOV.

On Feb. 12, the after-the-fact land disturbance was issued by staff and included a 4x fee for failure to acquire the permit before commencing with the work.

Following a discussion before the Board of County Commissioners (BCC), the Applicant filed this administrative appeal on June 11, 2018.

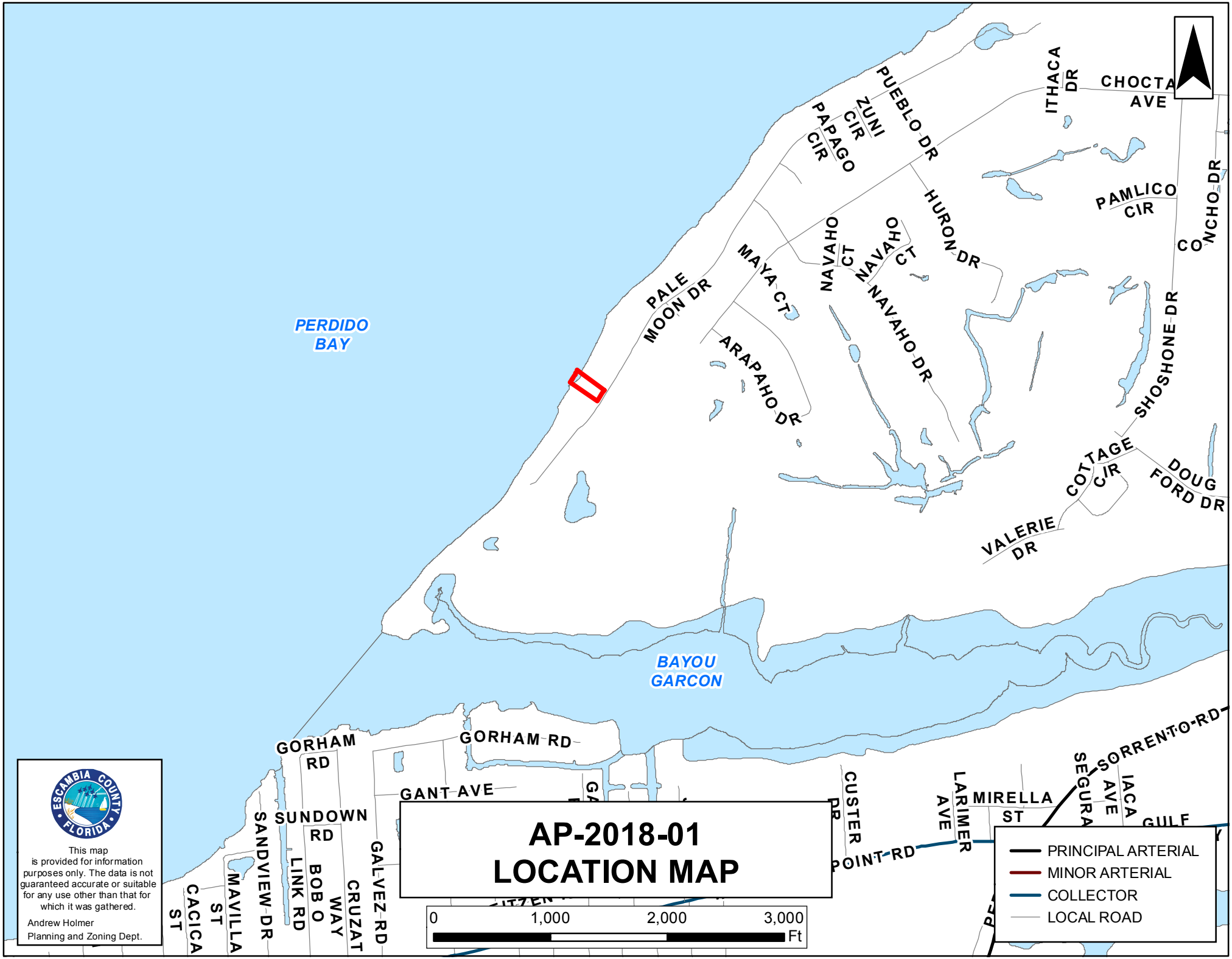
In addition to the specific permit that is the subject of this appeal, a storm water management permit and a building permit have been issued for the subject property.

Attachments

Working Case File

Chronology Memo
Public Records Request (was provided to Applicant)
Approved Stormwater Management Plan
Approved Plans
Notice of Appearance Filed by Meredith Crawford
Motion to Dismiss Filed by Lisa Minshew

AP-2018-01


PERDIDO BAY
BAYOU GARCON
PALE MOON DR
MAYA CT
ARAPAHO DR
NAVAHO CT
NAVAHO CT
NAVAHO DR
HURON DR
PUEBLO DR
ZUNI CIR
PAPAGO CIR
ITHACA DR
CHOCTA AVE
PAMLICO CIR
CONCHO DR
SHOSHONE DR
COTTAGE CIR
DOUG FORD DR
VALERIE DR
GORHAM RD
GORHAM RD
GANT AVE
SUNDOWN RD
SANDVIEW DR
LINK RD
BOB O WAY
GALVEZ RD
CRUZAT ST
MAVILLA ST
CACICA ST
CUSTER DR
POINT RD
LARIMER AVE
MIRELLA ST
SEGURA AVE
IACA
SORRENTO RD
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AP-2018-01
LOCATION MAP
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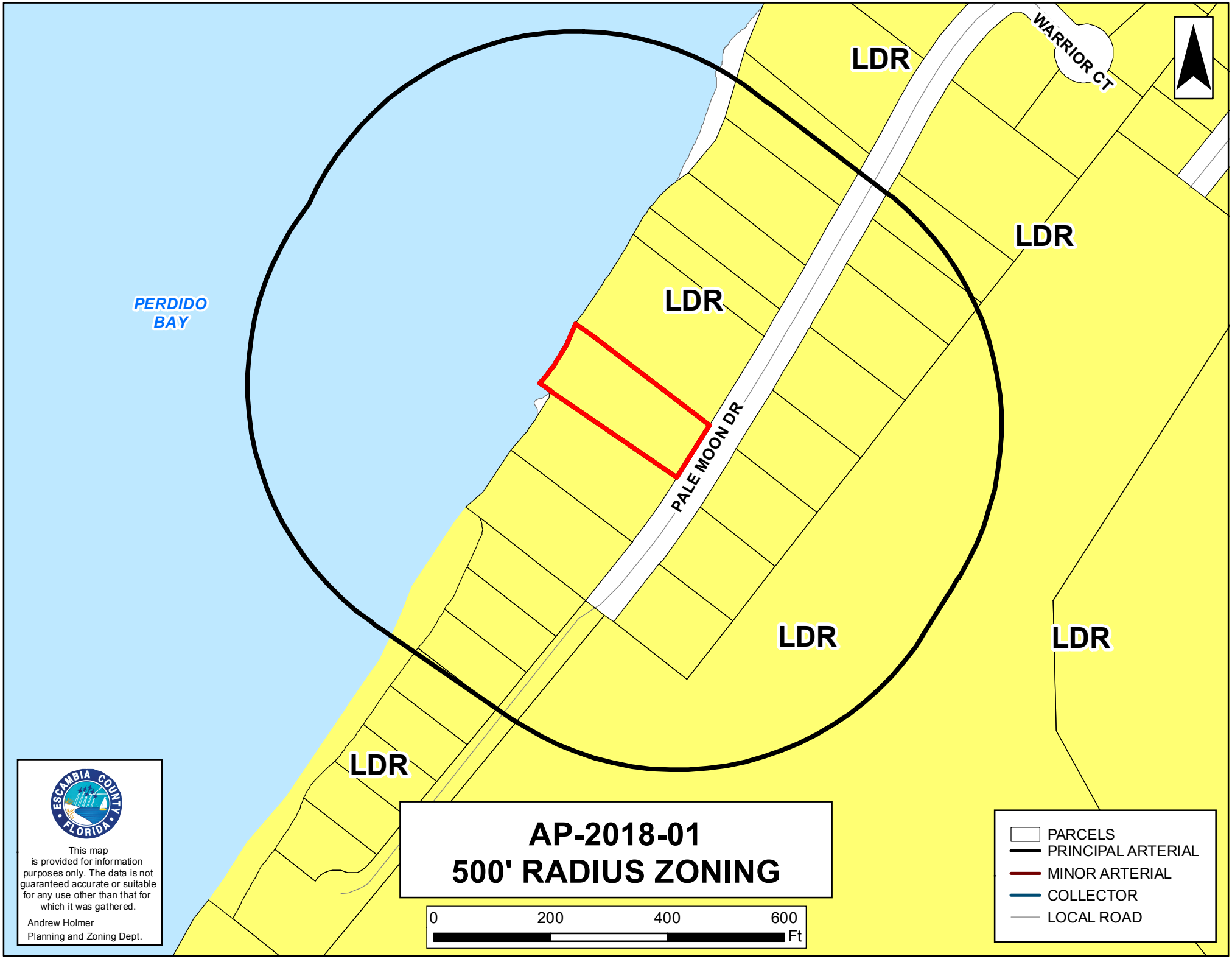
Ft
PRINCIPAL ARTERIAL
MINOR ARTERIAL
COLLECTOR
LOCAL ROAD
ESCAMBIA COUNTY FLORIDA
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.
Andrew Holmer
Planning and Zoning Dept.


LDR
WARRIOR CT
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PERDIDO BAY
LDR
PALE MOON DR
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LDR
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AP-2018-01
500' RADIUS ZONING
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400
600
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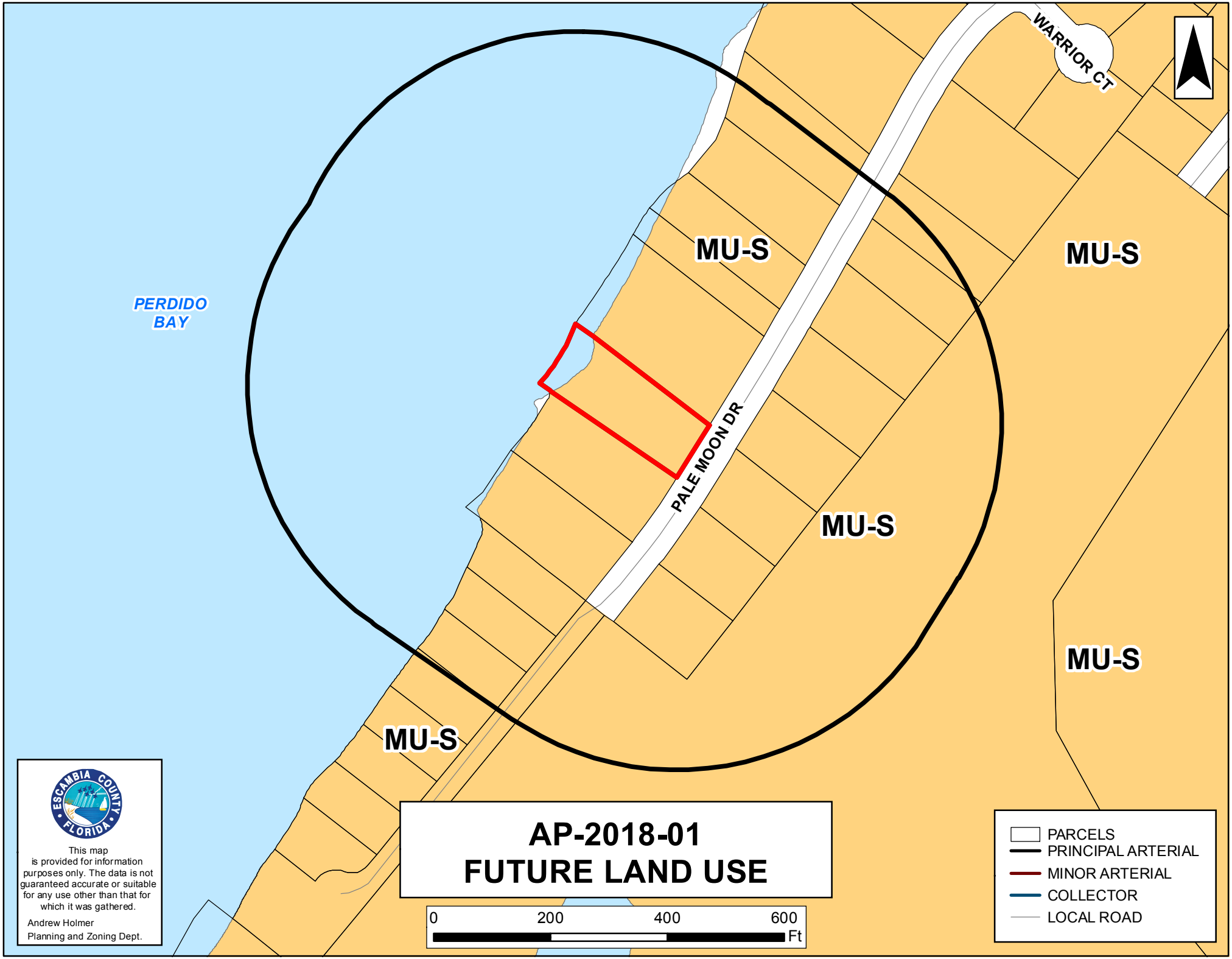
PARCELS
PRINCIPAL ARTERIAL
MINOR ARTERIAL
COLLECTOR
LOCAL ROAD
ESCAMBIA COUNTY FLORIDA
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.
Andrew Holmer
Planning and Zoning Dept.


WARRIOR CT
PERDIDO BAY
MU-S
MU-S
PALE MOON DR
MU-S
MU-S
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AP-2018-01
FUTURE LAND USE
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PARCELS
PRINCIPAL ARTERIAL
MINOR ARTERIAL
COLLECTOR
LOCAL ROAD
ESCAMBIA COUNTY FLORIDA
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.
Andrew Holmer
Planning and Zoning Dept.

AP-2018-01
AERIAL MAP

0 50 100 150 Ft

PARCELS
PRINCIPAL ARTERIAL
MINOR ARTERIAL
COLLECTOR
LOCAL ROAD

ESCAMBIA COUNTY FLORIDA

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Andrew Holmer
Planning and Zoning Dept.

MOON DR
AP-2018-01
WETLANDS MAP
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50
100
150
Ft
PARCELS
PRINCIPAL ARTERIAL
MINOR ARTERIAL
COLLECTOR
LOCAL ROAD
WETLANDS_2006
ESCAMBIA COUNTY FLORIDA
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.

Public Hearing Sign

Public Hearing Sign

South Property Line

Property Line

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: _____

_____ Development Order Extension

_✓_ Administrative Appeal

1. Contact Information:

   A. Property Owner/Applicant: Frances Ogden
   Mailing Address: 5330 Pale Moon Dr
   Business Phone: _____ Cell: 850-737-3436
   Email: franogdenRD@gmail.com

   B. Authorized Agent (if applicable): _____
   Mailing Address: N/A
   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. Project Name & Development Order Number (if applicable): LD Permit 1802404 PLM
   5312 Pale Moon Dr. After the fact.

   B. Existing Street Address: _____
   Parcel ID (s): _____

   C. Total acreage of the subject property: Entire lot

3. **Reason for Request**

A. Please explain why the extension or administrative appeal is necessary.

Denied access by way of omission.

B. **Development Order Extension**

The LDC requires good faith efforts in adhering to its established periods, but extension of an eligible LDC time limit may be requested according to the provisions of this section whereby a landowner asserts that the limit does not anticipate legitimate delays in compliance. However, no applicant is automatically entitled to any extension. Short-term (6 month) extensions are evaluated by the Planning Official, and longer extensions (one year) shall be evaluated through a quasi-judicial public hearing review by the BOA. These extension processes allow additional time for concluding the compliance review, developing an approved use, and continuing or reestablishing some uses.

1. Limits on extensions. Extensions to LDC periods are subject to the following limitations:

a. Availability. Extensions are available and may be granted only for LDC periods that specifically provide that option, only if a complete application for the extension was submitted prior to the expiration of the period for which the extension is requested, and only as otherwise allowed by the provisions of the LDC.

b. Approving authority. Extensions to any period not required by the LDC but imposed as a condition of approval by an approving authority cannot be granted by another approving authority.

c. Individual and multiple limits. An extension can only be granted based on a specific review of an individual period. If an extension of more than one period is requested, the extension criteria shall be evaluated for each limit.

C. **Administrative Appeal**

Application for appeal of an administrative decision shall be submitted for compliance review within 15 days after the date of the decision being appealed. A quasi-judicial public hearing for the appeal shall be scheduled to occur within 30 business days after receipt of a complete application. The application shall provide information as required by the adopted appeal procedures, including the following:

1. Decision appealed. A copy of the written administrative decision to be reviewed on appeal.

2. LDC reference. Identification of the specific LDC provisions for which noncompliance is alleged.

3. Alleged error. A description of how the decision of the administrative official is considered arbitrary or capricious.

BOCC mandated

w/out referencing the code

4. Conditions. Documentation satisfying the conditions established in the compliance review provisions of this section.

5. Remedy. A description of the proposed remedy.

6. Other information. Any other pertinent information the applicant wishes to have considered.

D. Medical Hardship

Temporary placement of a manufactured (mobile) home or park trailer may be requested according to the provisions of this section when a landowner asserts that existing medical conditions require in-home care and an accessory dwelling to reasonably provide it. The manufactured home may be placed within any mainland zoning district to remedy a medical hardship according to the temporary use provisions of Chapter 4, regardless of the density limits of the applicable zoning. The requirements to grant the temporary use of a manufactured home or park trailer as an accessory dwelling to provide in-home medical care is considered by the BOA in a quasi-judicial hearing whether conditions warrant such use.

The BOA shall conduct a quasi-judicial public hearing as noticed to consider the requested medical hardship temporary use of a manufactured home or park trailer according to the provisions of this article. The applicant has the burden of presenting competent substantial evidence to the board that establishes each of the following conditions:

1. Certified need. A Florida-licensed physician certifies in writing the medical need, specifying the extent of the need for in-home medical care and the approximate length of time for such in-home medical care.

2. Minimum necessary. Conditions and circumstances make it difficult or impossible for the recipient and provider of medical care to reside in the same dwelling and the temporary accessory dwelling is the minimum necessary to provide relief of that medical hardship.

3. Adequate public services. The manufactured home or park trailer will have adequate water, sewer, solid waste removal, and electric services available.

4. Compatibility. The temporary use will not produce adverse impacts on the uses of surrounding properties.

5. Standard conditions. The temporary use can comply with the applicable standards of Chapter 4.

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

D. X 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. X 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 — Frances Ogden — Printed Name Owner/Agent — 6/11/18 — 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)

Andrew D. Holmer

From: Fran Ogden <franogdenrd@gmail.com>
Sent: Monday, June 11, 2018 4:30 PM
To: Andrew D. Holmer
Subject: Letter to attach to BOA application

The following are the complaints I have made since Feb.

They cleared the entire lot not .6 as stated on the application.

They brought a lot more than 1800 cu yards

The wetland opinion was not submitted until 6 weeks after Banes granted the permit. It is only an opinion, there are indeed wetland plants on the adjacent lots that were not addressed and the mature oaks have been tended to for 20 years by owners of 5330 which is why they are mature and not scraggly like the ones that were ripped out of the earth with clearing equipment

The floodwater plan missed 4 deadlines. 2 weeks from Feb 12 is Feb 26. My property remains unprotected now and then

mr. Jones never directed me to the BOA despite my strong objections on Feb 19 at the building dept. He instead said the permit was issued and I would have to get a lawyer.

MR. Banes did not put forth the due diligence required when approving an after the fact permit.

Additionally there was no POA from Mindreboes when the application was submitted

There are a bunch of other problems with the sea wall that could be included but we will address it at the BOA meeting

Sincerely,
Fran Ogden

--
Fran Ogden
850-737-3436

Board of County Commissioners • Escambia County, Florida

Horace L. Jones, Department Director
Development Services

MEMORANDUM

TO: Jack R. Brown, County Administrator

FROM: Horace L. Jones, Director, Development Services Department (DSD)

DATE: May 23, 2018

RE: **Permitting Activities Timeline - 5312 Pale Moon Dr., Pensacola, FL 32507**

Land Use and Zoning Information for 5312 Pale Moon Dr.:

Property Owner(s): Scott J. and Donna Jean Mindrebo

Address: 5312 Pale Moon Dr., Pensacola, FL 32507

Subject Parcel #: PRN# 11-3S-32-3000-000-001

Approx. Acreage: 0.7287 acres

Zoning: LDR (Low Density Residential)

Future Land Use Category: MU-S (Mixed Use-Suburban)

Flood Zone: AE 4 (+3 foot freeboard)

*Wetland Report from Wetland Sciences, Inc., dated March 29, 2018, stated, "There is absolutely no evidence that would suggest the subject property contained any wetlands….." (Exhibit "A")

Background:

During the first week of January 2018, it appears Ms. Fran Ogden, who lives at 5330 Pale Moon Dr., Pensacola, FL 32507, (according to the records of Chris Jones Property Appraiser), contacted Mr. Tim Day, Branch Director, Escambia County Natural Resources Department, regarding the placement of unpermitted fill and other unpermitted land disturbance activities at 5312 Pale Moon Dr. Please note that 5330 and 5312 are adjacent to one another. (Exhibit "B")

It appears that discussion occurred between Ms. Ogden and Ms. Mindrebo during the November-December 2017, timeframe, during which it was revealed that the site located at 5312 Pale Moon Dr., was being prepped for new home construction.

On January 11, 2018, Environmental Enforcement Officer Richard Craig visited the subject matter parcel, and from his observation, confirmed that unpermitted fill and land disturbance activities had occurred on the site in question. Based upon this observation, a Notice of Violation (NOV) was posted on the subject matter parcel and a certified copy of the NOV was sent to the owner(s) of record. (Exhibit "C")

During a site inspection of the subject parcel by DSD Site Inspector Allen Hampton, it was observed the site had been completely cleared, unpermitted fill had been placed on the entire lot, and some sort of retaining wall had been installed along the NE property line. Mr. Hampton reported that minimum erosion controls were in place. (Exhibit "D")

On January 29, 2018, a reinspection report of the site by Environmental Enforcement revealed no changes had been made to the site.

On January 30, 2018, Environmental Enforcement met with Mr. Rick Faciane, Classic Homes, who appeared to be the agent/contractor, with regard to obtaining all required permits, which included the land disturbance permit for the fill placement and other land disturbance activities, as well as obtaining all required building permit(s) for the retaining wall as specified in the January 11, 2018, NOV. In addition, the citation included the lack of sediment controls to protect the adjoining property, located at 5330 Pale Moon Dr., from the unpermitted fill/dirt. The agent stated that a house was being proposed, as well.

On February 5, 2018, a reinspection of the site occurred, and the NOV was updated, noting that no permits had been issued for land disturbance.

Environmental Enforcement continued to reach out to Mr. Faciane, and on February 12, 2018, an an after-the-fact permit was issued by Mr. Brad Band, Environmental Analyst, DSD, for the placement of the fill, which included an assessed 4x fee for failure to obtain all required land disturbance permits.

On February 19, 2018, Ms. Ogden sent an email to Mr. Tim Tolbert, Building Official/Director, Building Services Department, expressing concern with the unpermitted land disturbance activities, as well as the unpermitted structures on the lot at 5312 Pale Moon Dr.

On February 20, 2018, Mr. Tolbert provided a response, copying various County staff, including myself. Within the same chain of emails from February 19 – 26, 2018, responses were given acknowledging receipt of Ms. Ogden's e-mail. Also, direction was given to staff by me to ensure the proposed site plan for the proposed home construction had all the "safeguards in place" for full compliance with all stormwater and permitting requirements to minimize adverse impacts to the adjoining lot(s). (Exhibit "E")

On March 9, 2018, e-mails were sent to various County staff again advising of Ms. Ogden's concerns with regard to the amount of fill on the lot in question and the potential for adverse impacts from the stormwater on her lot in the case of substantial rain. Briefly, the e-mail provided direction and guidance for County staff to be as "thorough and accurate," as possible, in the review process for a single-family home due to the issues raised by Ms. Ogden. More importantly, direction was given that the proposed lot being considered for home construction must be able to handle its own stormwater, and that the stormwater could not be deflected or cause adverse impacts on the surrounding properties. (Exhibit "F")

On March 13, 2018, at 9:30 am, a meeting was held with the County Administrator, County Attorney's Office, and the directors and staff of the departments involved in the process, in order to discuss the issues raised by Ms. Ogden. Agenda topics for discussion included: Review of the issuance of the after-the-fact permit, removal of the fill material from the lot in question (as requested by Ms. Ogden), the Flood Zone Designation of AE (plus 3' freeboard requirement for new construction), and the LDC requirements regarding the placement of fill on lots and the need for a Stormwater Management Plan. Direction was given to staff (Mr. Tolbert and myself) to reach out to Mr. Faciane to inform him that the Stormwater Management Plan must be submitted to the DSD for review within two weeks from the e-mail notification to Mr. Faciane (*e-mail sent March 13, 2018, at 2:17 p.m.*), and that if it was not received within that time, the County would revoke the Land Disturbance Permit and Environmental Enforcement would schedule a Special Magistrate Hearing on the subject property for the next available time. (Exhibit "G")

On March 26, 2018, within the two-week timeline, the stormwater management plan was submitted, noting that building and site plans, as well as all associated documentation, were also needed.

On March 27, 2018, an e-mail was sent informing key personnel, including the County Administrator's and County Attorney's Offices that the stormwater management plans had been submitted on March 26, 2018; however, staff had not yet performed the necessary review for compliance with all the applicable regulations.

On March 28, 2018, an e-mail was sent to Mrs. Ogden informing her that the pertinent documents for stormwater management plans had been submitted and that additional documentation/information might be required for review by Ms. Roza Sestnov, Engineering Project Coordinator, DSD, and other staff members essential to the site plan review process. In addition, various e-mails were sent to and from staff, as well as to and from Mrs. Ogden, with regard to information submitted from Rick Faciane. It was also noted in an e-mail from Mr. Juan Lemos, Senior Planner/Certified Flood Manager, that the initial signed and sealed Flood Elevation Certificate, as submitted by Fred Thompson, dated March 14, 2018, reflected the AE 4' FEMA SFHA designation, and the backup information, as provided, specified the proposed finished floor designation as 7.5', which satisfied the 3' LDC freeboard requirement.

On March 29, 2018, an e-mail was sent to Ms. Ogden informing her that the stormwater management plans had been submitted, and advising of the progress of the site plan review for the proposed home construction at 5312 Pale Moon Dr. Comments were also sent the same day to Mr. Jerry McGuire, Engineer of Record (EOR), on the submitted documents. Additionally, an e-mail was sent establishing a two-week timeline for the builder and EOR to respond and address all the comments in accordance with all the applicable regulations from the date of the referenced e-mail notification. It should be noted this email was copied to all appropriate staff.

During the period from April 4 – 12, 2018, various e-mails were sent to Mrs. Ogden with regard to the stormwater review comments. On April 12, 2018, a copy of the signed and sealed stormwater permit, along with all drawings/documents, was sent to Ms. Ogden.

On April 9, 2018, the Building Services Department received the building plans and associated documents for the subject parcel, and subsequently, on April 11, 2018, a building permit was issued for the proposed home located at 5312 Pale Moon Dr.

On May 15, 2018, Ms. Ogden sent an e-mail to various County staff which included an independent Engineer Report, from Sigma Consulting Group, Inc. (Exhibit "H"), alleging that the stormwater review analysis for the issuance of the approved stormwater permit for the proposed home construction at 5312 Pale Moon Dr., performed by Jerry McGuire, EOR, JMA Engineering Services, Inc. (Exhibit "I"), had been based upon erroneous and incorrect data. Within the e-mail, she requested that the building permit be revoke or rescinded.

On May 16, 2018, Mr. Tolbert provided a response to Ms. Ogden, and based upon that response, the building permit has not been revoked or rescinded.

On May 16 - 17, 2018, in response to the questions raised from the Sigma Consulting Report, Mr. Jerry McGuire reviewed and addressed each item on Sigma's engineering report. He responded that he stands behind his analysis and work for the Stormwater Management Permit and for the Stormwater Management Plan. Furthermore, Ms. Sestnov also reviewed Sigma's report, and concluded that the submitted Stormwater Management Plan satisfied the requirements of the Escambia County Land Development Code and Design Standard Manual. (Exhibit "J")

The above is an abbreviated chronology of events concerning the permitting activities timeline for 5312 Pale Moon Dr. Additional e-mails are available for review upon request, and have also been provided via CD to the County Administrator's Office; however, due to the sheer volume of the documentation, it was not feasible to attach them all to this response.

Attachments: Exhibits A – J

cc: Alison Rogers, County Attorney
Commissioners (All Districts)

WETLAND SCIENCES
INCORPORATED

March 29, 2018

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

Re: ***Scott & Donna Mindrebo***
5312 Pale Moon Drive, Pensacola, FL 32507
WSI Project 2017-687

Dear Mr. Bane,

There has been much speculation & accusations regarding the historical existence of wetlands within the parcel of property with the physical address of 5312 Pale Moon Drive owned by Scott & Donna Mindrebo. Our firm's involvement with this project began in October 2017. At that time we were retained by Charlie Dutton (Marine Contractor) to secure state/federal authorizations that would allow the construction of a vinyl sheet pile retaining wall along the shoreline of said lot.

Wetland Sciences, Inc., inspected the parcel of property on November 30, 2017 to gather data necessary to prepare the state/federal environmental resource permit applications (ERP). This inspection included a review of the condition of the shoreline and property. Photograph #1 that is included in the photo essay appended as Exhibit A depicts the condition of the shoreline as noted during our November 30, 2017 site inspection.

Photograph #1 clearly shows the condition of the shoreline and the plant community structure that existed prior to land development activities. There is no evidence within the photograph to suggest the presence of wetlands. The shoreline was armored with a mixture of Class II and III limestone rip that extended below and above the horizontal plane of the mean high water line. Vegetation noted in the picture is typical of an upland community.

Photograph #2 in Exhibit A depicts the northern half of the shoreline and the shoreline of the neighboring property to the north. In the photograph you can clearly see that the top of the rip rap revetment within the subject property is at or near the same horizontal elevation as the adjoining property which is dominated by upland plant community structure. Live oaks dominate the canopy within the adjoining property.

Photograph #3 in Exhibit A depicts the southern half of the shoreline and the shoreline of the neighboring property to the south. In the photograph you can clearly see that the top of the rip rap revetment within the subject property is at or near the same horizontal elevation as the adjoining property which is dominated by upland plant community structure. Mature live oaks dominate the canopy within the adjoining property.

Please understand that one of the primary factors under evaluation during our site inspection would be the presence of wetlands within the subject property as this would have implications with the Environmental Resource Permit for the proposed vertical retaining wall. If wetlands were noted, we would have delineated the extent of wetlands within the lot and/or quantified the potential impact that would result from the construction of the wall. Wetlands were not noted during our inspection. Any wetlands that would have been identified during our inspection would have been depicted on the plans prepared and submitted in support of the ERP application.

3308 Gulf Beach Highway | Pensacola, Florida 32507 | 850.453.4700 | keith@wetlandsciences.com

EXHIBIT "A"

Furthermore, the ERP permit process is subject to review by staff of the Florida Department of Environmental Protection (DEP). DEP staff would have inspected the site prior to the issuance of the ERP permit. I have appended in Exhibit B, a checklist prepared by DEP in support of the ERP application. This checklist confirms a review of the project and the fact that the project will not impact emergent tidal wetlands. Had the DEP reviewer noted the presence of wetlands within the property, Wetland Sciences, Inc. would have been notified by the Department. No such notice was received and the permit was issued on December 5, 2017.

Our firm used the pictures contained within Exhibit A in support of a shoreline condition letter addressed to Escambia County. This was in an effort to secure LDC concurrency statement from Development Services which would allow the Marine Contractor to proceed with applying for a building permit. LDC concurrency was received on February 26, 2018.

There is absolutely no evidence that would suggest the subject property contained any wetlands. I have personally reviewed soil survey data, national wetlands inventory data, aerial photographs (present and historical), recorded subdivision plat, historical DEP permits, topographic data, and National Hydrography Data all of which suggest that the parcel was comprised entirely of upland resources. I would be happy to provide any information we have on file that supports this assertion.

I certainly hope this letter puts this issue to rest. If should have any questions or require any additional information, please do not hesitate to call.

Respectfully,
Wetland Sciences, Inc.

Keith Johnson
Senior Scientist

Enclosures: Exhibit A – Site Photographs from November 30, 2017 Site Inspection
Exhibit B – SPGP checklist from DEP Reviewer Douglas Sprague
Exhibit C – State/Federal ERP permits

Cc: Craig Martin, Wetland Sciences, Inc.
Jerry McGuire
Fred Thompson
Rick Faciane
Scott & Donna Mindrebo
Timothy Day, Escambia County
File

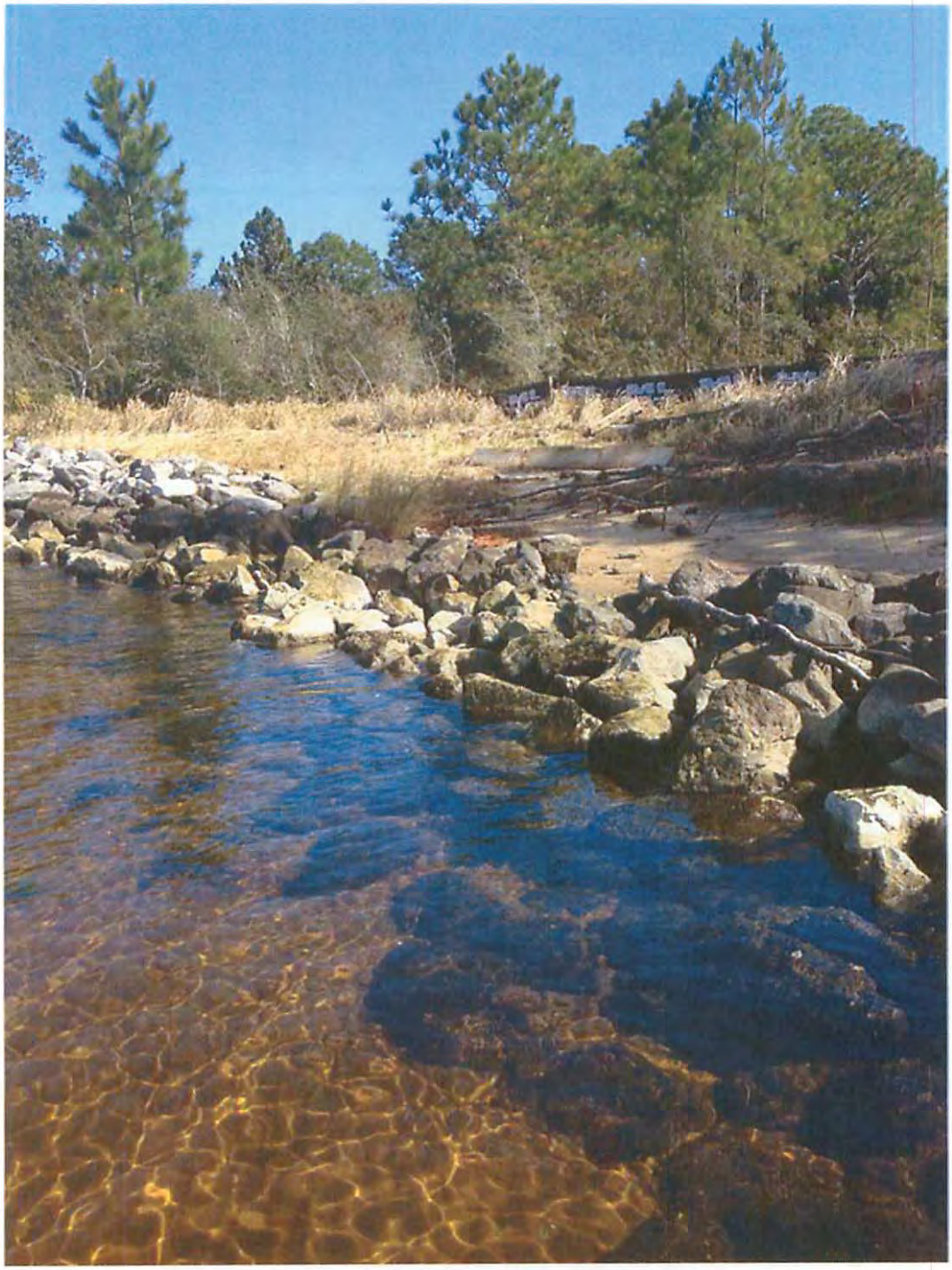
3308 Gulf Beach Highway | Pensacola, Florida 32507 | 850.453.4700 | keith@wetlandsciences.com

EXHIBIT "A"

Exhibit A

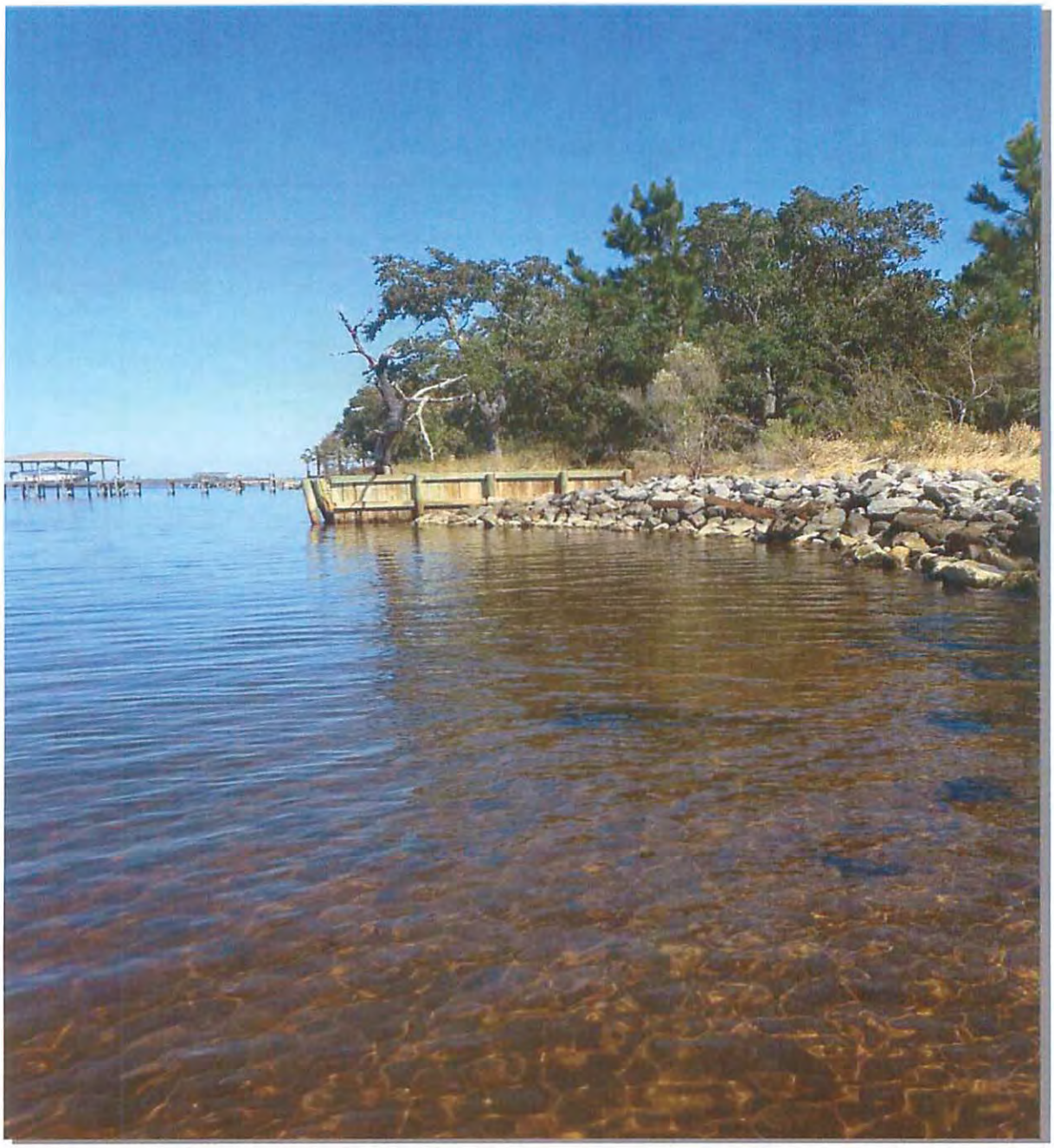
Site Photographs

EXHIBIT "A"



Photograph #1. Condition of shoreline at 5312 Pale Moon Drive on November 30, 2017. The brown grass landward of the rock is broomsedge (Andropogon virginicus). The shrubs located along the silt fence are yaupon holly (Ilex vomitoria). Trees also noted in the picture are large flowering magnolia (Magnolia grandiflora – FAC), slash pine (Pinus elliottii), and live oak (Quercus viginiana). The plant community structure is typical of an upland mesic flatwood.

EXHIBIT "A"



Photograph #2. Taken on November 30, 2017 within the nearshore areas in between the riparian rights area of the subject property. The photograph clearly shows the northern half of the property and the adjoining property to the north. Note that the elevation of the top of the rip rap is almost identical to the grade of the adjoining lot which is comprised mainly of live oaks (*Quercus virginiana*). Again, there are no indications of wetlands within the photograph.

EXHIBIT "A"

Photograph #3. Taken on November 30, 2017 along the shoreline of the subject property approximately 30-ft. north of the southern riparian line looking south. Also note that the top of the rip rap revetment within the subject property is at or near the elevation of the adjoining property to the south. The property to the south is clearly dominated by a canopy of Live Oaks.

EXHIBIT "A"

Exhibit B

SGPG Checklist Retrieved from OCULUS
Site ID# 0359395

EXHIBIT "A"

Project Specifications

DEP File (PA) No.: 0359395-001-002-EE

County: Escambia

Applicant: Scott Mindrebo

Project Name: Dock and Seawall

Project Location: 5200 Blk Pale Moon Dr. Pensacola FL 32507

NMFS 2nd Tier Consultation Checklist for activities under the State Programmatic General Permit (SPGP) for the State of Florida within all coastal counties of Florida, and for maintenance dredging within Clay, Putnam, Marion and Lake Counties

1) **Is the project located in a coastal county of Florida?** ☑ Yes ☐ No
List of Florida coastal counties: *(Escambia, Santa Rosa, Okaloosa, Walton, Bay, Gulf, Franklin, Wakulla, Jefferson, Taylor, Dixie, Levy, Citrus, Hernando, Pasco, Pinellas, Hillsborough, Manatee, Sarasota, Charlotte, Lee, Collier, Broward, Palm Beach, Martin, Saint Lucie, Indian River, Brevard, Volusia, Flagler, Saint Johns, Duval, Nassau;* ***NOT ALLOWED: SPGP not authorized in Monroe (except for boat lifts).***

If YES, proceed with the checklist below.

2) **Does the proposed action involve maintenance dredging?** ☐ Yes ☑ No
If the permit request is for maintenance dredging in a *non-coastal county*, is it for one of these 4 counties: Clay, Putnam, Marion, or Lake?

If YES, proceed with the checklist below.

Type of Project Authorized under SPGP	Check all that apply
Shoreline stabilization, including seawalls and riprap - ***Complete checklist A***	☑
Boat Ramps and Boat Launch Areas and Associated Structures – ***Complete checklist B***	☐
Docks, Piers, Associated Facilities, Aids to Navigation, and Other Minor Piling-Supported Structures – ***Complete checklist C***	☑
Maintenance Dredging of Canals and Channels (including removal of organic detritus from freshwater lakes and rivers) – ***Complete checklist D***	☐
Removal of derelict vessels, Scientific sampling, measurement and monitoring devices (construction, operation, maintenance and removal), Subaqueous Utility Crossings (upland to upland), or Geotechnical investigations – ***Complete checklist E***	☐
Living Shorelines – ***Complete checklist F***	☐
Boat Lifts in Monroe County – ***Complete checklist F***	☐

EXHIBIT "A"

Checklist A - Shoreline Stabilization			
Please check all of the following Project Design Criteria (PDCs) that apply to the applicant's permit request.	**Check all that apply**		
Construction of seawalls or riprap, including only that backfilling needed to level the land behind seawalls or riprap, in artificially created waterways	☐		
Restoration of seawalls or riprap at its previous location or upland of or within one foot waterward of its previous location	☐		
Construction of private vertical seawalls in marine/coastal or other surface waters, other than in an estuary or lagoon, and the construction of riprap revetments, and is no more than 150 feet in length	☑		
If this is a new, vertical seawall, will it be placed waterward of the Mean High Water Line (MHWL) or Ordinary High Water Line (OHWL)? *New vertical seawalls may not be placed waterward of the MHWL unless it is necessary to align with existing adjacent seawalls.*	Yes ◉	No ☐	N/A ☐
If this permit application is for a new seawall, is it ≤ 150 feet in length?	Yes ◉	No ☐	N/A ☐
If the project is for a seawall and/or riprap restoration/replacement, permitted at its previous location, then will it be placed upland of, or within one foot waterward of its previous location?	Yes ☐	No ☐	N/A ◉
New riprap will not be placed more than 10 feet waterward of the MHWL or OHWL.	Yes ◉	No ☐	N/A ☐
If applies: Stabilization measures other than vertical seawalls will be no steeper than a 2H:1V slope.	Yes ☐	No ☐	N/A ☐
Will the project adhere to *NMFS' Sea Turtle and Smalltooth Sawfish Construction Conditions?*	Yes ◉	No ☐	N/A ☐
Please confirm that the project will have no effect on submerged aquatic vegetation, including Johnson's seagrass, tidal wetlands, hard bottom, or any other essential fish habitat.	Yes ◉	No ☐	N/A ☐
Please confirm that the project is not located in designated critical habitat for Johnson' seagrass, smalltooth sawfish, *acroporid* corals, or Gulf sturgeon.	Yes ◉	No ☐	N/A ☐
Please confirm that the project does not involve dredging or removal of mangroves and that mangrove trimming will be strictly limited to minimal trimming necessary to perform the authorized work. *Dredging or removal of mangroves or portions of mangroves below the mean high water line is not authorized under this permit.*	Yes ☐	No ☐	N/A ◉
Please confirm that the project is not proposed on or contiguous to ocean beach.	Yes ◉	No ☐	
Please confirm that this project does not involve groins, jetties, breakwaters, and beach nourishment/renourishment.	Yes ◉	No ☐	
Physical structures (e.g., seawalls, docks, boat ramps) are NOT in nearshore reproductive habitat of loggerhead critical habitat. ["Red" per S.C. #A.2.i(3)]	Yes ☐	No ☐	N/A ◉
Project is NOT in the St Mary's River between October 1 and December 31 to protect the Atlantic sturgeon during spawning season. [Entire river "Red" per S.C. #A.2.e., and construction window "Red" per S.C. #A.2.i(4)]	Yes ☐	No ☐	N/A ◉
Note: FDEP/Designee will check the above per review process described in Special Conditions #A.1. to A.4, inclusive. Permittee also responsible for complying with Special Conditions #B.1 to B.28, inclusive, attached to Authorization, some of which incorporate PDCs relevant to these projects.			

EXHIBIT "A"

Checklist B - Boat Ramps			
Please check all of the following Project Design Criteria (PDCs) that apply to the applicant's permit request.	**Check all that apply**		
Please confirm that the project is **not located** in designated critical habitat for Johnson' seagrass, smalltooth sawfish, acroporid corals, or Gulf sturgeon.	Yes ☐	No ☐	N/A ☐
Please confirm that the project will not adversely impact submerged aquatic vegetation, including Johnson's seagrass, tidal wetlands, hard bottom, or any other essential fish habitat.	Yes ☐	No ☐	N/A ☐
Will the project adhere to *NMFS' Sea Turtle and Smalltooth Sawfish Construction Conditions?*	Yes ☐	No ☐	N/A ☐
Please confirm that the project does not involve dredging or removal of mangroves and that mangrove trimming will be strictly limited to minimal trimming necessary to perform the authorized work. *Dredging or removal of mangroves or portions of mangroves below the mean high water line is not authorized under this permit.*	Yes ☐	No ☐	N/A ☐
Please confirm that the project is not proposed on or contiguous to ocean beach.	Yes ☐	No ☐	N/A ☐
Physical structures (e.g., seawalls, docks, boat ramps) <u>are NOT</u> in nearshore reproductive habitat of loggerhead critical habitat. ["Red" per S.C. #A.2.i(3)]	Yes ☐	No ☐	N/A ☐
Project <u>is NOT</u> in the St Mary's River between October 1 and December 31 to protect the Atlantic sturgeon during spawning season. [Entire river "Red" per S.C. #A.2.e., and construction window "Red" per" per S.C. #A.2.i(4)]	Yes ☐	No ☐	N/A ☐
Note: FDEP/Designee will check the above per review process described in Special Conditions #A.1. to A.4, inclusive. Permittee also responsible for complying with Special Conditions #B.1 to B.28, inclusive, attached to Authorization, some of which incorporate PDCs relevant to these projects.			

EXHIBIT "A"

Checklist C – Docks, Piers, Aids to Navigation and other Piling-Supported Structures			
Please check all of the following Project Design Criteria (PDCs) that apply to the applicant's permit request.	**Check all that apply**		
Please confirm that the project **is not** located in any Federally ESA-designated critical habitats other than those of the smalltooth sawfish and Gulf sturgeon (*The only critical habitats in which piling-supported structures may be authorized under the SPGP are those designated for the smalltooth sawfish or gulf sturgeon*).	Yes ☑	No ☐	N/A ☐
If project involves the installation of a private dock, then the total surface area of the dock is ≤ 1000 square feet either over wetlands or other surface waters.	☑		
Replacement or repair of an existing dock.	☐		
Installation of aids to navigation and buoys associated with such aids.	☐		
Installation of piling support structures associated with water testing or monitoring equipment required by the FDEP.	☐		
Construction, extension, and removal of certain docks/piers and associated structures, as identified by 62-330.427 F.A.C.	☐		
Piling supported structures, less than 1000 square feet, not in Outstanding Florida Waters.	☑		
Piling supported structures, less than 500 square feet, in Outstanding Florida Waters.	☐		
Construction, installation, operation, or maintenance of floating vessel platforms and boat lifts.	☐		
Please confirm that the project **is not** located in any Federally ESA-designated critical habitats other than those of the smalltooth sawfish and Gulf sturgeon (*The only critical habitats in which piling-supported structures may be authorized under the SPGP are those designated for the smalltooth sawfish or gulf sturgeon*).	Yes ☑	No ☐	N/A ☐
If you checked YES above, is the project designated critical habitat for either smalltooth sawfish or Gulf sturgeon?	Yes ☐	No ☑	N/A ☐
If a project is within the range of Johnson's seagrass, the applicant agrees, at a minimum, to fully comply with The COE and NMFS' "Construction Conditions for Docks or Other Minor Structures Constructed in or Over Johnson's Seagrass (*Halophila johnsoni*)" dated February 2002.	Yes ☐	No ☐	N/A ☑
For projects where other aquatic vegetation is present, please confirm that the project will, at a minimum, fully comply with COE and NMFS' "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation, Marsh, or Mangrove Habitat" dated August 2001.	Yes ☐	No ☐	N/A ☑
Will the project adhere to NMFS' *Sea Turtle and Smalltooth Sawfish Construction Conditions*?	Yes ☑	No ☐	N/A ☐
Please confirm that the proposed project **is not** on or contiguous to (adjacent to) ocean beach.	Yes ☑	No ☐	N/A ☐
Please confirm that the proposed project **is not** a municipal or commercial pier or dock	Yes ☑	No ☐	N/A ☐
Please confirm that the project does not involve dredging or removal of mangroves and that mangrove trimming will be strictly limited to minimal trimming necessary to perform the authorized work (i.e. only within footprint of access walkway of no more than 4 feet in width). *Dredging or removal of mangroves or portions of mangroves below the mean high water line is not authorized under this permit.*	Yes ☐	No ☐	N/A ☑
Please confirm that no dredging is proposed for this project.	Yes ☑	No ☐	N/A ☐
Please confirm that water depths will not be altered in association with this project.	Yes ☑	No ☐	N/A ☐

EXHIBIT "A"

	Installation of anchored ATONs and permanent buoys are NOT within the geographic boundary of North Atlantic right whale critical habitat.. ["Red" per S.C. #A.2.h(1)(iv)]	Yes	No	N/A
		☐	☐	☉
	Project is NOT in areas identified as smalltooth sawfish exclusion zones. ["Red" per S.C. #A.2.i(1).	Yes	No	N/A
		☐	☐	☉
	Project is NOT in a mouth of a Gulf sturgeon spawning river or narrow inlets. ["Red" per S.C. #A.2.l(2). Note this is a paraphrase of AP4.2]	Yes	No	N/A
		☉	☐	☐
	Physical structures (e.g., seawalls, docks, boat ramps) are NOT in nearshore reproductive habitat of loggerhead critical habitat. ["Red" per S.C. #A.2.i(3)]	Yes	No	N/A
		☐	☐	☉
	Project is NOT in the St Mary's River between October 1 and December 31 to protect the Atlantic sturgeon during spawning season. [Entire river "Red" per S.C. #A.2.e., and construction window "Red" per" per S.C. #A.2.i(4)]	Yes	No	N/A
		☐	☐	☉
Note: FDEP/Designee will check the above per review process described in Special Conditions #A.1. to A.4, inclusive. Permittee also responsible for complying with Special Conditions #B.1 to B.28, inclusive, attached to Authorization, some of which incorporate PDCs relevant to these projects.				

Checklist D - Maintenance Dredging			
Please check all of the following Project Design Criteria (PDCs) that apply to the applicant's permit request.	**Check all that apply**		
Maintenance dredging of existing manmade canals, channels, basins, berths, and intake and discharge structures.	☐		
Removal of organic detritus material by individual residential property owners (freshwater rivers and lakes only).	☐		
Maintenance dredging of 4,000 cubic yards or less, placing spoil in uplands, and employing turbidity controls.	☐		
Will dredging be limited to the previous project depth, or to -5.0 feet below Mean Low Water or Ordinary Low Water?	Yes ☐	No ☐	N/A ☐
Will excavated spoil material be deposited in a suitable upland (i.e., non-wetland pursuant to current federal criteria) disposal site?	Yes ☐	No ☐	N/A ☐
Please confirm that the project is not located in designated critical habitat for Johnson' seagrass, smalltooth sawfish, acroporid corals, or Gulf sturgeon.	Yes ☐	No ☐	N/A ☐
Please confirm that the project will have no effect on submerged aquatic vegetation, including Johnson's seagrass, tidal wetlands, hard bottom, or any other essential fish habitat.	Yes ☐	No ☐	N/A ☐
Will the project adhere to *NMFS' Sea Turtle and Smalltooth Sawfish Construction Conditions*?	Yes ☐	No ☐	N/A ☐
Please confirm that the project does not involve dredging or removal of mangroves and that mangrove trimming will be strictly limited to minimal trimming necessary to perform the authorized work. *Dredging or removal of mangroves or portions of mangroves below the mean high water line is not authorized under this permit.*	Yes ☐	No ☐	N/A ☐
Please confirm that the project is not proposed on or contiguous to ocean beach.	Yes ☐	No ☐	N/A ☐
Please confirm that no dredging will be performed by hopper dredge.	Yes ☐	No ☐	N/A ☐
Projects will not include dredging within the mapped and authorized federal navigational channels (e.g., ICW, AIWW, GIWW or harbors [e.g., Port Canaveral]). Dredging outside of the mapped channel in the surrounding waters is allowed... ["Red" per S.C. #A.2.b.]	Yes ☐	No ☐	N/A ☐
Project <u>is NOT</u> in areas identified as Smalltooth sawfish critical habitat. ["Red" per S.C. #A.2.f(2)(i).]	Yes ☐	No ☐	N/A ☐
Project <u>is NOT</u> in areas identified as Gulf sturgeon critical habitat. ["Red" per S.C. #A.2.f(2)(iii).]	Yes ☐	No ☐	N/A ☐
Project <u>is NOT</u> in areas identified as acroporid coral critical habitat. ["Red" per S.C. #A.2.f(2)(ii).]	Yes ☐	No ☐	N/A ☐
Project <u>is NOT</u> in the St Mary's River between October 1 and December 31 to protect the Atlantic sturgeon during spawning season. [Entire river "Red" per S.C. #A.2.e., and construction window "Red" per" per S.C. #A.2.i(4)]	Yes ☐	No ☐	N/A ☐
Note: FDEP/Designee will check the above per review process described in Special Conditions #A.1. to A.4, inclusive. Permittee also responsible for complying with Special Conditions #B.1 to B.28, inclusive, attached to Authorization, some of which incorporate PDCs relevant to these projects.			

EXHIBIT "A"

Checklist E – Transient Activities			
Please check all of the following Project Design Criteria (PDCs) that apply to the applicant's permit request.	**Check all that apply**		
Applicable to ALL Projects			
Project is NOT in areas identified as smalltooth sawfish exclusion zones. ["Red" per S.C. #A.2.i(1).	Yes ☐	No ☐	N/A ☐
Project is NOT in a mouth of a Gulf sturgeon spawning river or narrow inlets. ["Red" per S.C. #A.2.l(2).]	Yes ☐	No ☐	N/A ☐
Physical structures (e.g., seawalls, docks, boat ramps) are NOT in nearshore reproductive habitat of loggerhead critical habitat. ["Red" per S.C. #A.2.i(3)]	Yes ☐	No ☐	N/A ☐
Project is NOT in the St Mary's River between October 1 and December 31 to protect the Atlantic sturgeon during spawning season. [Entire river "Red" per S.C. #A.2.e., and construction window "Red" per" per S.C. #A.2.i(4)]	Yes ☐	No ☐	N/A ☐
Applicable to: Installation, Maintenance, Repair, and Removal of Utility Lines and Subaqueous Utility Crossings. Additional restrictions: Authorization under SPGP V is limited to upland to upland directional drilling (HDD). Crossing a federal project is not authorized by this SPGP V (including federally authorized channels of the Intracoastal Waterways, inlets, ports and turning basins; and including levees, dikes, dams or other water retaining structures. HDD crossing of a flood control channel/canal in a Federal project (either federally or locally maintained) may be authorized if meets Special Condition 18.	☐		
For subaqueous transmission lines/horizontal directional drilling, the applicant will provide and follow a Frac-out Contingency Plan similar to the plan located in Appendix B. "Yes" if Corps says "Green" to this project per S.C. #A.3.l (this project is "Yellow" so that the Corps may review the Frac-out Contingency Plan or contact Applicant to obtain same). [S.C. #B.18.a. requiring the Plan be developed, submitted and then followed.]	Yes ☐	No ☐	N/A ☐
Project is NOT in *Acropora* critical habitat where the essential features are present. ["Red" per S.C. #A.2.h(1)(i). Note that what is stated here is paraphrase of A9.10.]	Yes ☐	No ☐	N/A ☐
Applicable to Removal of Derelict Vessels	☐		
(No additional checks)			
Applicable to Construction, operation, maintenance and removal of scientific sampling, measurement and monitoring devices.	☐		
Applicable to Geotechnical Investigations. Additional Restrictions: Seismic exploratory activities and any activities on tribal lands or waters are not authorized by this SPGP V.	☐		
Installation of permanent anchored devices and buoys are NOT within the geographic boundary of North Atlantic right whale critical habitat. ["Red" per S.C. #A.2.h(1)(iv)]	Yes ☐	No ☐	N/A ☐
Note: FDEP/Designee will check the above per review process described in Special Conditions #A.1. to A.4, inclusive. Permittee also responsible for complying with Special Conditions #B.1 to B.28, inclusive, attached to Authorization, some of which incorporate PDCs relevant to these projects.			

EXHIBIT "A"

Checklist F – Other New Activities			
Please check all of the following Project Design Criteria (PDCs) that apply to the applicant's permit request.	**Check all that apply**		
Applicable to ALL Projects			
Project is NOT in areas identified as smalltooth sawfish exclusion zones. ["Red" per S.C. #A.2.i(1).]	Yes ☐	No ☐	N/A ☐
Project is NOT in a mouth of a Gulf sturgeon spawning river or narrow inlets. ["Red" per S.C. #A.2.l(2).]	Yes ☐	No ☐	N/A ☐
Physical structures (e.g., seawalls, docks, boat ramps) are NOT in nearshore reproductive habitat of loggerhead critical habitat. ["Red" per S.C. #A.2.i(3)]	Yes ☐	No ☐	N/A ☐
Project is NOT in the St Mary's River between October 1 and December 31 to protect the Atlantic sturgeon during spawning season. [Entire river "Red" per S.C. #A.2.e., and construction window "Red" per" per S.C. #A.2.i(4)]	Yes ☐	No ☐	N/A ☐
Applicable to Living Shorelines. Restoration of an eroding shoreline with native wetland vegetative enhancement plantings. Additional Restriction: Not authorized by this SPGP V if the work extends water ward past the adjacent shorelines (this provision is to preclude changes in down drift currents).	☐		
Project is NOT in Smalltooth sawfish critical habitat when essential feature of critical habitat is present. ["Red" per S.C. #A.2.f(2)(i).]	Yes ☐	No ☐	N/A ☐
Artificial reef structures are NOT within the geographic boundary of North Atlantic right whale critical habitat.. ["Red" per S.C. #A.2.f(2)(vii).]	Yes ☐	No ☐	N/A ☐
Project is NOT in *Acropora* critical habitat where the essential features are present. ["Red" per S.C. #A.2.f(2)(ii).]	Yes ☐	No ☐	N/A ☐
Project is NOT in Johnson's seagrass critical habitat when essential feature of critical habitat is present. ["Red" per S.C. #A.2.f(2)(vii).]	Yes ☐	No ☐	N/A ☐
Applicable to Boat Lifts in Monroe County.	☐		
Project is NOT on or contiguous to ocean beaches. ["Red" per S.C. #A.2.r].	Yes ☐	No ☐	N/A ☐
Project is NOT in *Acropora* critical habitat where the essential features are present. ["Red" per S.C. #A.2.f(2)(ii).]	Yes ☐	No ☐	N/A ☐
Note: FDEP/Designee will check the above per review process described in Special Conditions #A.1. to A.4, inclusive. Permittee also responsible for complying with Special Conditions #B.1 to B.28, inclusive, attached to Authorization, some of which incorporate PDCs relevant to these projects.			

Exhibit C

State/Federal ERP Permits

EXHIBIT "A"

Florida Department of Environmental Protection

Northwest District Office
160 W. Government Street, Suite 308
Pensacola, Florida 32502-5740

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

December 15, 2016

Scott and Donna Mindrebo
2927 Covebrook drive
Pearland, Texas 77584
dmindrebo@att.net

File No.: 0359395-001-002-EE, Escambia County

Dear Mr. and Mrs. Mindrebo:

On December 5, 2017 we received your request for verification of exemption to perform the following activities:

To construct a private, residential, single-family dock measuring 1,000 square feet or less of overwater surface area and concurrently install approximately 119 linear feet of vinyl, sheet pile, vertical, seawall between and adjoining existing seawalls at both ends, faced with clean limestone or concrete rip rap at a slope no greater than 2 horizontal to 1 vertical within Perdido Bay, Class III Florida Waterbody, immediately adjacent to Parcel No.11-3S-32-3000-000-001, 5200 Block Pale Moon Drive, Pensacola, Florida 32507 in Section 11, Township 3 South, Range 32 West of Escambia County at 30°19'46.10" North Latitude, 87°26'11.89" West Longitude.

Your request has been reviewed to determine whether it qualifies for (1) regulatory exemption, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal approval that may be necessary for work in wetlands or waters of the United States.

Your project qualifies for all three. However, this letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity.

If you change the project from what you submitted, the authorization(s) granted may no longer be valid at the time of commencement of the project. Please contact us prior to beginning your project if you wish to make any changes.

EXHIBIT "A"

If you have any questions regarding this matter, please contact Douglas Sprague at the letterhead address, at (850)595-0579, or at Douglas.sprague@dep.state.fl.us

1. Regulatory Review – Verified

Based on the information submitted, the Department has verified that the activities as proposed are exempt, under Rule 62-330.051(5)(b) and (12)(c), Florida Administrative Code (F.A.C.) from the need to obtain a regulatory permit under Part IV of Chapter 373 of the Florida Statutes.

This exemption verification is based on the information you provided the Department and the statutes and rules in effect when the information was submitted. This verification may not be valid if site conditions materially change, the project design is modified, or the statutes or rules governing the exempt activity are amended. In the event you need to re-verify the exempt status for the activity, a new request and verification fee will be required. Any substantial modifications to the project design should be submitted to the Department for review, as changes may result in a permit being required.

2. Proprietary Review – Granted

The Department acts as staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) and issues certain authorizations for the use of sovereign submerged lands. The Department has the authority to review activities on sovereign submerged lands under Chapters 253 and 258, F.S. and Chapters 18-20 and 18-21, F.A.C.

The activity appears to be located on sovereign submerged lands owned by the Board of Trustees. The activity is not exempt from the need to obtain the applicable proprietary authorization. As staff to the Board of Trustees, the Department has reviewed the activity described above, and has determined that the activity qualifies for an automatic consent by rule under Rule 18-21.005(1)(b), F.A.C. and Section 253.77, F.S. to construct and use the activity on the specified sovereign submerged lands, as long as the work performed is located within the boundaries as described herein and is consistent with the terms and conditions herein. No further application is required for this consent by rule.

Special Consent Conditions for Sovereign Submerged Lands Authorization

1. The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.

EXHIBIT "A"

2. Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.

3. Applicant binds itself and its successors and assigns to abide by the provisions and conditions set forth in the authorization. If the applicant or its successors or assigns fails or refuses to comply with the provisions and conditions of the authorization, the authorization may be terminated by the Board of Trustees after written notice to the applicant or its successors or assigns. Upon receipt of such notice, the applicant or its successors or assigns will have thirty (30) days in which to correct the violations. Failure to correct the violations within this period will result in the automatic revocation of this authorization.

4. All costs incurred by the Board of Trustees in enforcing the terms and conditions of the authorization will be paid by the applicant. Any notice required by law will be made by certified mail at the address shown on page one of the authorization. The applicant will notify the Board of Trustees in writing of any change of address at least ten days before the change becomes effective.

5. This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.

General Conditions for Authorizations for Activities on State-Owned Submerged Land

All authorizations granted by rule or in writing under Rule 18-21.005, F.A.C., except those for geophysical testing, shall be subject to the general conditions as set forth in paragraphs (a) through (i) below. The general conditions shall be part of all authorizations under this chapter, shall be binding upon the grantee, and shall be enforceable under Chapter 253 or 258, Part II, F.S.

(a) Authorizations are valid only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use shall constitute a violation. Violation of the authorization shall result in suspension or revocation of the grantee's use of the sovereignty submerged land unless cured to the satisfaction of the Board.

(b) Authorizations convey no title to sovereignty submerged land or water column, nor do they constitute recognition or acknowledgment of any other person's title to such land or water.

(c) Authorizations may be modified, suspended, or revoked in accordance with their terms or the remedies provided in Sections 253.04 and 258.46, F.S., or Chapter 18-14, F.A.C.

EXHIBIT "A"

(d) Structures or activities shall be constructed and used to avoid or minimize adverse impacts to sovereignty submerged lands and resources.
(e) Construction, use, or operation of the structure or activity shall not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.

(f) Structures or activities shall not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity shall be modified in accordance with the court's decision.

(g) Structures or activities shall not create a navigational hazard.

(h) Structures shall be maintained in a functional condition and shall be repaired or removed if they become dilapidated to such an extent that they are no longer functional. This shall not be construed to prohibit the repair or replacement subject to the provisions of Rule 18-21.005, F.A.C., within one year, of a structure damaged in a discrete event such as a storm, flood, accident, or fire.

(i) Structures or activities shall be constructed, operated, and maintained solely for water dependent purposes, or for non-water dependent activities authorized under paragraph 18-21.004(1)(f), F.A.C., or any other applicable law.

3. Federal Review – SPGP Approved

Your proposed activity as outlined in your application and attached drawings qualifies for federal authorization pursuant to the State Programmatic General Permit (SPGP) V, and a **SEPARATE permit** or authorization **will not be required** from the U.S. Army Corps of Engineers (Corps). Please note that the federal authorization expires on July 26, 2021. However, your authorization may remain in effect for up to one (1) additional year if provisions of Special Condition B.27 of the SPGP V permit instrument are met. You, as permittee, are required to adhere to all General Conditions and Special Conditions that may apply to your project. Special conditions required for your project are attached. A copy of the SPGP V with all terms and conditions and the General Conditions may be found online in the Jacksonville District Regulatory Division Sourcebook.

Authority for review – an agreement with the Corps entitled "Coordination Agreement Between the U.S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection, or Duly Authorized Designee, State Programmatic General Permit." Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

EXHIBIT "A"

Additional Information

Please retain this letter. The activities may be inspected by authorized state personnel in the future to ensure compliance with appropriate statutes and administrative codes. If the activities are not in compliance, you may be subject to penalties under Chapter 373, F.S. and Chapter 18-14, F.A.C.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S. before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

(a) The name and address of each agency affected and each agency's file or identification number, if known;
(b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
(c) A statement of when and how the petitioner received notice of the agency decision;
(d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
(e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
(f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
(g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

EXHIBIT "A"

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S. or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us, before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S. by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days from the date this action is filed with the Clerk of the Department.

EXHIBIT "A"

EXECUTION AND CLERKING
Executed in Orlando, Florida.
STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Douglas Sprague
Environmental Specialist
Submerged Lands and Environmental Resources Program

TAM:ds

Attachment(s):

1. Rule 62-330.051(5)(b) and (12)(c), F.A.C. and / or Section 403.813(1)(b)(o), F.S., 2 pages
2. General Conditions for Federal Authorization for SPGP V, 2 pages
3. SPGP V: Special Conditions Related to All Review and Authorizations, 7 pages
4. Department of the Army Permit Transfer for SPGP V, 1 page
5. Construction Guidelines in Florida for Minor Piling-Supported Structures 2 pages
6. Project Drawings, 6 pages

CERTIFICATE OF SERVICE
The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

Escambia County, jtkirsche@myescambia.com BDBANE@myescambia.com bdschneider@myescambia.com TRDAY@myescambia.com
David Hunter, Agent, Wetland Sciences, Inc., david.wetlandsciences@gmail.com

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to Section 120.52, F.S., with the designated Department Clerk, receipt of which is hereby acknowledged.

Mandatiri Patel — December 15, 2017
Clerk **Date**

EXHIBIT "A"

62-330.051 Exempt Activities.

The activities meeting the limitations and restrictions below are exempt from permitting. However, if located in, on, or over state-owned submerged lands, they are subject to a separate authorization under Chapters 253 and 258, F.S., and Chapters 18-18, 18-20, and 18-21, F.A.C., as applicable.

(5) Dock, Pier, Boat Ramp and Other Boating-related Work –

(b) Installation of private docks, piers, and recreational docking facilities, and installation of local governmental piers and recreational docking facilities, in accordance with Section 403.813(1)(b), F.S. This includes associated structures such as boat shelters, boat lifts, and roofs, provided:
1. The cumulative square footage of all structures located over wetlands and other surface waters does not exceed the limitations in Section 403.813(1)(b), F.S.;
2. No structure is enclosed on more than three sides with walls and doors;
3. Structures are not used for residential habitation or commercial purposes, or storage of materials other than those associated with water dependent recreational use; and
4. Any dock and associated structure shall be the sole dock as measured along the shoreline for a minimum distance of 65 feet, unless the parcel of land or individual lot as platted is less than 65 feet in length along the shoreline, in which case there may be one exempt dock allowed per parcel or lot.

(12) Construction, Replacement, Restoration, Enhancement, and Repair of Seawall, Riprap, and Other Shoreline Stabilization –

(c) The construction of seawalls or riprap in wetlands or other surface waters between and adjoining existing seawalls or riprap at both ends in accordance with Section 403.813(1)(o), F.S.

403.813 Permits issued at district centers; exceptions.—

(1) A permit is not required under this chapter, chapter 373, chapter 61-691, Laws of Florida, or chapter 25214 or chapter 25270, 1949, Laws of Florida, for activities associated with the following types of projects; however, except as otherwise provided in this subsection, this subsection does not relieve an applicant from any requirement to obtain permission to use or occupy lands owned by the Board of Trustees of the Internal Improvement Trust Fund or a water management district in its governmental or proprietary capacity or from complying with applicable local pollution control programs authorized under this chapter or other requirements of county and municipal governments:

(b) The installation and repair of mooring pilings and dolphins associated with private docking facilities or piers and the installation of private docks, piers and recreational docking facilities, or piers and recreational docking facilities of local governmental entities when the local governmental entity's activities will not take place in any manatee habitat, any of which docks:

EXHIBIT "A"

1. Has 500 square feet or less of over-water surface area for a dock which is located in an area designated as Outstanding Florida Waters or 1,000 square feet or less of over-water surface area for a dock which is located in an area which is not designated as Outstanding Florida Waters;

2. Is constructed on or held in place by pilings or is a floating dock which is constructed so as not to involve filling or dredging other than that necessary to install the pilings;

3. Shall not substantially impede the flow of water or create a navigational hazard;

4. Is used for recreational, noncommercial activities associated with the mooring or storage of boats and boat paraphernalia; and

5. Is the sole dock constructed pursuant to this exemption as measured along the shoreline for a distance of 65 feet, unless the parcel of land or individual lot as platted is less than 65 feet in length along the shoreline, in which case there may be one exempt dock allowed per parcel or lot

(o) The construction of private seawalls in wetlands or other surface waters where such construction is between and adjoins at both ends existing seawalls; follows a continuous and uniform seawall construction line with the existing seawalls; is no more than 150 feet in length; and does not violate existing water quality standards, impede navigation, or affect flood control. However, in estuaries and lagoons the construction of vertical seawalls is limited to the circumstances and purposes stated in s. 373.414(5)(b)1.-4. This paragraph does not affect the permitting requirements of chapter 161, and department rules must clearly indicate that this exception does not constitute an exception from the permitting requirements of chapter 161.

EXHIBIT "A"

General Conditions for Federal Authorization for SPGP V

1. The time limit for completing the work authorized ends on July 26, 2021.

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner on the enclosed form and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Further Information:

1. Limits of this authorization.
   a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
   b. This permit does not grant any property rights or exclusive privileges.
   c. This permit does not authorize any injury to the property or rights of others.
   d. This permit does not authorize interference with any existing or proposed Federal projects.

2. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
   a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
   b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
   c. Damages to persons, property, or to other permitted or unpermitted activities or structures

EXHIBIT "A"

caused by the activity authorized by this permit.

d. Design or Construction deficiencies associated with the permitted work.
e. Damage claims associated with any future modification, suspension, or revocation of this permit.

3. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

4. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.
b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 3 above).
c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

5. Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CER 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form.

7. The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal, relocation or alteration.

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Special Conditions Related to All Review and Authorizations
In addition to the conditions specified above, the following Special Conditions apply to all projects reviewed and/or authorized under the SPGP V.

1. The District Engineer reserves the right to require that any request for authorization under this SPGP V be evaluated as an Individual Permit. Conformance with the terms and conditions of the SPGP V does not automatically guarantee Federal authorization.

2. On a case-by-case basis the Corps may impose additional Special Conditions which are deemed necessary to minimize adverse environmental impacts.

3. Failure to comply with all conditions of the Federal authorizations under the SPGP V would constitute a violation of the Federal authorization.

4. No structure or work shall adversely affect or disturb properties listed in the National Register of Historic Places or those eligible for inclusion in the National Register. Prior to the start of work, the Applicant/Permittee or other party on the Applicant's/Permittee's behalf, shall conduct a search of known historical properties by contracting a professional archaeologist, and contacting the Florida Master Site File at 850-245-6440 or SiteFile@dos.state.fl.us. The Applicant/Permittee can also research sites in the National Register Information System (NRIS). Information can be found at http://www.cr.nps.gov/nr/research.

a. If, during the initial ground disturbing activities and construction work, there are archaeological/cultural materials unearthed (which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work in the vicinity and notify the Compliance and Review staff of the State Historic Preservation Office at 850-245-6333 and the Corps Regulatory Project Manager to assess the significance of the discovery and devise appropriate actions, including salvage operations. Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7.

b. In the unlikely event that human remains are identified, they will be treated in accordance with Section 872.05, Florida Statutes; all work in the vicinity shall immediately cease and the local law authority, the State Archaeologist (850-245-6444), and the Corps Regulatory Project Manager shall immediately be notified. Such activity shall not resume unless specifically authorized by the State Archaeologist and the Corps.

5. No work shall be authorized under the SPGP V which proposes the use of prefabricated modules for habitat creation, restoration, or enhancement except as allowed in Special Condition 17 for *Living Shorelines* of the *Shoreline Stabilization* category.

6. The Design and construction of a Project must comply with the following.

EXHIBIT "A"

a. Where aquatic vegetation is present, adverse impacts to aquatic vegetation from construction of piling-supported structures may be avoided/minimized by adherence to, or employing alternative construction techniques that provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "*Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat*," U.S. Army Corps of Engineers/National Marine Fisheries Service August 2001 (updated June 2008). Unless otherwise specifically approved by the National Marine Fisheries Service, where aquatic vegetation is present, piling-supported structures authorized under the SPGP V must comply with, or provide a higher level of protection than, the criteria contained in the referenced construction guidelines. Mangrove impacts are limited to the removal of mangroves along 4 linear feet of shoreline to accommodate a 4-ft wide access walkway associated with a dock that meets the above guidelines.

b. Additionally, because of concerns about adverse impacts to the endangered Johnson's seagrass (*Halophila johnsonii*) in the lagoon and canal systems on Florida's east coast from Sebastian Inlet (Brevard County) south to and including central Biscayne Bay (Miami-Dade County), the following requirements must be met:

(1) Piling-supported structures must comply with, or provide a higher level of protection than, the criteria contained in the construction guidelines titled "*Key for Construction Conditions for Docks or Other Minor Structures Constructed in or Over Johnson's seagrass (Halophila johnsonii)*," National Marine Fisheries Service/U.S. Army Corps of Engineers – February 2002 (updated October 2002).

(2) Removal of derelict vessels must comply with the practices of Special Condition 19.

(3) All other activities will have no effect on Johnson's seagrass, i.e., no seagrass is present.

c. The presence of seagrass will be determined utilizing the attached "*Submerged Aquatic Vegetation Survey Guidelines*."

7. For projects in waters accessible to sea turtles, Smalltooth sawfish, Gulf sturgeon, or Shortnose sturgeon, the Permittee will utilize the "*Sea Turtle and Smalltooth Sawfish Construction Conditions*" and the following additions:

a. Any collision(s) with and/or injuries to any whale, or sturgeon occurring during the construction of a project, shall be reported immediately to NMFS's Protected Resources Division (PRD) at (727-824-5312).

b. Reports to NMFS's Protected Resources Division (PRD) may be made by email to takereport.nmfsser@noaa.gov.

c. Sea turtle and marine mammal stranding/rescue organizations' contact information is available by region at http://www.nmfs.noaa.gov/pr/health/networks.htm.

d. Smalltooth sawfish encounters shall be reported to http://www.flmnh.ufl.edu/fish/sharks/sawfish/sawfishencounters.html.

e. All work must occur during daylight hours.

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8. The Permittee is responsible for obtaining any "take" permits required under the U.S. Fish and Wildlife Service's regulations governing compliance with the Migratory Bird Treaty Act or the Bald and Golden Eagle Protection Act. The Permittee should contact the appropriate local office of the U.S. Fish and Wildlife Service to determine if such "take" permits are required for a particular activity.

9. The Permitee is responsible for compliance with 50 CFR 224.103(c) prohibiting approach within 500 yards of a right whale, with limited exceptions.

10. Turbidity control measures shall be used throughout construction to control erosion and siltation to ensure there are no violations of state or federal water quality standards. Turbidity control measures shall be: (1) for the smallest practicable area; (2) monitored daily to ensure listed species are not entangled or trapped in the project area; (3) shall be removed promptly upon project completion and the return of water quality conditions; (4) and shall not block entry to or exit from designated critical habitat. Siltation barriers shall be made of material in which listed species cannot become entangled (i.e., reinforced impermeable polycarbonate vinyl fabric [PVC]).

a. Turbidity curtains are not required where not practical in dynamic systems such as surf zones and could actually do more harm than good if the curtains become detached (e.g., they could entrap pelagic organisms and become entangled around benthic organisms, such as coral).

b. Turbidity barriers are not required if installation of single piling in deep water since is unlikely to adversely affect water quality.

11. In-water rope or chain must meet the following requirements: Industrial grade metal chains or heavy cables that do not readily loop and tangle; All in-water lines (rope and cable) must be thick and taut and cannot have excess line in the water; Lines can be enclosed in a plastic or rubber sleeve/tube to add rigidity.

12. No work shall occur where hard bottom or any hard or coral including ESA-listed coral species are present within the footprint of the project.

13. No work shall occur that results in removal of mangroves (including prop roots), except:

a. as provided by Special Condition 6.a.; or,

b. for removal of mangroves growing at the foot or from an existing seawall whose removal needed to repair the seawall.

14. No work shall occur that results in impacts to seagrass except as provided by Special Condition 6.

15. (For *Docks, Piers, Associated Facilities, and Other Minor Piling-Supported Structures* and *Boat Ramps and Boat Launch Areas and Structures Associated with Such Ramps or Launch Areas.*)

EXHIBIT "A"

a. Aids to Navigation and Private Aids to Navigation (e.g. attached to the structures authorized by the SPGP) must be approved by and installed in accordance with U.S. Coast Guard requirements.

b. Temporary structures associated with marine events will be removed and the site restored upon completion of the event.

c. (*For multi-family residential docks (e.g., condos, trailer parks, apartment complexes) designated for fishing or vessel storage, for temporary marine event pile-supported structures involving high speed vessel traffic or fishing, and for commercial or public boat ramps.*) Install educational signs as follows in a visible location to alert boaters of listed species in the area susceptible to vessel strikes or hook-and-line captures. NMFS website (http://sero.nmfs.noaa.gov/protected_resources/section_7/protected_species_educational_signs/index.html) provides sign installation guidance and most current version of the signs.

(1) All commercial and public boat ramps shall install the Save Sea Turtle, Sawfish, and Dolphin sign.

(2) If the Project occurs within the range of Gulf, Atlantic, or Shortnose sturgeon, the Permittee will install and maintain the *Report Sturgeon* sign.

(3) If the Project occurs within 14 miles of North Atlantic Right Whale critical habitat, the Permittee will install and maintain the *Help Protect North Atlantic Right Whales* sign.

d. Project construction will take place from uplands or from floating equipment (e.g., barge); prop or wheel-washing is prohibited.

16. (For *Transient activities*.)

a. Temporary structures shall not block access of species to an area such as preventing movement in or out of a river or channel.

b. (For *Scientific sampling, measurement, and monitoring devices*.) No later than 24 months from initial installation, or upon completion of data acquisition, whichever comes first, the measuring device and any other structure or fills associated with that device (e.g., anchors, buoys, lines) must be removed and the site must be restored to pre-construction elevations.

17. (For *Living Shorelines* of the *Shoreline Stabilization* category.)

a. Only native plant species will be planted.

b. Not more than 500 linear feet in length, not more than 35 ft waterward of the hightide line (note that FAC 62-330 limits to 10 feet of the mean high water line) or result in more than 0.5 ac area between the natural shoreline and the structure.

c. No discharge of earthen fill material, other than earthen material associated with vegetative planting, is not authorized.

d. Construction, maintenance and removal of approved permanent, shore-parallel wave attenuation structures are authorized. Approved permanent wave attenuation materials include oyster breakwaters (described below), clean limestone boulders, and prefabricated structures made of concrete and rebar that are designed in a manner that cannot trap sea turtles, Smalltooth sawfish, or sturgeon. Reef balls that are not open on the bottom, triangle structures with a top opening of at least 3 feet between structures, and reef discs stacked on a pile may be used.

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e. (For oyster breakwaters).

(1) Reef materials shall be placed in a manner to ensure that materials (e.g., bagged oyster shell, oyster mats, loose cultch surrounded and contained by a stabilizing feature, reef balls, and reef cradles) will remain stable and prevent movement of materials to surrounding areas.

(2) Materials must be placed in designated locations (i.e., shall not be indiscriminately/randomly dumped) and shall not be placed outside of the total project limits.

18. (For *Subaqueous Utility Lines* of the *Transient Activities* category.)

a. A Frac-out Contingency Plan similar to the attached plan will be developed, submitted with the application and then followed.

b. All subaqueous transmission lines crossing over, under, or in flood control channels/canals in Federal projects (either federally or locally maintained) which are installed with horizontal direction drilling (HDD) shall comply with the following:

(1) The project shall ensure the top of the HDD boring is a minimum of 10 feet beneath the bottom of the channel including a minimum 25 feet outside the channel edges and the estimated total drilling fluid pressure is less than 10 psi.

(2) Construction of directional boring vaults, junction boxes, and/or pads are not allowed within 25 feet of the top of the bank of any federal project.

(3) Projects not in compliance with these criteria shall not be eligible for authorization under SPGP V.

(4) Any activity within a Federal right-of-way shall require the Permittee to enter into a consent-to-easement with the Real Estate Division, U.S. Army Corps of Engineers, Jacksonville or Mobile District, as appropriate, prior to the commencement of any construction activity.

(5) The Permittee shall, upon completion of work, provide an as-built survey showing the horizontal and vertical location (X-Y-Z coordinates in NAD 83 and NAVD 88) of the object below the channel as it enters and exits the design edges of the authorized width of the channel, plus a minimum of 25 feet outside the channel edges.

c. Where the proposed subaqueous utility or transmission line is to be installed in navigable waters of the United States, at least 2 weeks prior to the start of the authorized work, the permittee must notify the National Oceanic and Atmospheric Administration (NOAA) and the Corps in writing that the work is commencing; and, again, upon completion of the work. The permittee shall notify the District Engineer in writing at the letterhead address, attention Regulatory Division; and, the NOAA, either in mailed correspondence to Nautical Data Branch Office of Coast Survey N/CS26, 1315 East-West Highway, Silver Spring, MD 20910-3282 or by electronic mail correspondence, with scans of the requisite documents attached, through osc.ndb@noaa.gov and spgp@usace.army.mil. The postconstruction notification will include "as-built plans," signed and sealed by a registered surveyor/engineer licensed in the State of Florida, that certify the project is constructed as authorized; and must include an accurate depiction of the location and configuration of the completed activity in relation to the mean high water of the navigable water.

19. (For *Removal of Derelict Vessels* of the *Transient Activities* category.)

a. Removal of marine debris shall require visual confirmation (e.g., divers, swimmers, camera) that the item can be removed without causing further damage to aquatic resources.

EXHIBIT "A"

b. If an item cannot be removed without causing harm to surrounding coral, the item will be disassembled as much as practicable so that it no longer can accidently harm or trap species.

c. Monofilament debris will be carefully cut loose from coral so as not to cause further harm. Under no circumstance will line be pulled through coral since this could cause breakage of coral.

d. Marine debris shall be lifted straight up and not be dragged through seagrass beds, coral, or hard bottom habitats. Debris shall be properly disposed of in appropriate facilities in accordance with applicable federal and state requirements.

20. For concrete piles installed by impact hammer:

a. The piles will be less than or equal to than 24 inches in diameter; and

b. Not more than 10 piles will be installed per day if in open water; or,

c. Not more than 5 piles will be installed per day in a *confined space*. A *confined space* is defined as any area that has a solid object (e.g., shoreline, seawall, jetty) or structure within 150 feet of the pile installation site that would effectively serve as a barrier or otherwise prevent animals from moving past it to exit the area. This does not include objects such as docks or other pile-supported structures that would not stop animal movement or significantly reflect noise.

21. Metal piles will NOT be installed by impact hammer.

22. Projects within the boundary of the NOAA Florida Keys National Marine Sanctuary require prior approval from the Sanctuary.

23. The Permittee shall use only clean fill material. The fill material shall be upland sources and be free of items such as trash, debris, automotive parts, asphalt, construction materials, concrete block with exposed reinforcement bars, and soils contaminated with any toxic substance, in toxic amounts in accordance with Section 307 of the Clean Water Act.

24. No blasting is authorized.

25. For Projects authorized under this SPGP V in navigable waters of the U.S., the Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

26. The SPGP V will be valid for five (5) years from the date of issuance unless suspended or revoked by issuance of a public notice by the District Engineer. The Corps, in conjunction with the Federal resource agencies, will conduct periodic reviews to ensure that continuation of the permit during the five-year authorization period is not contrary to the public interest. If

EXHIBIT "A"

revocation occurs, all future applications for activities covered by the SPGP V will be evaluated by the Corps.

27. If the SPGP V expires or is revoked prior to completion of the authorized work, authorization of activities which have commenced or are under contract to commence in reliance upon the SPGP V will remain in effect provided the activity is completed within twelve (12) months of the date the SPGP V expired or was revoked.

28. The General Conditions attached hereto are made a part of this SPGP V and must be attached to all authorizations processed under this SPGP V.

EXHIBIT "A"

Department of the Army Permit Transfer for SPGP V

PERMITEE: _____

PERMIT NUMBER: _____ DATE: _____

ADDRESS/LOCATION OF PROJECT:

_____

_____

(Subdivision) (Lot) (Block)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Branch, Post Office Box 4970, Jacksonville, FL 32232-0019.

_____ _____

(Transferee Signature) (Date)

_____

(Name Printed)

_____

(Street address)

_____

(Mailing address)

_____

(City, State, Zip Code)

EXHIBIT "A"

Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat
U.S. Army Corps of Engineers/National Marine Fisheries Service
August 2001

Submerged Aquatic Vegetation:

1. Avoidance. The piling-supported structure shall be aligned so as to minimize the size of the footprint over SAV beds.

2. The height of piling-supported structure shall be a minimum of 5 feet above MHW/OHW as measured from the top surface of the decking.

3. The width of the piling-supported structure is limited to a maximum of 4 feet. A turnaround area is allowed for piling-supported structures greater than 200 feet in length. The turnaround is limited to a section of the piling-supported structure no more than 10 feet in length and no more than 6 feet in width. The turnaround shall be located at the midpoint of the piling-supported structure.

4. Over-SAV bed portions of the piling-supported structure shall be oriented in a north-south orientation to the maximum extent that is practicable.

5. a. If possible, terminal platforms shall be placed in deep water, waterward of SAV beds or in an area devoid of SAV beds.

b. If a terminal platform is placed over SAV areas and constructed of grated decking, the total size of the platform shall be limited to 160 square feet. The grated deck material shall conform to the specifications stipulated below. The configuration of the platform shall be a maximum of 8 feet by 20 feet. A minimum of 5 feet by 20 feet shall conform to the 5-foot height requirement; a 3 feet by 20 feet section may be placed 3 feet above MHW to facilitate boat access. The long axis of the platform should be aligned in a north-south direction to the maximum extent that is practicable.

c. If the terminal platform is placed over SAV areas and constructed of planks, the total size of the platform shall be limited to 120 square feet. The configuration of the platform shall be a maximum of 6 feet by 20 feet of which a minimum 4-foot wide by 20-foot long section shall conform to the 5-foot height requirement. A section may be placed 3 feet above MHW to facilitate boat access. The 3 feet above MHW section shall be cantilevered. The long axis of the platform should be aligned in a north-south direction to the maximum extent that is practicable. If the 3feet above MHW section is constructed with grating material, it may be 3 feet wide.

6. One uncovered boat lift area is allowed. A narrow catwalk (2 feet wide if planks are used, 3 feet wide if grating is used) may be added to facilitate boat maintenance along the outboard side of the boat lift and a 4-foot wide walkway may be added along the stem end of the boat lift, provided all such walkways are elevated 5 feet above MHW. The catwalk shall be cantilevered from the outboard mooring pilings (spaced no closer than 10 feet apart).

7. Pilings shall be installed in a manner which will not result in the formation of sedimentary deposits("donuts" or "halos") around the newly installed pilings. Pile driving is the preferred method of installation, but jetting with a low pressure pump may be used.

8. The spacing of pilings through SAV beds shall be a minimum of 10 feet on center.

9. The gaps between deckboards shall be a minimum of ¼ inch.

Marsh:

Grid Specifications and Suppliers Section modified in October 2002 to add an additional vendor of materials.
February 2003 – Manufacturer name changed from ChemGrate to FiberGrate
May 2003 - The terms dock and pier were removed and replaced by the term piling-supported structure, to clarify our intent.
March 2008 – Added requirement for 43% open space in grids; added additional manufacturer of grating. -

EXHIBIT "A"

1. The piling-supported structure shall be aligned so as to have the smallest over-marsh footprint as practicable.

2. The over-marsh portion of the piling-supported shall be elevated to at least 4 feet above the marsh floor.

3. The width of the piling-supported is limited to a maximum of 4 feet. Any exceptions to the width must be accompanied by an equal increase in height requirement.

Mangroves.

1. The width of the piling-supported structure is limited to a maximum of 4 feet.

2. Mangrove clearing is restricted to the width of the piling-supported structure.

3. The location and alignment of the piling-supported structure should be through the narrowest area of the mangrove fringe.

Grid Specifications and Suppliers

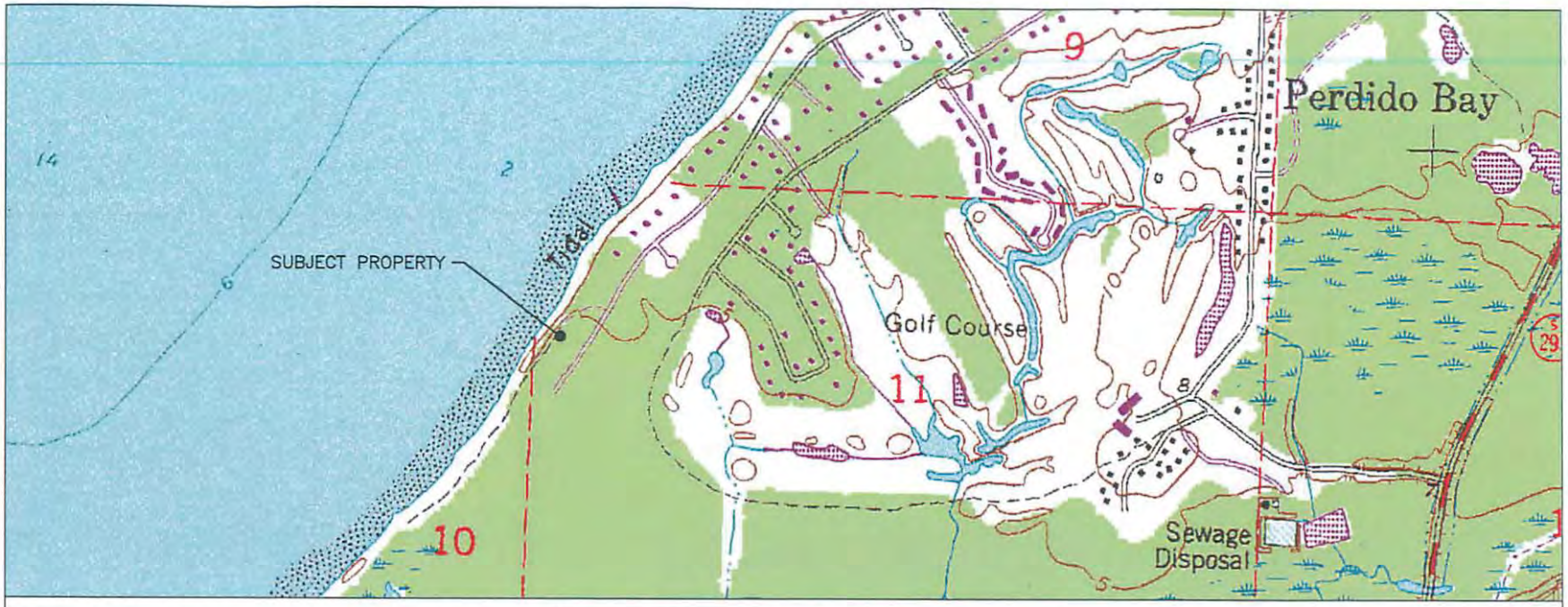
The following information does not constitute a U.S. Army Corps of Engineers endorsement or advertisement for any particular provider and is provided only as an example for those interested in obtaining these materials for piling-supported structure construction. Light-transmitting materials are made of various materials shaped in the form of grids, grates, lattices, etc., to allow the passage of light through the open spaces. **All light-transmitting materials used in construction for minor piling-supported structures shall have a minimum of forty-three (43) percent open space.**

A type of fiberglass grate panel is manufactured by SeaSafe (Lafayette, LA; phone: 1-800-326-8842) and FiberGrate (1-800-527-4043). A type of plastic grating is manufactured by ThruFlow Interlocking Panels (1-888-478-3569). Plastic grate panels are also distributed by Southern Pine Lumber Company (Stuart, FL; 772-692-2300). Panels are available in a variety of sizes and thicknesses. For safety, the grate should contain an anti-slip texture which is integrally molded into the top surface. The manufacturer or local distributor should be consulted to ensure that the load-bearing capacity of the selected product is sufficient to support the intended purpose. Contact the manufacturer(s) for product specifications and a list of regional distributors.

Grid Specifications and Suppliers Section modified in October 2002 to add an additional vendor of materials.
February 2003 – Manufacturer name changed from ChemGrate to FiberGrate
May 2003 - The terms dock and pier were removed and replaced by the term piling-supported structure, to clarify our intent
March 2008 – Added requirement for 43% open space in grids; added additional manufacturers of grating. -

EXHIBIT "A"

EXHIBIT "A"



DIRECTIONS TO THE SITE FROM DOWNTOWN PENSACOLA: START OUT GOING WEST ON GARDEN STREET/US-98. TURN LEFT ONTO BARRANCAS AVE/FL-292 AND FOLLOW FOR 9.5 MILES. TURN RIGHT ONTO DOUG FORD DR. TURN RIGHT ONTO SHOSHONE DR. TURN LEFT ONTO CHOCTAW AVE. TURN RIGHT ONTO NAVAHO DR. TURN LEFT ONTO PALE MOON DR. SUBJECT PROPERTY IS LOCATED ON THE RIGHT HAND SIDE OF THE ROAD WITH AN APPROXIMATELY .5 MILES DOWN. PLEASE CALL 850-453-4700 WITH ANY QUESTIONS.

SUBJECT PROPERTY

PARCEL ID#
11-3S-32-3000-000-001
PROPERTY OWNER
SCOTT & DONNA MINDREBO
2927 COVEBROOK DR
PEARLAND, TX 77584

PROJECT LOCATION

5200 BLK PALE MOON DR
PENSACOLA, FL 32507
LAT: 30.329264°
LONG: -87.436444°

INDEX OF SHEETS

SHEET NO.	DESCRIPTION
1	SITE LOCATION MAP
2	EXISTING SITE CONDITIONS
3	PLAN VIEW DEPICTED ONTO AERIAL
4	PLAN VIEW
5	DOCK PROFILE (TYPICAL)
6	DOCK DETAILS (TYPICAL)

1/6
0359395-001-002-EE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
EXEMPT
DS
STATE OF FLORIDA

WETLAND SCIENCES INCORPORATED
ENVIRONMENTAL CONSULTANTS
3308 GULF BEACH HIGHWAY
PENSACOLA, FLORIDA 32507
TEL: 850.453.4700
KEITH@WETLANDSCIENCES.COM

PROJECT NAME: DUTTON PALE MOON DR	
SITE LOCATION MAP	
PROJECT NO.: 2017-687	
DRAWN BY: DDH	DATE: 12/04/2017
SHEET: 1 OF 6	

N

1200 0 600 1200

SCALE: 1"=1200Feet

EXHIBIT "A"

DEPARTMENT OF ENVIRONMENTAL PROTECTION
2/6
0359395-001-002-EE
EXEMPT
DS
STATE OF FLORIDA

WETLAND SCIENCES INCORPORATED

ENVIRONMENTAL CONSULTANTS
3308 GULF BEACH HIGHWAY
PENSACOLA, FLORIDA 32507
TEL: 850.453.4700
KEITH@WETLANDSCIENCES.COM

PROJECT NAME: DUTTON PALE MOON DR
EXISTING SITE CONDITIONS
PROJECT NO.: 2017-687
DRAWN BY: DDH DATE: 12/04/2017
SHEET: 2 OF 6

N

30 0 15 30

SCALE: 1"= 30 Feet

DEPARTMENT OF ENVIRONMENTAL PROTECTION
3/6
0359395-001-002-EE
EXEMPT
DS
STATE OF FLORIDA

EXHIBIT "A"

WETLAND SCIENCES INCORPORATED

ENVIRONMENTAL CONSULTANTS
3308 GULF BEACH HIGHWAY
PENSACOLA, FLORIDA 32507
TEL: 850.453.4700
KEITH@WETLANDSCIENCES.COM

PROJECT NAME: DUTTON PALE MOON DR	
PLAN VIEW DEPICTED ONTO AERIAL	
PROJECT NO.: 2017-687	
DRAWN BY: DDH	DATE: 12/04/2017
SHEET: 3 OF 6	

N

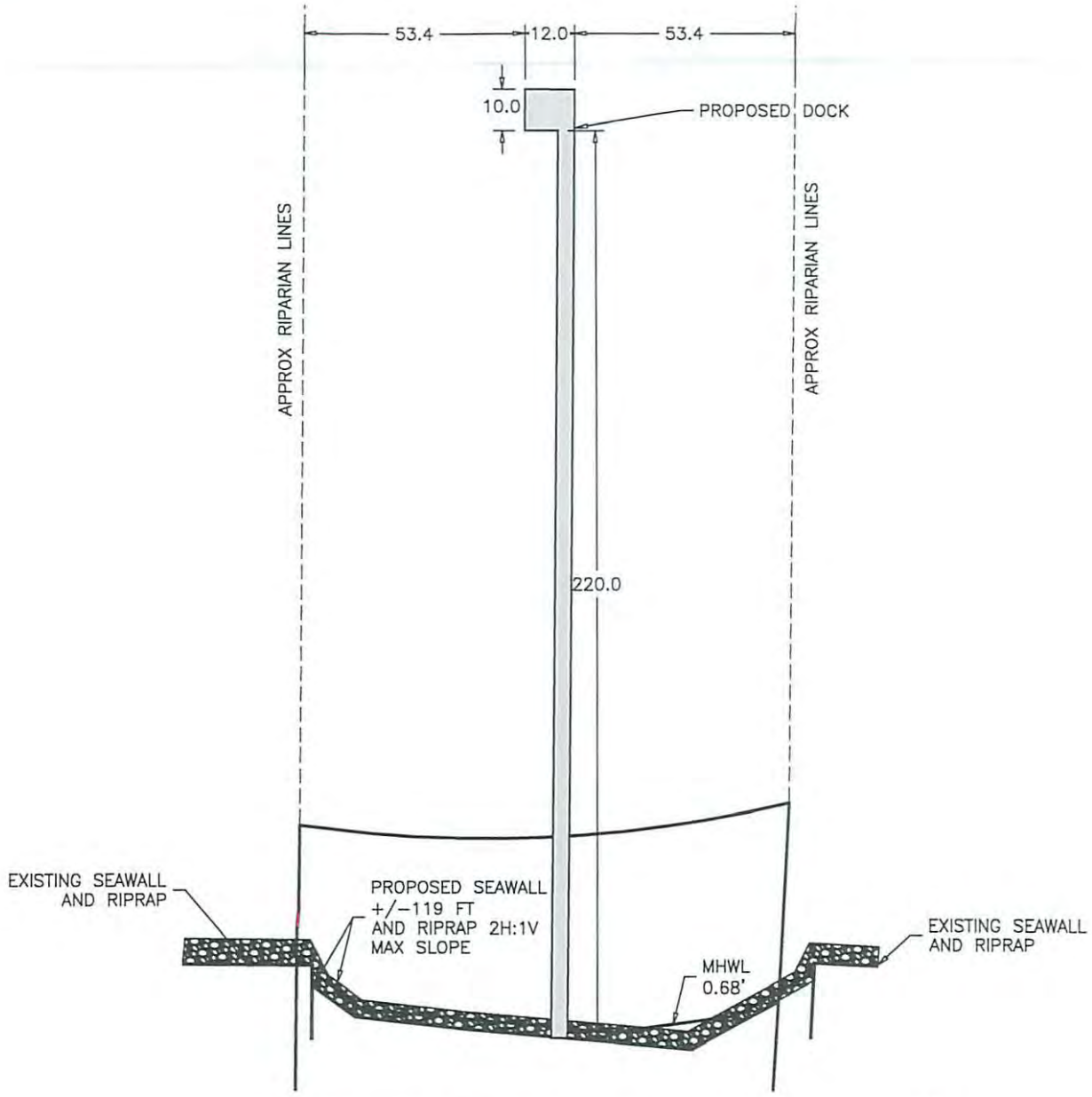
80 0 40 80

SCALE: 1"= 80 Feet

DOCK AREA CALCULATIONS

220 X 4 Access Pier = 880 SQ FT
10 X 12 Platform = 120 SQ FT

TOTAL= 1000 SQ FT



DEPARTMENT OF ENVIRONMENTAL PROTECTION
4/6
0359395-001-002-EE
EXEMPT
DS
STATE OF FLORIDA

EXHIBIT "A"

WETLAND SCIENCES INCORPORATED

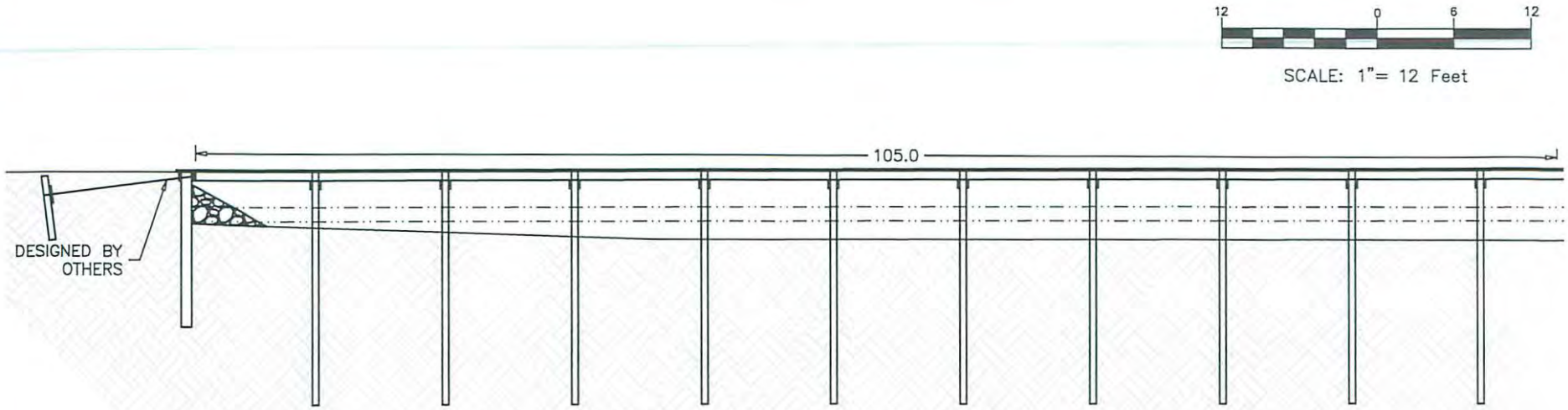
ENVIRONMENTAL CONSULTANTS
3308 GULF BEACH HIGHWAY
PENSACOLA, FLORIDA 32507
TEL: 850.453.4700
KEITH@WETLANDSCIENCES.COM

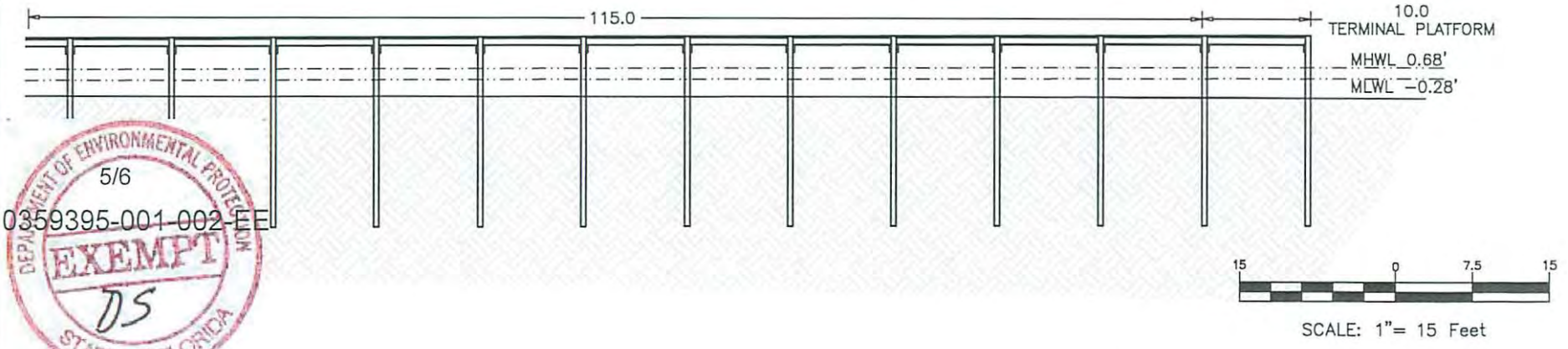
PROJECT NAME: DUTTON PALE MOON DR	
PLAN VIEW	
PROJECT NO.: 2017-687	
DRAWN BY: DDH	DATE: 12/04/2017
SHEET: 4 OF 6	

N

20 0 10 20

SCALE: 1"= 20 Feet



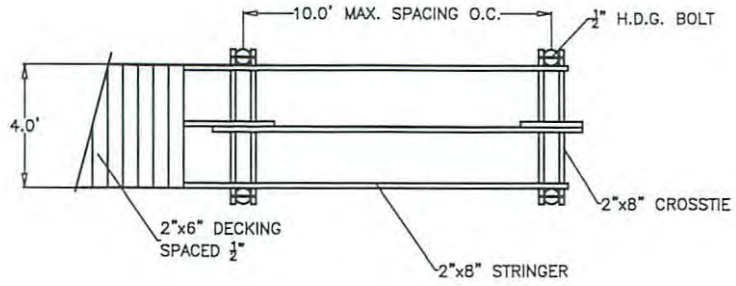


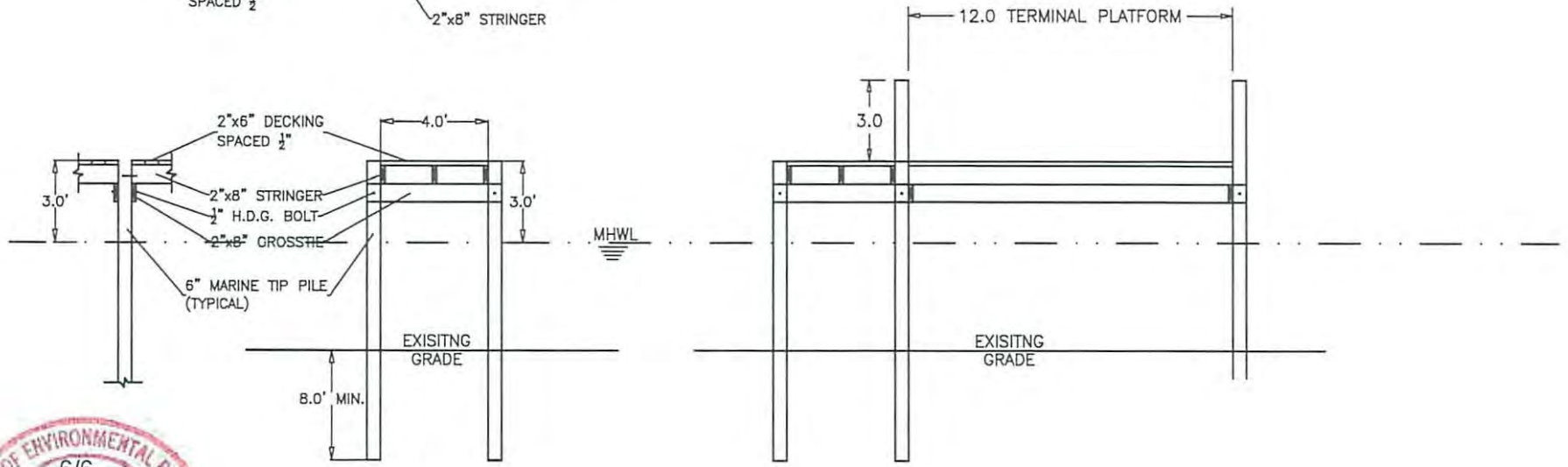
DEPARTMENT OF ENVIRONMENTAL PROTECTION
5/6
0359395-001-002-EE
EXEMPT
DS
STATE OF FLORIDA

WETLAND SCIENCES INCORPORATED
ENVIRONMENTAL CONSULTANTS
3308 GULF BEACH HIGHWAY
PENSACOLA, FLORIDA 32507
TEL: 850.453.4700
KEITH@WETLANDSCIENCES.COM

PROJECT NAME: DUTTON PALE MOON DR	
PROFILE	
PROJECT NO.: 2017-687	
DRAWN BY: DDH	DATE: 12/04/2017
SHEET: 5 OF 6	

EXHIBIT "A"





6/6

0359395-001-002-EE

EXEMPT

DS

DEPARTMENT OF ENVIRONMENTAL PROTECTION

STATE OF FLORIDA

EXHIBIT "A"

WETLAND SCIENCES INCORPORATED

ENVIRONMENTAL CONSULTANTS
3308 GULF BEACH HIGHWAY
PENSACOLA, FLORIDA 32507
TEL: 850.453.4700
KEITH@WETLANDSCIENCES.COM

PROJECT NAME: DUTTON PALE MOON DR	
DOCK DETAILS	
PROJECT NO.: 2017-687	
DRAWN BY: DDH	DATE: 12/04/2017
SHEET: 6 OF 6	

6 0 3 6

SCALE: 1"= 6 Feet

EXHIBIT "B"

WETLAND MAP
5312 PALE MOON DR
MINDREBO SCOTT J &
MINDREBO DONNA JEAN
5330 PALE MOON DR
ACKELSBERG SHAYE &
OGDEN FRANCES
PALE MOON DR
ESCAMBIA COUNTY FLORIDA
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.
Caleb MacCartee
Planning and Zoning Dept.
0
125
250
375
500
Ft

EXHIBIT "B"

FLOOD ZONE MAP
X
0.2 PCT ANNUAL CHANCE FLO
5312 PALE MOON DR
MINDREBO SCOTT J &
MINDREBO DONNA JEAN
AE
5330 PALE MOON DR
ACKELSBERG SHAYE &
OGDEN FRANCES
0.2 PCT ANNUAL CHANCE FLO
PALE MOON DR
AE
AE
PALE MOON ESTATES
0
125
250
375
500
Ft

Date of Issuance

01/11/2018

1802404 PLM

Escambia County

Office of Environmental Enforcement
Escambia County Central Office Complex
3363 West Park Place, Pensacola, FL 32505
PHONE: (850) 595-1820 FAX: (850) 595-0149

Case Number

CE1801136E

NOTICE OF VIOLATION

At (Location): PR: 113S323000000001
5200 BLK PALE MOON DR PENSACOLA, FL

Zipcode
32507

Respondent: MINDREBO, SCOTT J & DONNA JEAN
Address: 2927 COVEBROOK DR
PEARLAND, TX 77584

DOB: Race: Height: Weight: D.L.:

Comply within 10 days of receipt of this notice	**Warning** Failure to correct this violation and notify this Officer of Compliance will result in fines or a hearing. If the Hearing is scheduled you may be assessed $1,100 or more for costs of said hearing, plus possible fines; the County may abate the violations and place a Lien on the property.

Ordinance Description

Violation 1 LDC. Ch. 4. Art. 5. Sec. 4-5.2 General provisions. (a) Approval required. All land uses and development activities which impact environmentally sensitive lands require prior county review and approval for compliance with the regulations of this article unless the use or activity is specifically identified in the Land Development Code (LDC) as exempt from these regulations. Method of abatement: Contact Planning and Zoning (595-3475) and comply with all review and approval requirements directed by that office, to include potential mitigation.

Violation 2 LDC. Ch. 4. Art. 5. Sec. 4-5.3 Wetlands. Protection required. Wetlands as defined in Florida Administrative Code (Ch. 62-340) shall be protected from draining, dredging, filling, excavating, building, pollution, and other alterations or acts that will reduce or otherwise adversely impact their ecological functions and public benefits. (b) Mitigation for impacts. Mitigation for adverse impacts to wetlands shall be based on the Uniform Mitigation Assessment Method (UMAM) prescribed by Florida Administrative Code (Ch. 62-345). (c) Enforcement. In addition to the general LDC compliance enforcement provisions of Chapter 1, for any violations of LDC erosion control provisions impacting wetlands, violators shall begin remedial action immediately and have seven calendar days to complete restoration of the impacted area to pre-impact conditions or better. For other violations of the wetland protection provisions of this article, violators shall begin remedial action planning immediately and have 21 calendar days to complete restoration of the impacted area to pre-impact conditions or better. With documented evidence of good faith restoration efforts the Planning Official may authorize an extension to the time period for completion of the required action for extenuating circumstances. Method of abatement: Contact Planning and Zoning (595-3475) and comply with all requirements directed by that office, to include mitigation within the time limits listed above.

Violation 3 Sec. 42-196 (a) Nuisance Conditions. The creation or maintenance of any condition conducive to the breeding of rats, vermin, flies, mosquitoes, or other arthropods that are capable of transmitting diseases directly or indirectly to humans.Sec. 42-197 Method of abatement: (a) For conditions conductive to the breeding of rats, vermin, flies, mosquitoes, or other arthropods: Complete removal of all contributing conditions.

Violation 4 Sec. 42-196 (b) Trash and Debris. The accumulation of garbage, or other solid waste materials which violates any state law, regulation, or ordinance of the county or which poses a danger to the health, safety, and welfare to residents of the county;Sec. 42-197 Method of abatement: (a) Complete removal of all contributing conditions

EXHIBIT "C"

1802404 PLM

Violation 5 LDC. Ch. 2. Art. 3. Sec. 2-3.2 General land disturbance. (a) General. A general land disturbance permit is required prior to beginning any activity involving the clearing, cutting, excavating, filling, or grading of land, or any other activity that alters land topography or vegetative cover and is not authorized by the other land disturbance permits of this article. Method of Abatement: Contact Planning and Zoning (595-3474) and comply with all requirements to obtain the required land disturbance permit.

Violation 6 **5-4.2 - Stormwater impact review.**

(a)

Approval required. No land use or development activity may alter or disrupt existing stormwater runoff patterns or conditions without prior county review and approval for compliance with the standards of this article unless the use or activity is specifically identified in the LDC as exempt from these standards. Uses or activities that may alter or disrupt existing stormwater runoff sufficiently to require a stormwater management plan include the following:

(1)

Land disturbance. Grading, digging, cutting, scraping, or excavating of soil; placement of fill materials; substantial removal of vegetation; the drainage of land; and any other forms of land disturbance that would significantly change stormwater runoff.

(2)

Lot coverage. Construction of a structure or the non-de minimis alteration of the size of one or more structures; placement of aggregate and paving; and other constructed changes in the proportions of pervious, impervious, and semi-impervious lot coverage.

(3)

Alterations. Alteration of the shoreline or bank of any watercourse or surface waterbody; or alteration of any ditches, dikes, terraces, berms, swales, piping, inlets, ponds, or other natural or manmade elements affecting the control or management of stormwater.

(4)

Subdivision. The subdivision of land, including the replatting of a recorded subdivision.

Officer Comments

COMPLY AND MAINTAIN ABOVE ORDINANCES WITHIN THE TIME SPECIFIED TO AVOID FURTHER ENFORCEMENT ACTION. CONTACT OFFICER WITH QUESTIONS OR FURTHER INSTRUCTIONS.

Contact officer Richard Craig at 850-554-7160 upon compliance or with questions regarding this notice.

Richard Craig #678

Signature of Officer: Richard Craig #678
recraig@myescambia.com
(850) 554-7160

USPS

Signature of Respondent

EXHIBIT "C"

Per Esc. Co. Env. Code Enforcement 1-11-18
1802404 PLM

EXHIBIT "C"

1802404 PLM

EXHIBIT "C"

1802404 PL M

EXHIBIT "C"

1802404 PLM

EXHIBIT "C"

180404 PLM

EXHIBIT "C"

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EXHIBIT "C"

180Z404PCM

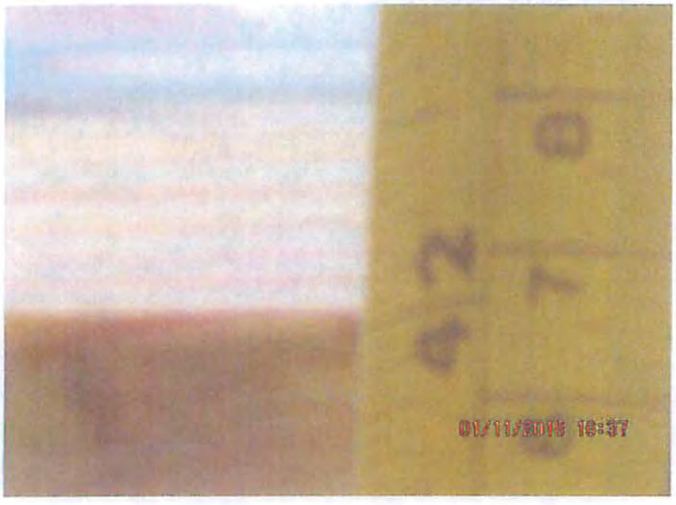
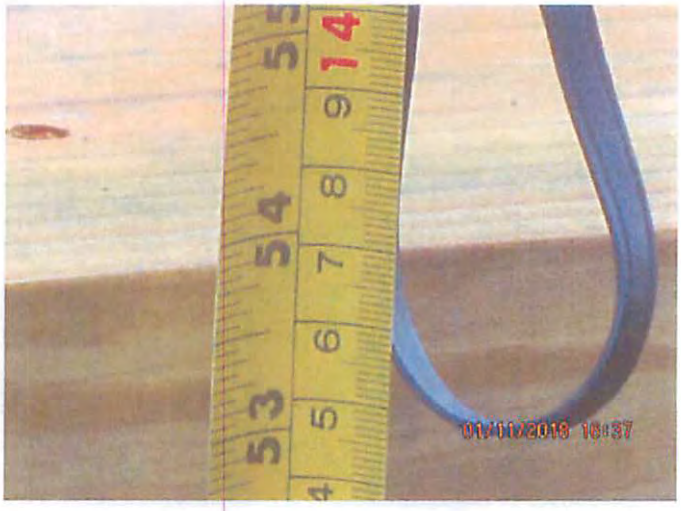


EXHIBIT "C"

1802404 PLM



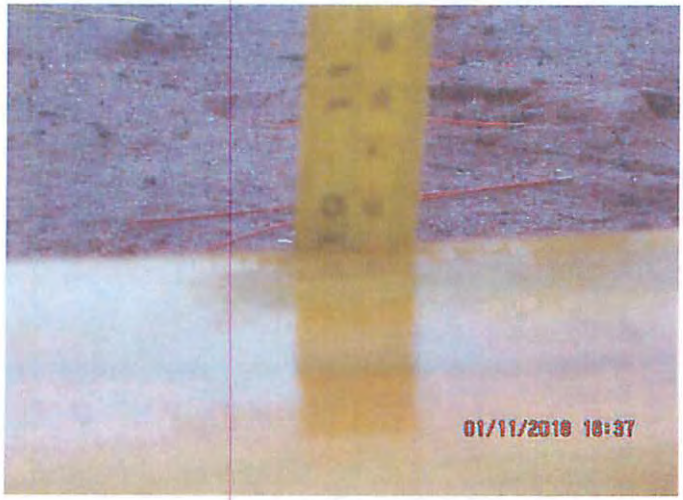


EXHIBIT "C"

1802404 PL M

EXHIBIT "C"

Karla N Moreno

From: Horace L Jones
Sent: Thursday, January 11, 2018 1:54 PM
To: Bradley D Bane; Terry D Williams; Timothy R. Day
Cc: Allen Hampton; Andrew D. Holmer; Ron J. Corbin
Subject: RE: land disturbance adjacent to 5330 Pale Moon

Andrew,
Please get all the facts. The owners of the site may need to come and speak with us to determine their intent for the parcel. Is a home being proposed? Where is the structure permit??. If not LDP should be required.

From: Bradley D Bane
Sent: Thursday, January 11, 2018 1:45 PM
To: Terry D Williams <TDWILLIA@myescambia.com>; Timothy R. Day <TRDAY@myescambia.com>
Cc: Horace L Jones <HLJONES@myescambia.com>; Allen Hampton <EAHAMPTON@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>
Subject: Re: land disturbance adjacent to 5330 Pale Moon

I received a call on the same so I looked into it but could not find permits of any type in the system. I asked Allen this morning if he was in the neighborhood to please swing by and check it out. Per his photos this afternoon, the site has been completely cleared up to what appears to be 10-15' from the water's edge, fill placed over the entire lot, and some sort of retaining wall installed along the NE p/l. Minimal erosion controls were up with some migration of fill near neighbor(s) where it was not installed, &/or failed.

Allen, could you please forward the pictures when you have a sec?

Thanks,

Brad

Bradley D. Bane, Environmental Analyst
Escambia County Development Services Department
Environmental Services- Review, DRC & Permitting
3363 West Park Place
Pensacola, FL 32505
(850) 595-4572 Office
(850) 595-3557 Fax
bdbane@co.escambia.fl.us

Please consider the Environment before printing this e-mail. Reduce, reuse, recycle. Think Green.

EXHIBIT "D"

From: Terry D Williams
Sent: Thursday, January 11, 2018 1:29 PM
To: Timothy R. Day
Cc: Horace L Jones; franogden@gmail.com; Bradley D Bane; Allen Hampton
Subject: Re: land disturbance adjacent to 5330 Pale Moon

Tim

No permit issued as of this date.

From: Timothy R. Day
Sent: Wednesday, January 10, 2018 4:23 PM
To: Terry D Williams
Cc: Horace L Jones; franogden@gmail.com
Subject: land disturbance adjacent to 5330 Pale Moon

Please let me know if there is a permit for 5200 blk of Pale Moon Drive PRN 11-3S-32-3000-000-001. There is a concern of unpermitted land disturbance/fill on the lot.

Any help would be appreciated – need to know if I need to send out Code...

Thanks

Tim

Timothy Day
Branch Director
Natural Resources Management Department
Escambia County Board of County Commissioiners
221 Palafox Place
Pensacola, FL 32502

trday@myescambia.com
(850) 595-1144 (w)
(850) 554-3073 (c)

EXHIBIT "D"

Karla N Moreno

From: Horace L Jones
Sent: Tuesday, February 20, 2018 1:19 PM
To: Tim Tolbert
Cc: Andrew D. Holmer; Timothy R. Day; Alison A. Rogers; Angela D. Crawley
Subject: FW: Retroactive permitted clear cutting and over filling of the lot north of 5330 Pale Moon Dr.

Tim Tolbert

I do know that Andrew and Tim Day is aware of the issue. They should be able to provide an update on this matter

---

From: Tim Tolbert
Sent: Tuesday, February 20, 2018 1:15 PM
To: Fran Ogden <franogdenrd@gmail.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Horace L Jones <HLJONES@myescambia.com>; Angela D. Crawley <adcrawle@myescambia.com>
Subject: RE: Retroactive permitted clear cutting and over filling of the lot north of 5330 Pale Moon Dr.

Mrs. Ogden my apologies for the delayed response. I was off yesterday and trying to catch-up with tasks and messages. Did Tim Day with Development Services address this issue in a different email string? A Building Permit for construction will not be issued until drawings are submitted for Building Code review and compliance. Also approval by Development Services is required before the aforementioned permit can be issued. Items mention in your email are regulated by Development Services and therefore will require their approval before a building permit can be issued. You had mentioned Rick Faciane with Classic Homes would be the home builder. In my experience Mr. Faciane is an exceptional builder that normally meets or exceeds all applicable requirements.

I'm happy to try and answer any other questions you may have.

Thank You,

Tim Tolbert, Building Official
Director of Building Services
Escambia County
3363 West Park Place
Pensacola, Florida 32505-5250
jttolbert@myescambia.com
Office (850) 595-3550
Cell (850) 554-4059

From: Fran Ogden [mailto:franogdenrd@gmail.com]
Sent: Monday, February 19, 2018 12:25 PM
To: Tim Tolbert <JTTOLBERT@myescambia.com>
Subject: Retroactive permitted clear cutting and over filling of the lot north of 5330 Pale Moon Dr.

Dear Mr. Tolbert.

In November, my neighbor, the Mendriebos, began clear-cutting and bringing in over 150 loads of dirt onto the property adjacent to my home. I was out of town during this work and upon returning, I contacted the owner, Donna Mendriebo. She assured me that it was permitted and that in fact, the county was the one who required it. I asked her

EXHIBIT "D"

Karla N Moreno

From: Horace L Jones
Sent: Sunday, February 25, 2018 6:56 PM
To: Tim Tolbert
Cc: Jennifer A. Hampton; Timothy R. Day; Andrew D. Holmer
Subject: Re: Retroactive permitted clear cutting and over filling of the lot north of 5330 Pale Moon Dr.

Thanks Tim

Has the plans been for submitted and reviewed for the Proposed Home construction?

Tim and Drew

Where are we with the issue. I do know that the Land distr urban earth been issued.

The site plan must have enough safeguards in place not to have stormwater impacting the lots.

I

Sent from my iPhone

On Feb 25, 2018, at 7:45 AM, Tim Tolbert <JTTOLBERT@myescambia.com> wrote:

> Mrs. Ogden thank you for your email. The questions you raise are outside of my responsibility and expertise. Please understand that we at Escambia County Building Inspections enforce the Florida Building Code and related Florida statutes. Those regulations focus solely on projecting the structure being built. Development Services possesses some limited enforcement powers in the areas of your concern but my understanding is those concerns have already been addressed. I am copying Horace Jones Director of Development Services in hopes of correcting any misinformation or misunderstanding I may have.
>
> Thank you,
>
> Tim Tolbert, Building Official
> Director of Building Services
> Escambia County
> 3363 West Park Place
> Pensacola, Florida 32505-5250
> jttolbert@myescambia.com
> Office (850) 595-3550
> Cell (850) 554-4059
>
> On Feb 24, 2018, at 10:49 AM, Fran Ogden <franogdenrd@gmail.com> wrote:
>
> > Dear Mr. Tolbert,

EXHIBIT "E"

Concerning the overfilled lot next door and plans to build on most it, I am extremely fearful and anxious about the potentially increased flooding.

Please tell me where I can review the submitted wetland mitigation plan for the Mindrebo's lot. Have they provided proof that wetlands were not covered up? Have core samples been made available that verify this claim? It would have to be determined forensically now that it is covered in 3 ft of dirt. Is it legal to cut down native oaks that are well established? Can we protect the 3 or4 remaining trees on this lot? Mrs. Mindrebo has said that she will have to remove the two remaining magnolias to make room for a swale. Is there a regulation against the further deforestation of this land?

Please help me understand how this can be legal. If you have the authority to make them remove the dirt until a flood plan can be developed and implemented, please use it to do so. The blatant disregard for the land disturbance permitting process should not be cover for overbuilding on potentially fragile land.

Thank-you,
Fran Ogden

On Tue, Feb 20, 2018 at 1:56 PM, Fran Ogden <franogdenrd@gmail.com> wrote:

> Mr. Tolbert,
>
> The 3 foot of unpermitted dirt is on the lot right now with no floodwater plan in place. Apparently, the cart came before the horse. This dirt is an obvious danger and was not filled according to any engineering plan because no engineering plan was made, It was all brought onto the property illegally.
>
> Rick Facioane told me in November that a pain would be in place within 2 weeks. Spring is approaching, The dirt should be removed until such a plan is ready for implementation. Time is of the essence,
>
> Sincerely,
> Fran Ogden
>
> On Tue, Feb 20, 2018 at 1:14 PM, Tim Tolbert <JTTOLBERT@myescambia.com> wrote:
>
> > Mrs. Ogden my apologies for the delayed response. I was off yesterday and trying to catch-up with tasks and messages. Did Tim Day with Development Services address this issue in a different email string? A Building Permit for construction will not be issued until drawings are submitted for Building Code review and compliance. Also approval by Development Services is required before the aforementioned permit can be issued. Items mention in your email are regulated by Development Services and therefore will require their approval before a building permit can be issued. You had mentioned Rick Faciane with Classic Homes would be the home builder. In my experience Mr. Faciane is an exceptional builder that normally meets or exceeds all applicable requirements.
> >
> > I'm happy to try and answer any other questions you may have.

EXHIBIT "E"

Thank You,

Tim Tolbert, Building Official

Director of Building Services

Escambia County

3363 West Park Place

Pensacola, Florida 32505-5250

jttolbert@myescambia.com

Office (850) 595-3550

Cell (850) 554-4059

From: Fran Ogden [mailto:franogdenrd@gmail.com]
Sent: Monday, February 19, 2018 12:25 PM
To: Tim Tolbert <JTTOLBERT@myescambia.com>
Subject: Retroactive permitted clear cutting and over filling of the lot north of 5330 Pale Moon Dr.

Dear Mr. Tolbert.

In November, my neighbor, the Mendriebos, began clear-cutting and bringing in over 150 loads of dirt onto the property adjacent to my home. I was out of town during this work and upon returning, I contacted the owner, Donna Mendriebo. She assured me that it was permitted and that in fact, the county was the one who required it. I asked her for the rain mitigation plan and she directed me to her builder, Rick from Classic homes. He told me that there was a plan but it would not be available until he filed his permit and it would be available the following week. Six weeks passed yet no engineering plan was offered.

On January 10, I called the building dept and spoke with Mr. Tim Day. The very next day the county was out and had placed a NOV in the yard. I was expecting that the county would make them remove the unpermitted dirt to protect my property since no effort has been made by the owner to prevent flooding from the displaced rain which will run downhill into my home. Instead, I discovered that the permits were

EXHIBIT "E"

issued retroactively with no more than a requirement for a silt fence to be erected. Woefully inadequate protection for a super storm like we had in April 2014. And not much motivation for them to follow the law moving forward.

Why did the county not demand rain mitigation immediately? The dirt should be removed until such measures are in place. It was brought in illegally because they knew that it would not pass permitting and now that it is done, the county is allowing it to stand with a mere $800.00 fine and no removal of the offending illegally trucked in dirt. I am shocked that the county is not making them take the dirt out until proper remediation of the rainwater flow is in place. I have informed Ms Alison Rogers, I will hold the county liable for not protecting me.

I hear that they are going to fill that lot with a 5000 sq ft home and a 5 garage. Where will the water go then? I believe that the lot is on wetlands and that a building of this size is not allowed. PLEASE LOOK CLOSELY AT THESE PERMITS THEY ARE REQUESTING. THE MINDREBOS HAVE DEMONSTRATED A WILLINGNESS TO LIE TO ME AND THE COUNTY. They told me that they thought the bulldozing company had pulled permits and then changed the story to say it was Rick that was going to do it and in the end - none were requested and they did whatever they wanted all the while telling me the county required it and knew it was happening.

Mr. Brad Banes has said he did not know of wetlands to be there, but it is a fact, that there are wetlands in the area. There is no margin of error in allowing too much barrier to absorption to be built. In fact, just 200 feet away, Pale Moon Estates were forced to build on pilings to accommodate the square footage desired and not pave over too much land. Do we even know what kind of soil was brought in? If it is packed red clay I suppose it will be even less absorbent and there is no place for the water to go except in my home.

(FYI the dozer company was J and W. If they told her they pulled permits then there is fraud there. But since I saw her this morning with J and W dozing, I think they are complicit in the deception)

Awaiting your response,

Sincerely,

Fran Ogden

--

Fran Ogden
850-737-3436

Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.

EXHIBIT "E"

--
Fran Ogden
850-737-3436

--
Fran Ogden
850-737-3436

EXHIBIT "E"

Karla N Moreno

From: Horace L Jones
Sent: Friday, March 09, 2018 8:45 AM
To: Jack R. Brown
Subject: FW: After-the-Fact LD Permit for 5200 Pale Moon Dr. / 11-3S-32-3000-000-001
Attachments: ISSUED, a-t-f LD Permit for 5200 Pale Moon, 2-12-18.pdf; Email- Brad to Drew & Roza, 2-12-18, 4-21pm.pdf

Jack,

Once the plans are submitted, I have directed to my staff to be thorough and as careful as possible with their review. Please see below. If other direction is given from your office, we will respond accordingly.

We will be as deliberate with our review as we possibly can to help minimize any potential adverse impacts on the neighboring properties.

From: Horace L Jones
Sent: Friday, March 09, 2018 8:21 AM
To: Terry D Williams <TDWILLIA@myescambia.com>; Barbara Winns <BAWINNS@myescambia.com>; Caleb G. MacCartee <cgmaccartee@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>; Juan C. Lemos <JCLEMOS@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Charles K. Wiley <CKWILEY@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>; Bradley D Bane <BDBANE@myescambia.com>
Subject: FW: After-the-Fact LD Permit for 5200 Pale Moon Dr. / 11-3S-32-3000-000-001

Sorry if this e-mail came to each of you twice. Computer issues.

From: Horace L Jones
Sent: Friday, March 09, 2018 8:05 AM
To: Terry D Williams <TDWILLIA@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>; Barbara Winns <BAWINNS@myescambia.com>; Caleb G. MacCartee <cgmaccartee@myescambia.com>; Kim L. Wilson <klwilson@myescambia.com>; Juan C. Lemos <JCLEMOS@myescambia.com>
Cc: Tim Tolbert <JTTOLBERT@myescambia.com>; Charles K. Wiley <CKWILEY@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>; Timothy R. Day <TRDAY@myescambia.com>; Bradley D Bane <BDBANE@myescambia.com>; Harry T. Gibson <HTGIBSON@myescambia.com>
Subject: FW: After-the-Fact LD Permit for 5200 Pale Moon Dr. / 11-3S-32-3000-000-001

TO ALL:

WHEN THE PLANS COME in FOR THE LOT IN QUESTION, PLEASE (PLANNERS) BE AS THOROUGH As YOU POSSIBLY CAN DURING THE SITE Plan REVIEW PROCESS FOR THE PROPOSED HOUSE ON THE LOT REFERENCE ABOVE.

There have been some concerns raised by Fran Ogden a neighbor in close proximity to the lot in question on the amount of fill that is currently own the lot. Primarily, her main concern is the potential for adverse impact with stormwater or fill in the case of substantial rains due elevation of the lot.

EXHIBIT "F"

- Roza, please review for lot grading and stormwater compliance for the proposed house. As you know, the lot in question must be able to handle its own stormwater. It cannot be deflected or cause an adverse impact on the surrounding properties. Additional measures may be warranted. Additional measures may be needed with the proposed structure as well as with the site for stabilization.

- Along with that, Juan please get Harry Gibson to review regulations regarding Flood zone. The site is definitely in a Flood Zone. It appears to be elevated substantially. Yes, there is the additional Freeboard requirement of 3' above BFE. Again, additional measures may be needed such as Flood zone elevation certificates and etc.

Terry and Andrew
Whoever is the planner reviewing the site plan. Please make sure that compliance with LDC is completely accurate. Furthermore, we may have to ask for additional information and for other measures to be taken.

Horace.

From: Bradley D Bane
Sent: Thursday, March 08, 2018 9:49 AM
To: Horace L Jones <HLJONES@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>
Subject: Fw: After-the-Fact LD Permit for 5200 Pale Moon Dr. / 11-3S-32-3000-000-001

Hello Horace,

Per your request, please see attached a copy for the After-the-fact Land Disturbing Permit for 5200 Pale Moon Dr., my email to Richard Craig on February 12th, and the email train below.

Caleb looked in MyPermitNow this morning and stated they did receive a permit for a dock and a seawall.

Please let me know if you need anything else.

EXHIBIT "F"

Thank you,

Brad

Bradley D. Bane, Environmental Analyst
Escambia County Development Services Department
Environmental Services- Review, DRC & Permitting
3363 West Park Place
Pensacola, FL 32505
(850) 595-4572 Office
(850) 595-3557 Fax
bdbane@co.escambia.fl.us

Please consider the Environment before printing this e-mail. Reduce, reuse, recycle. Think Green.

From: Bradley D Bane
Sent: Tuesday, February 20, 2018 1:49 PM
To: Horace L Jones
Cc: Andrew D. Holmer
Subject: After-the-Fact LD Permit for 5200 Pale Moon Dr. / 11-3S-32-3000-000-001

Hello Horace,

Per your request, please see attached a copy of the after-the-fact Land Disturbing Permit issued for 5200 Blk. Pale Moon Dr. (the Mindrebo's) and the emails below and attached to Code Enforcement regarding the need for adequate erosion and sediment controls, additional permitting, etc. There are more emails on this case so just let me know if you need to review them and I'll convert them to pdf's as well.

Thank you,

Brad

Bradley D. Bane, Environmental Analyst
Escambia County Development Services Department
Environmental Services- Review, DRC & Permitting
3363 West Park Place

EXHIBIT "F"

Pensacola, FL 32505
(850) 595-4572 Office
(850) 595-3557 Fax
bdbane@co.escambia.fl.us

Please consider the Environment before printing this e-mail. Reduce, reuse, recycle. Think Green.

From: Bradley D Bane
Sent: Tuesday, February 13, 2018 11:29 AM
To: Andrew D. Holmer
Cc: Roza I. Sestnov
Subject: Re: 5200 Pale Moon dr.

FYI, keeping you in the loop as this this one has a lot of eyes on it. I issued Rick Faciane an a-t-f LD Permit yesterday, so we are out of it unless he does something else under our purview. As far as Richard's stormwater questions, Roza and I explained how that was handled under the Building Permit/ Lot Grading Plan for the house so I'm not sure what else he's needing.

A note on that though, Rick mentioned building an *additional* retaining wall along the southwest property line as well. We'll need to review that (along with BID for the existing, 4' a-t-f wall) for at least MER Setbacks, etc. I foresee a seawall or something similar being proposed in the future as well to box-in the lot seeing that it will be ±4-5 higher than neighboring lots and Perdido Bay. I asked Rick to PLEASE run anything else by use PRIOR to moving forward; he agreed and understood.

Brad

Bradley D. Bane, Environmental Analyst
Escambia County Development Services Department
Environmental Services- Review, DRC & Permitting
3363 West Park Place
Pensacola, FL 32505
(850) 595-4572 Office
(850) 595-3557 Fax
bdbane@co.escambia.fl.us

Please consider the Environment before printing this e-mail. Reduce, reuse, recycle. Think Green.

From: Richard E. Craig
Sent: Tuesday, February 13, 2018 10:41:22 AM
To: Roza I. Sestnov

EXHIBIT "F"

Cc: Bradley D Bane; Steven P. Kenney
Subject: 5200 Pale Moon dr.

Per our conversation this morning as it pertains to storm water permit , could you please explain what area that's covered in the building permit verses a need for storm water permit for the site.

thanks

Richard Craig
Escambia County Environmental Enforcement
850-554-7160

EXHIBIT "F"

EXHIBIT "F"

DSD received 2-5-18 (via)
" " payment 2-12-18

Development Services Department, 3363 West Park Place, Pensacola, Florida 32505 (phone) 850-595-3475 (fax) 850-595-3703

PERMIT WILL EXPIRE ONE YEAR AFTER DATE OF ISSUE

LAND AND TREE MANAGEMENT PERMIT

Activities Covered Under Permit: Activities such as clearing, cutting, *excavating, *filling, protected tree removal, grading of land, or any other activity that alters land topography or vegetative cover is covered under this permit, where noted, provided such land disturbing activities do not result in adverse impacts to adjoining properties, waterbodies, watercourses, wetlands, environmentally sensitive lands, adjacent roadways or drainage systems, etc. Construction of infrastructure or addition of impervious area is not covered under this permit.

PERMIT # 18-0404 PLM DATE ISSUED: 2-12-18

After-the-fact
☒ LAND DISTURBING ☐ TREE ☐ BARRIER ISLAND SAND ☐ BEACH MOUSE

OWNER/AGENT Classic Homes of Pole Rick Fracchia PHONE # 850 6985186

Agent
OWNER'S ADDRESS 6833 Cedar Ridge Dr Pace FL 32536 FAX # 850 944 7261

PROJECT NAME Ulrich OREBO Residence ZONING AE

SITE ADDRESS(S) 5200 Blk Pale Moon Dr. Lot 23 Blk 2 Federal Bay C. Club Estates ACREAGE .72 AC

PROPERTY REFERENCE #(s) 11-35-323-000-000-001 ACREAGE TO BE DISTURBED .6

AMOUNT OF FILL MATERIAL(s) 1800 cuyd SOURCE OF FILL MATERIAL(s) Sandy loam fill

Note, a separate Barrier Island Sand Evaluation &/or "prohibited material" removal Permit may also be required per current Escambia County Land Development Code requirements.

(NO PROTECTED TREE'S)

DESCRIBE ALL ACTIVITIES PROPOSED (land disturbance & protected tree removal locations shown on site map) Clear lot of most trees, approx Wetland determination for Bay C Wetlands Service - Clear & fill lot as existing. Also has a Mean High water table for Wetlands Service use & County.

NUMBER of PROTECTED TREES PROPOSED for REMOVAL Unknown, site cleared prior to authorization/permitting ??? FEES (office use only) # 867

Land Disturbing: $216.75, Trees: ~~2 trees @ $105 + $25 each additional tree~~, Sand Placement: $55, Beach Mouse: $216.75

☑ APPROVED ☐ DENIED T. Day DATE 2-12-18

~~Timothy R Day, Environmental Programs Manager~~

COMMENTS After-the-fact Land Disturbing Permit for 11-35-32-3000-000-001 (5200 Blk Pale Moon is parcel address). All adequate erosion controls shall be installed, including along southwestern walkway & property line, sufficiently maintained in good working order until site is stabilized. MERS Provisions also apply for setbacks

Responsibility of Owner/Agent: ~~If necessary~~ The owner/applicant shall incorporate measures to prevent erosion, sedimentation and/or flooding which may result from land disturbance activities. Silt fences, temporary sediment traps, temporary holding ponds, stabilization of disturbed areas with grass may be required to control erosion, sedimentation and/or flooding. The undersigned is fully aware of these responsibilities and will comply with these requirements. ****The Owner/Agent shall have a copy of the approved permit on the job site at all times.****

Other permits may also be required, such as for the retaining wall, house, or other features.

The undersigned agrees to grant permission for authorized Escambia County personnel to conduct all necessary site inspections associated with this permit.

SIGNATURE OF OWNER/AGENT* DATE 1/30/18

*A signed letter authorizing agent to act on the property owner's behalf will be required prior to processing.

Disclaimer: Escambia County shall not be held responsible for any losses or damages in the event that activities covered under this permit negatively impact adjacent properties, waterbodies, watercourses, wetlands, environmentally sensitive lands, adjacent roadways or drainage systems, etc.

1802404 PLM

AFFIDAVIT OF OWNERSHIP AND LIMITED POWER OF ATTORNEY

(Please print clearly)

As owner of the property located at 5203 Lk Pale Moon Dr., Pensacola, Florida, property reference number(s) _____, I hereby designate (company) _____ (personal representative) Scott & Donna Mindrebo for the sole purpose of completing this Escambia County Development Review or Permitting Application and to act on my behalf during the County's processing of the Development Review or Permitting Application on the above referenced property.

This Limited Power of Attorney is granted on this 8 day of February the year of 2018 and is effective until the County 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 Escambia County Development Services Department.

_____ 2/8/18 Donna Mindrebo, Scott Mindrebo

Signature of Property Owner Date Printed Name of Owner

STATE of Texas

COUNTY of Brazoria

The forgoing instrument was acknowledged before me this 8 day of February, year of 2018 by Donna Mindrebo & Scott Mindrebo who ( ) did ( ) did not take an oath. He/she is ( ) personally known to me, ( ) produced current Florida/Other driver's license, and/or ( )produced current driver license as identification.

_____ 02/08/2018 Joshua Sultan

Signature of Notary Public Date Printed Name of Notary

11/25/2018 130037477

My Commission Expires Commission No. (Notary seal must be affixed)

JOSHUA SULTAN
Notary Public, State of Texas
Comm. Expires 11-25-2018
Notary ID 130037477

EXHIBIT "F"

1802404 PL/1

Chris Jones
Escambia County Property Appraiser

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

Back

Navigate Mode ◉ Account ○ Reference

Printer Friendly Version

General Information

Reference:	113S323000000001
Account:	103229000
Owners:	MINDREBO SCOTT J & MINDREBO DONNA JEAN
Mail:	2927 COVEBROOK DR PEARLAND, TX 77584
Situs:	5200 BLK PALE MOON DR 32507
Use Code:	VACANT RESIDENTIAL
Taxing Authority:	COUNTY MSTU
Schools (Elem/Int/High):	HELLEN CARO/BAILEY/ESCAMBIA
Tax Inquiry:	Open Tax Inquiry Window

Tax Inquiry link courtesy of Scott Lunsford Escambia County Tax Collector

Assessments

Year	Land	Imprv	Total	Cap Val
2017	$144,000	$0	$144,000	$144,000
2016	$144,000	$0	$144,000	$144,000
2015	$144,000	$0	$144,000	$144,000

Disclaimer

Amendment 1/Portability Calculations

★File for New Homestead Exemption Online

Sales Data

Sale Date	Book	Page	Value	Type	Official Records (New Window)
08/18/2011	6756	264	$159,900	WD	View Instr
09/2001	4777	1502	$198,000	WD	View Instr
05/1999	4427	222	$151,000	WD	View Instr
11/1997	4192	1864	$165,000	WD	View Instr
01/1969	422	406	$100	WD	View Instr

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

2017 Certified Roll Exemptions

None

Legal Description

BEG AT SOUTHERNMOST COR OF LT 1 BLK 3 PERDIDO BAY COUNTRY CLUB EST #4 PB 6 P 75 S 35 DEG 16 MIN 30 SEC W 1440 FT N...

Extra Features

None

Parcel Information

Launch Interactive Map

Section Map Id: 10-3S-32

Approx. Acreage: 0.7287

Zoned: LDR

Evacuation & Flood Information Open Report

View Florida Department of Environmental Protection(DEP) Data

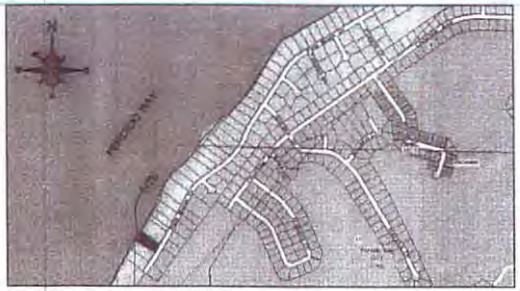
Buildings

Images

EXHIBIT "F"

EXHIBIT "F"

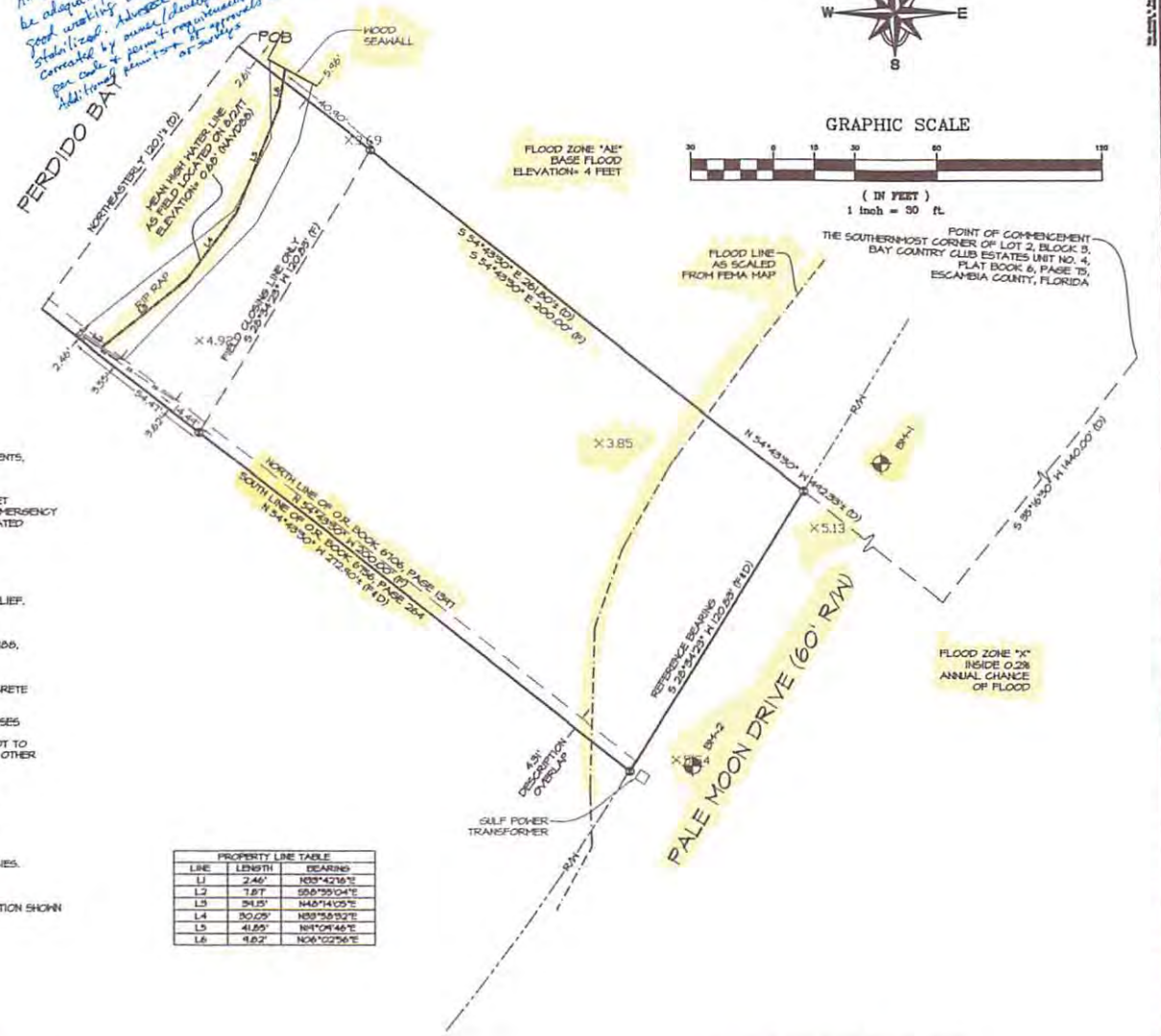
BOUNDARY AND MEAN HIGH WATER SURVEY
OF A PORTION OF SECTION 11, TOWNSHIP 3 SOUTH, RANGE 32 WEST, ESCAMBIA COUNTY, FLORIDA



VICINITY MAP: 1"=1000'

ESC Co. Land Disturbing Permit # 1802404 PLM

All erosion & sediment controls shall be adequately installed & maintained in good working order until site is stabilized. Adverse impacts shall be corrected by owner/developer/contractor per code & permit requirements, as stated. Additional permits & approvals may apply. or surveys



DESCRIPTION AS FURNISHED: (OFFICIAL RECORDS BOOK 6756, PAGE 264)

COMMENCING AT THE MONUMENT ON THE SOUTHERNMOST CORNER OF LOT 1, BLOCK 3, PERDIDO BAY COUNTRY CLUB ESTATES UNIT NO. 4, PLAT BOOK 6, PAGE 73, OFFICIAL RECORDS OF ESCAMBIA COUNTY, FLORIDA; THENCE S 35°16'30" W 1440 FEET; THENCE N 54°43'30" W 442.39 FEET (MORE OR LESS) TO THE WATERS EDGE OF PERDIDO BAY FOR THE POINT OF BEGINNING; THENCE RETRACING LINE LAST RUN S 54°43'30" E 261.80 FEET (MORE OR LESS) TO THE NORTHWESTERN MOST R/W LINE OF PALE MOON DRIVE; THENCE S 28°34'30" W ALONG SAID R/W LINE 120.83 FEET; THENCE N 54°43'30" W 212.90 FEET (MORE OR LESS) TO THE WATERS EDGE OF PERDIDO BAY; THENCE IN A NORTHEASTERLY DIRECTION ALONG SAID WATERS EDGE 120.1 FEET (MORE OR LESS) TO THE POINT OF BEGINNING.

GENERAL NOTES:

1. THE BEARINGS AS SHOWN HEREON ARE REFERENCED TO THE ASSUMED BEARING OF SOUTH 28 DEGREES 34 MINUTES 23 SECONDS EAST ALONG THE SOUTH LINE OF THE PROPERTY AS PER THE DESCRIPTION AS FURNISHED.
2. THE SURVEY DATUM AS SHOWN HEREON IS REFERENCED TO THE DESCRIPTION AS FURNISHED AND TO EXISTING FIELD MONUMENTATION.
3. NO TITLE SEARCH HAS 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 "AE", BASE FLOOD ELEVATION 4 FEET AND IN FLOOD ZONE "X" INSIDE 0.2% ANNUAL CHANCE OF FLOOD, AS DETERMINED FROM FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP OF ESCAMBIA COUNTY, FLORIDA (UNINCORPORATED AREAS), MAP NUMBER 12033C 0508 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 5J-17.050 - 5J-17.173052 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, TO THE BEST OF MY KNOWLEDGE AND BELIEF.
7. THE MEASUREMENTS AS SHOWN HEREON HERE MADE TO UNITED STATES STANDARDS.
8. THE ELEVATIONS AS SHOWN HEREON ARE REFERENCED TO NORTH AMERICAN VERTICAL DATUM OF 1988, FROM ESCAMBIA COUNTY GEODETIC CONTROL POINT STAMPED "ESC 4075" HAVING A PUBLISHED ELEVATION OF 109.05 FEET.
9. THE MEASUREMENTS OF THE BUILDINGS AND/OR FOUNDATIONS SHOWN HEREON DO NOT INCLUDE CONCRETE FOOTERS OR EAVE OVERHANGS.
10. FENCE LOCATIONS SHOWN HEREON MAY BE EXAGGERATED AND NOT TO SCALE FOR CLARITY PURPOSES
11. 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.
12. 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.
13. THIS SURVEY MAY BE SUBJECT TO ADDITIONAL REQUIREMENTS BY COUNTY, STATE OR OTHER AGENCIES.
14. ENCROACHMENTS ARE AS SHOWN.
15. THE MEAN HIGH WATER ELEVATION AS SHOWN HEREON HAS ESTABLISHED BY EXTENDING THE ELEVATION SHOWN AT MEAN HIGH WATER INTERPOLATION POINT NO. 5360.
16. THIS MEAN HIGH WATER LINE SURVEY COMPLIES WITH CHAPTER 177, PART II, FLORIDA STATUTES.

DENOTES:

⊕ ~ 1/2" CAPPED IRON ROD, NUMBERED 7277 (PLACED)
(D) ~ DEED INFORMATION
(F) ~ FIELD INFORMATION
R/W ~ RIGHT OF WAY
P.O.B. ~ POINT OF BEGINNING
⊕ ~ BENCHMARK

BENCHMARK DATA:

BM-1 MAG NAIL IN ASPHALT
ELEVATION= 5.28' (NAVD88)

BM-2 MAG NAIL IN ASPHALT
ELEVATION= 5.31' (NAVD88)

PROPERTY LINE TABLE

LINE	LENGTH	BEARING
L1	2.46'	N35°42'16"E
L2	7.87'	S54°59'04"E
L3	34.15'	N48°14'05"E
L4	30.05'	N58°58'52"E
L5	41.85'	N14°09'46"E
L6	4.82'	N06°02'56"E

NORTHWEST FLORIDA LAND SURVEYING, INC.
743 BELGIUM CIRCLE, PENSACOLA, FLORIDA 32526

Fred R Thompson 8/3/17

FRED R. THOMPSON, PROFESSIONAL LAND SURVEYOR
REGISTRATION NUMBER 3027 CORP. NUMBER 7277
STATE OF FLORIDA

NO.	DATE	REVISIONS	APPR.

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

NORTHWEST FLORIDA LAND SURVEYING, INC.
A PROFESSIONAL SURVEYING ORGANIZATION
743 BELGIUM CIRCLE, PENSACOLA, FL 32526
(850) 438-1541

SCALE: 1"=30' | CREW CHIEF: RM | DRAWN: JAS | CHECKED: FRT | DATE: 8/3/17

BOUNDARY SURVEY
OF A PORTION OF SECTION 11,
TOWNSHIP 3 SOUTH, RANGE 32 WEST,
ESCAMBIA COUNTY, FLORIDA

PREPARED FOR AND REQUESTED BY:
DONNA MINDREBO

PROJECT NO. 21324 | NO. 1 OF 1 SHEETS | INDEX 10

EXHIBIT "F"

None

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

Last Updated: 01/11/2018 (tc.51cr/S)

180 2404 PLAT

EXHIBT "F"

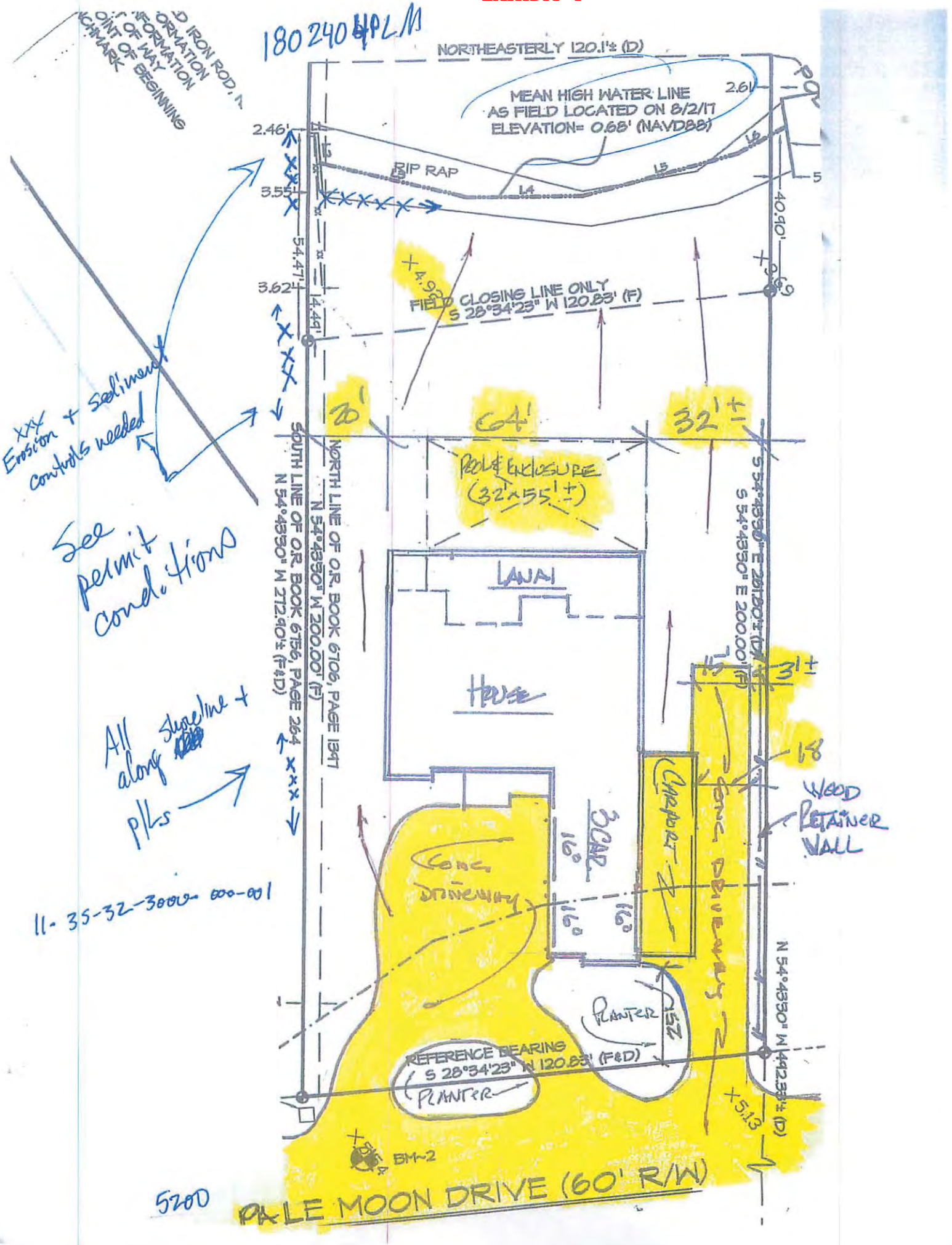
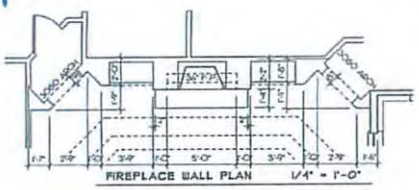
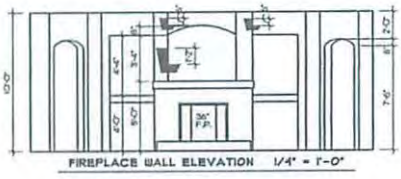
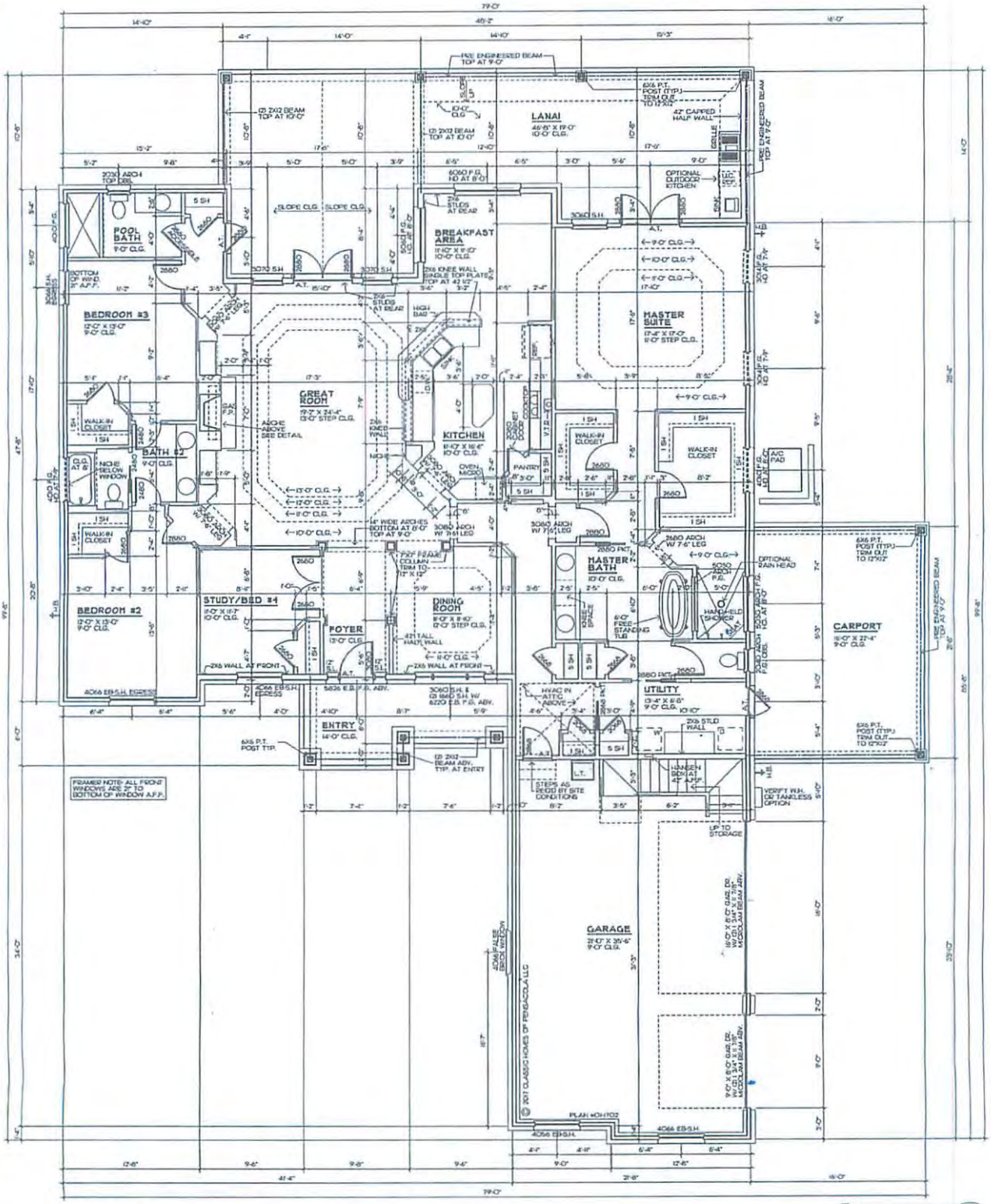

180 240 HPLM
NORTHEASTERLY 120.1'± (D)
MEAN HIGH WATER LINE
AS FIELD LOCATED ON 8/2/17
ELEVATION= 0.68' (NAVD88)
RIP RAP
2.46'
3.55'
54.47'
3.62'
40.90'
FIELD CLOSING LINE ONLY
S 28°34'23" W 120.83' (F)
20'
64'
32'±
POOL & ENCLOSURE
(32'x55'±)
LANAI
HOUSE
SOUTH LINE OF O.R. BOOK 6706, PAGE 1341
N 54°43'50" W 272.90'± (F&D)
NORTH LINE OF O.R. BOOK 6706, PAGE 1341
N 54°43'50" W 200.00' (F)
S 54°43'50" E 200.00' (F)
3CAR
CARPORT
CONC DRIVEWAY
WOOD RETAINER WALL
CONC DRIVEWAY
PLANTER
REFERENCE BEARING
S 28°34'23" W 120.83' (F&D)
PLANTER
BM-2
PALE MOON DRIVE (60' R/W)
N 54°43'50" W 442.33'± (D)
5200
11-35-32-3000-000-001
See permit conditions
All along shoreline + P/L's
Erosion + Sediment controls needed

EXHIBIT "F"

180404 PLM
(for general reference)







FLOOR PLAN 1/4" = 1'-0"

PLAN • DI-1702

LIVING	2357 ft
LANAI	720 ft
GARAGE	804 ft
PATIO	136 ft
CARPORT	357 ft
TOTAL SQ. FT.	4974 ft

CLASSIC HOMES OF PENSACOLA LLC.

MINDREBO RESIDENCE
PERDIDO BAY GOLF AND COUNTRY CLUB

03-14-2017 KJS
06-13-2017 KJS

Kevin J. Smudde Design
Residential Design & Drafting Service
CAD Automated

Date of Issuance

01/11/2018

1802404 PLM

Escambia County

Office of Environmental Enforcement
Escambia County Central Office Complex
3363 West Park Place, Pensacola, FL 32505
PHONE: (850) 595-1820 FAX: (850) 595-0149

Case Number

CE1801136E

NOTICE OF VIOLATION

At (Location): PR: 113S323000000001
5200 BLK PALE MOON DR PENSACOLA, FL

Zipcode
32507

Respondent: MINDREBO, SCOTT J & DONNA JEAN
Address: 2927 COVEBROOK DR
PEARLAND, TX 77584

DOB: Race: Height: Weight: D.L.:

Comply within 10 days of receipt of this notice	**Warning** Failure to correct this violation and notify this Officer of Compliance will result in fines or a hearing. If the Hearing is scheduled you may be assessed $1,100 or more for costs of said hearing, plus possible fines; the County may abate the violations and place a Lien on the property.

Ordinance Description

Violation 1 LDC. Ch. 4. Art. 5. Sec. 4-5.2 General provisions. (a) Approval required. All land uses and development activities which impact environmentally sensitive lands require prior county review and approval for compliance with the regulations of this article unless the use or activity is specifically identified in the Land Development Code (LDC) as exempt from these regulations. Method of abatement: Contact Planning and Zoning (595-3475) and comply with all review and approval requirements directed by that office, to include potential mitigation.

Violation 2 LDC. Ch. 4. Art. 5. Sec. 4-5.3 Wetlands. Protection required. Wetlands as defined in Florida Administrative Code (Ch. 62-340) shall be protected from draining, dredging, filling, excavating, building, pollution, and other alterations or acts that will reduce or otherwise adversely impact their ecological functions and public benefits. (b) Mitigation for impacts. Mitigation for adverse impacts to wetlands shall be based on the Uniform Mitigation Assessment Method (UMAM) prescribed by Florida Administrative Code (Ch. 62-345). (c) Enforcement. In addition to the general LDC compliance enforcement provisions of Chapter 1, for any violations of LDC erosion control provisions impacting wetlands, violators shall begin remedial action immediately and have seven calendar days to complete restoration of the impacted area to pre-impact conditions or better. For other violations of the wetland protection provisions of this article, violators shall begin remedial action planning immediately and have 21 calendar days to complete restoration of the impacted area to pre-impact conditions or better. With documented evidence of good faith restoration efforts the Planning Official may authorize an extension to the time period for completion of the required action for extenuating circumstances. Method of abatement: Contact Planning and Zoning (595-3475) and comply with all requirements directed by that office, to include mitigation within the time limits listed above.

Violation 3 Sec. 42-196 (a) Nuisance Conditions. The creation or maintenance of any condition conducive to the breeding of rats, vermin, flies, mosquitoes, or other arthropods that are capable of transmitting diseases directly or indirectly to humans.Sec. 42-197 Method of abatement: (a) For conditions conductive to the breeding of rats, vermin, flies, mosquitoes, or other arthropods: Complete removal of all contributing conditions.

Violation 4 Sec. 42-196 (b) Trash and Debris. The accumulation of garbage, or other solid waste materials which violates any state law, regulation, or ordinance of the county or which poses a danger to the health, safety, and welfare to residents of the county;Sec. 42-197 Method of abatement: (a) Complete removal of all contributing conditions

EXHIBIT "F"

1802404 PLM

Violation 5 LDC. Ch. 2. Art. 3. Sec. 2-3.2 General land disturbance. (a) General. A general land disturbance permit is required prior to beginning any activity involving the clearing, cutting, excavating, filling, or grading of land, or any other activity that alters land topography or vegetative cover and is not authorized by the other land disturbance permits of this article. Method of Abatement: Contact Planning and Zoning (595-3474) and comply with all requirements to obtain the required land disturbance permit.

Violation 6 **5-4.2 - Stormwater impact review.**

(a)

Approval required. No land use or development activity may alter or disrupt existing stormwater runoff patterns or conditions without prior county review and approval for compliance with the standards of this article unless the use or activity is specifically identified in the LDC as exempt from these standards. Uses or activities that may alter or disrupt existing stormwater runoff sufficiently to require a stormwater management plan include the following:

(1)

Land disturbance. Grading, digging, cutting, scraping, or excavating of soil; placement of fill materials; substantial removal of vegetation; the drainage of land; and any other forms of land disturbance that would significantly change stormwater runoff.

(2)

Lot coverage. Construction of a structure or the non-de minimis alteration of the size of one or more structures; placement of aggregate and paving; and other constructed changes in the proportions of pervious, impervious, and semi-impervious lot coverage.

(3)

Alterations. Alteration of the shoreline or bank of any watercourse or surface waterbody; or alteration of any ditches, dikes, terraces, berms, swales, piping, inlets, ponds, or other natural or manmade elements affecting the control or management of stormwater.

(4)

Subdivision. The subdivision of land, including the replatting of a recorded subdivision.

Officer Comments

COMPLY AND MAINTAIN ABOVE ORDINANCES WITHIN THE TIME SPECIFIED TO AVOID FURTHER ENFORCEMENT ACTION. CONTACT OFFICER WITH QUESTIONS OR FURTHER INSTRUCTIONS.

Contact officer Richard Craig at 850-554-7160 upon compliance or with questions regarding this notice.

Richard Craig #678

Signature of Officer: Richard Craig #678
recraig@myescambia.com
(850) 554-7160

USPS

Signature of Respondent

EXHIBIT "F"

Per Esc. Co. Env. Code Enforcement 1-11-18
1802404 PLM

EXHIBIT "F"

1802404 PLM

EXHIBIT "F"

1802404 PL M

EXHIBIT "F"

1802404 PLM

EXHIBIT "F"

180404 PLM

EXHIBIT "F"

1802404 PLM

EXHIBIT "F"

180Z404 PLM

EXHIBIT "F"

1802404 PLM

EXHIBIT "F"

1802404 PLM

EXHIBIT "F"

1802404 PLM

EXHIBIT "F"

1802404 PLM

EXHIBIT "F"

180Z404PCM

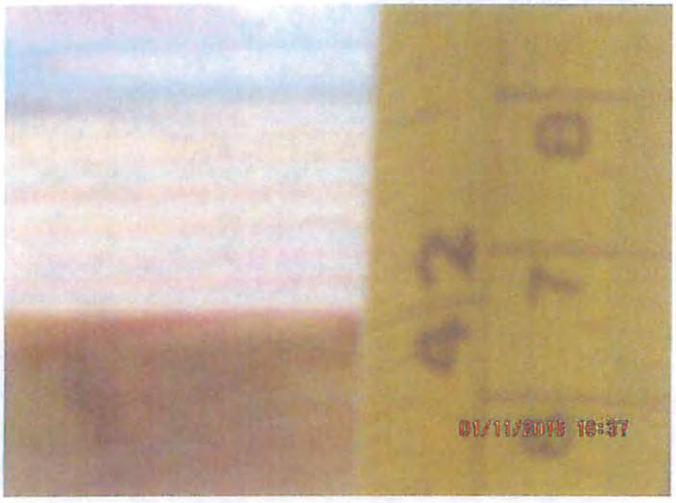
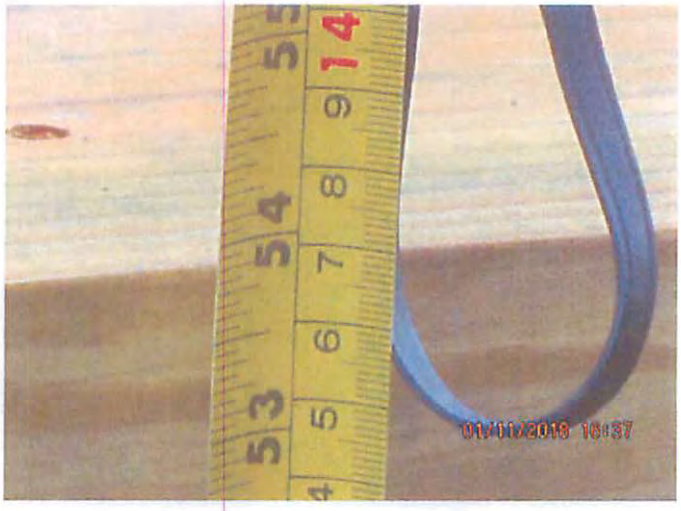


EXHIBIT "F"

1802404 PLM



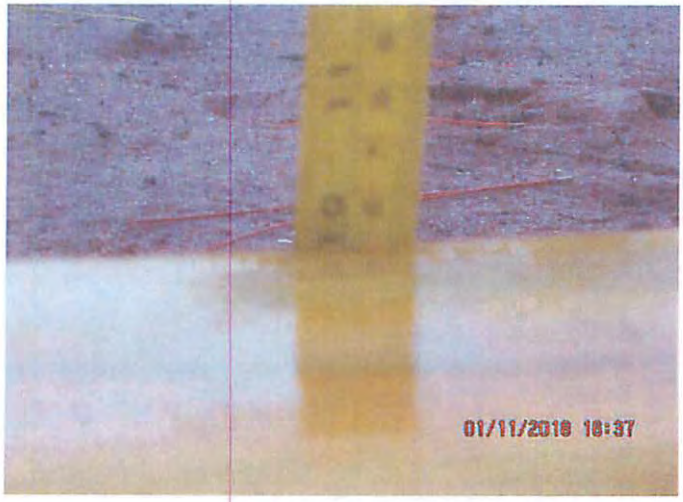
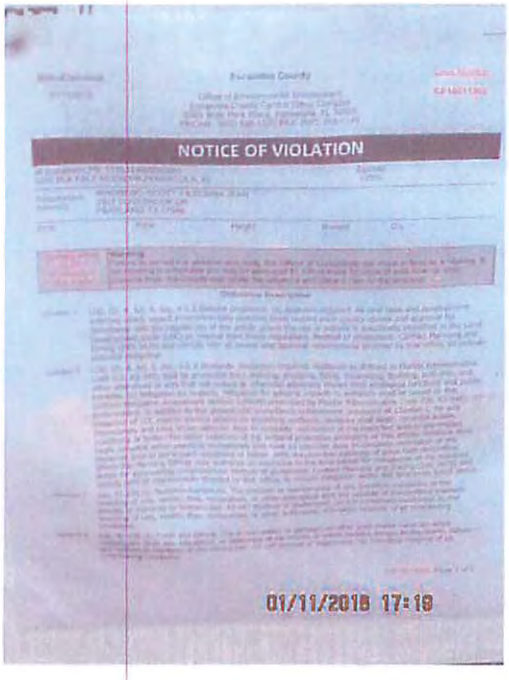


EXHIBIT "F"

1802404 PL M

EXHIBIT "F"

186Z404PLM



NOTICE OF VIOLATION

01/11/2018 17:18

EXHIBIT "F"

Escambia County, Florida - Permit Invoice

3363 West Park Place
Pensacola, FL 32505
(850) 595-0149

Monday, February 12, 2018

Invoice for Permit Number 1802404PLM
N/A
5200 BLK PALE MOON DR
PENSACOLA FL 32507

2 Convenient Payment Options Available

Pay Online with your Visa, Mastercard or via ACH (Direct Debit from Checking Account) through the MyGovernmentOnline.org portal:
Go to **www.mygovernmentonline.org** and login with your user account. Click on the "**Account**" button at the top right section of the page. Scroll down to the "**My Permits**" section. Locate the permit number you wish to pay and click on "**View Permit**". Click on the "**Payments**" tab. Click on the "**Pay Online**" button near the bottom of the page to pay the balance with your Visa or MasterCard. Once you have completed processing your payment please allow the permit review staff sufficient time to review your project and follow-up with you.

Pay In-Person (Cash or Check):
Escambia County, Florida
3363 West Park Place
Pensacola, FL 32505

Fee Type	Amount Due	Amount Paid
Land Disturbance Permit	$211.75	$0.00
Land Disturbance Permit	$211.75	$0.00
Land Disturbance Permit	$211.75	$0.00
Land Disturbance Permit	$211.75	$0.00
DSD Construction Technology Fee	$5.00	$0.00
DSD Construction Technology Fee	$5.00	$0.00
DSD Construction Technology Fee	$5.00	$0.00
DSD Construction Technology Fee	$5.00	$0.00
	$867.00	**$0.00**

Balance to Pay: 867.00

EXHIBIT "F"

EXHIBIT "F"

Escambia County
Planning and Zoning Payment Receipt

2/12/2018

1802404PLM **Ref: 3032846**

5200 BLK PALE MOON DR
PENSACOLA FL 32507

Paid By:
N/A

, FL

Payment Description:

Payments

Payment ID	Receieved Date	Payment Type	Reference Num	Fee	Amount
2031846	2/12/2018	Check	10897	Land Disturbance Permit	$211.75
				Land Disturbance Permit	$211.75
				Land Disturbance Permit	$211.75
				Land Disturbance Permit	$211.75
				DSD Construction Technology Fee	$5.00
				DSD Construction Technology Fee	$5.00
				DSD Construction Technology Fee	$5.00
				DSD Construction Technology Fee	$5.00
					$867.00
Total					**$867.00**

THIS IS NOT A PERMIT. This receipt does not authorize you to begin construction on your project.

Re: 5200 BLK PALE MOON DR./ 11-3S-32-3000-000-001/ LD Permit required

Bradley D Bane

Mon 2/12/2018 4:21 PM

To: Richard E. Craig <RECRAIG@myescambia.com>;

Cc: Timothy R. Day <TRDAY@myescambia.com>;

Hello Richard,

Following up on this case and as we discussed this afternoon, we issued Mr. Rick Faciane an after-the-fact Land Disturbing Permit this afternoon which is also saved in MyPermitNow in case it is needed for reference (1802404PLM). I reiterated to Rick the need for erosion and sediment controls adequately installed and maintained until site is stabilized and the need for adt'l permits for the retaining wall, house, etc.

Project is now closed on our end unless something else pops-up.

Thanks,
Brad

Bradley D. Bane, Environmental Analyst
Escambia County Development Services Department
Environmental Services- Review, DRC & Permitting
3363 West Park Place
Pensacola, FL 32505
(850) 595-4572 Office
(850) 595-3557 Fax
bdbane@co.escambia.fl.us
Please consider the Environment before printing this e-mail. Reduce, reuse, recycle. Think Green.

From: Bradley D Bane
Sent: Wednesday, February 7, 2018 5:08:05 PM
To: rickfaciane50@yahoo.com
Cc: Richard E. Craig; Andrew D. Holmer
Subject: Fw: 5200 BLK PALE MOON DR./ 11-3S-32-3000-000-001/ LD Permit required

Yes sir. Thank you for your reply.

Brad

From: Rick Faciane <rickfaciane50@yahoo.com>
Sent: Wednesday, February 7, 2018 5:03 PM

EXHIBIT "F"

To: Bradley D Bane
Subject: Re: 5200 BLK PALE MOON DR./ 11-3S-32-3000-000-001/ LD Permit required

Thanks Brad. Ill be in Monday am to get this done ,.Ill be out of town until then...

Rick Faciane
Classic Homes of Pensacola, LLC.
Office: 850-944-6805
Cell: 850-698-5186
Fax: 850-944-2261

From: Bradley D Bane <BDBANE@myescambia.com>
To: Richard E. Craig <RECRAIG@myescambia.com>
Cc: "rickfaciane50@yahoo.com" <rickfaciane50@yahoo.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>
Sent: Wednesday, February 7, 2018 4:58 PM
Subject: Fw: 5200 BLK PALE MOON DR./ 11-3S-32-3000-000-001/ LD Permit required

Sorry, I forgot to include Mr. Craig to inform him on the progress of his case. He is now copied.

Thank you again,
Brad

From: Bradley D Bane
Sent: Wednesday, February 7, 2018 4:54 PM
To: rickfaciane50@yahoo.com
Cc: Andrew D. Holmer
Subject: 5200 BLK PALE MOON DR./ 11-3S-32-3000-000-001/ LD Permit required

Hello again Rick,

Thank you for providing what you have so far and for getting back with me today. Regarding the after-the-fact Land Disturbing Permit (LDP) for 5200 Pale Moon Dr:

- Please provide payment of $867 based on "4X" fee ($216.75) for a "Permit Violation" (see attached LDP code reference and fee schedule if needed for reference).
- We will need the attached *Power of Attorney* form signed and notarized as part of the application as well if Mr. Mindrebo is the property owner and you will be acting on his behalf.
- From there, it appears we can issued a permit, resolve the Code Enforcement Notice of Violation, and allow the project to more forward.

Thank you for your attention to these matters.

Regards,
Brad

Bradley D. Bane, Environmental Analyst
Escambia County Development Services Department
Environmental Services- Review, DRC & Permitting

EXHIBIT "F"

3363 West Park Place
Pensacola, FL 32505
(850) 595-4572 Office
(850) 595-3557 Fax
bdbane@co.escambia.fl.us

Please consider the Environment before printing this e-mail. Reduce, reuse, recycle. Think Green.

Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.

EXHIBIT "F"

Karla N Moreno

From: Horace L Jones
Sent: Tuesday, March 13, 2018 2:17 PM
To: 'rickfaciane50@yahoo.com'
Cc: Timothy R. Day; Tim Tolbert; Chips Kirschenfeld; Jack R. Brown; Angela D. Crawley; Alison A. Rogers; Dianne C. Simpson; Jennifer A. Hampton; Karla N Moreno
Subject: 5312 Palemoon Drive #11-3S-32-3000-000-001

Tracking:

Recipient	Delivery	Read
'rickfaciane50@yahoo.com'		
Timothy R. Day	Delivered: 3/13/2018 2:17 PM	
Tim Tolbert	Delivered: 3/13/2018 2:17 PM	
Chips Kirschenfeld	Delivered: 3/13/2018 2:17 PM	Read: 3/13/2018 2:34 PM
Jack R. Brown	Delivered: 3/13/2018 2:17 PM	Read: 3/13/2018 2:51 PM
Angela D. Crawley	Delivered: 3/13/2018 2:17 PM	
Alison A. Rogers	Delivered: 3/13/2018 2:17 PM	
Dianne C. Simpson	Delivered: 3/13/2018 2:17 PM	
Jennifer A. Hampton	Delivered: 3/13/2018 2:17 PM	
Karla N Moreno	Delivered: 3/13/2018 2:17 PM	Read: 3/13/2018 2:18 PM

Good Afternoon, Rick

It is my understanding, from a phone call discussion that you had with Mrs. Roza this morning on 3/13/13, that you will be submitting a detailed Stormwater Plan for the referenced lot for the construction of a single-family dwelling on the lot in question. Please note that a stormwater management plan must be submitted to the Development Services Department for review **within two-weeks from this notification**. If the stormwater management plan is not received during the time as specified, the County will revoke the Land Disturbance permit and Code Enforcement will schedule this property to be heard at the next available Special Magistrate date to address any outstanding code issues.

The submitted building plans and *all the supporting documents* and/or plans {including the stormwater management plan) must be reviewed and approved prior to the issuance of any building permits or any other land use development and/or activities on the lot in question.

If you have any questions, please do not hesitate call me or e-mail me

This e-mail is to serve as notification. Please reply with an acknowledgement that you received this e-mail. Failure to acknowledge receipt does not nullify this notification.

Respectfully submitted.

Horace Jones
Department Director
Development Services Department

EXHIBIT "G"

33363 West Park Place, Pensacola, FL
850-595-3625 or 554-8210
hljones@myescambia.com

Horace Jones
Department Director
Development Services Department
33363 West Park Place, Pensacola, FL
850-595-3625 or 554-8210
hljones@myescambia.com

EXHIBIT "G"

Karla N Moreno

From: Horace L Jones
Sent: Tuesday, May 15, 2018 4:20 PM
To: Roza I. Sestnov
Subject: Fwd: floodwater plan 5312 Pale Moon
Attachments: 180406.Pale Moon Drive Draft Writeup.05.15.18 with attachments(2).pdf; ATT00001.htm

Sent from my iPhone

Begin forwarded message:

From: "Fran Ogden" <franogdenrd@gmail.com>
To: "Tim Tolbert" <JTTOLBERT@myescambia.com>, "Timothy R. Day" <TRDAY@myescambia.com>, "Horace L Jones" <HLJONES@myescambia.com>
Cc: "Alison A. Rogers" <aarogers@co.escambia.fl.us>, "Jack R. Brown" <jrbrown@myescambia.com>
Subject: floodwater plan 5312 Pale Moon

Dear Mr. Tolbert, Mr. Jones, Mr.Day, and other whom this subject may concern,

Attached you will find an engineering report that I was forced to commission when the county did not sufficiently protect my property. It is obvious to all but the permit reviewers that the Mindrebo's filling in the property 3-4 feet higher than the adjacent properties will cause all the surrounding areas higher flooding risks.

You will see that in the submitted proposals there are insufficient and incorrect data

There has been no provisions made for the pre-exsting flow of the water from Pale Moon Drive to Perdido Bay. The existing homes have been engineered with the original elevations which allowed water to flow to the bay. It was filled illegally and with out any consideration of the impact that the changed elevations would cause. Mr. Mindrebo stated he was only concerned with his dream home and did not need to consider the neighbors. I believe this is exactly why we have a permitting process. Unfortunately, Mr. Banes, failed to make proper consideration and granted a permit with out a required floodwater plan. Ms. Roza of the LDC approved a retro actively submitted floodwater plan based on figures submitted from Jerry Maguire, but I have found his figures to be incorrect. Please review the attached report from Sigma to confirm.

I also maintain that more than 1800 cu. yds. was hauled in. (could you not reverse the permit based upon false statements in the after-the-fact application? because you certainly can add existing landscape wall to the list of falsehoods. I have a dozen neighbors to attest to this fact that it was not existing. Is the truth irrelevant?.) Please, let's verify this information with the dirt company. I think we can fairly say that the the Mindrebos and Rick Classic Homes have a blatant disregard for the surrounding area. Please protect us.

Several additional questions are also posed on this report. I strongly request that the permitting dept. halts the progress of this ongoing build until these significant questions have been answered.

Regards,
Fran Ogden

--

EXHIBIT "H"

Fran Ogden
850-737-3436

EXHIBIT "H"

SIGMA CONSULTING GROUP, INC.
ENGINEERING CONSULTANTS

3298 Summit Boulevard, Suite 32
Pensacola, FL 32503
Phone (850) 332-7912
Fax (850) 432-8870
www.sigmacg.com

May 15, 2018

Ms. Fran Ogden
5330 Pale Moon Drive
Pensacola, FL 32507

RE: 5312 Pale Moon Drive
Stormwater Management Plan Review and Reporting
Draft Submittal

Dear Ms. Ogden:

Per our contract initiated on April 27, 2018, SIGMA has provided the following services:

Task 100 Site Investigation
SIGMA visited the site and inspected the ongoing construction activities at 5312 Pale Moon Drive. Initial inspection revealed that the site has approximately 3'-4' fill on the project site, a wooden retaining wall built on the north side of the property and silt fence was installed along the south boundary adjoining the property at 5330 Pale Moon Drive. The silt fence was not installed properly and the fill located on the construction site was eroding and depositing onto the property located at 5330 Pale Moon Drive.

Task 200 Site Review and Reporting
SIGMA has reviewed the following information relative to the stormwater management plan for the residential construction activities at 5312 Pale Moon Drive. The items list as follows:

Stormwater Management Plan Calculations
SIGMA has reviewed the stormwater management plan calculations for the proposed swale and grading plan at 5312 Pale Moon Drive. The review comments list as follows:

1. The section noted as "SURROUNDING PROEPRTY IMPACTS" states that "the landscape timber wall along the north boundary of 5312 Pale Moon Drive will prevent any runoff to discharge to the north. Therefore, this project will not negatively impact any surrounding lots." The aforementioned retaining wall will change the runoff characteristics for the adjoining north lot. Stormwater flowing in a westerly manner across this lot will concentrate on the retaining wall which in turn will increase flow velocity and the likelihood of erosion.

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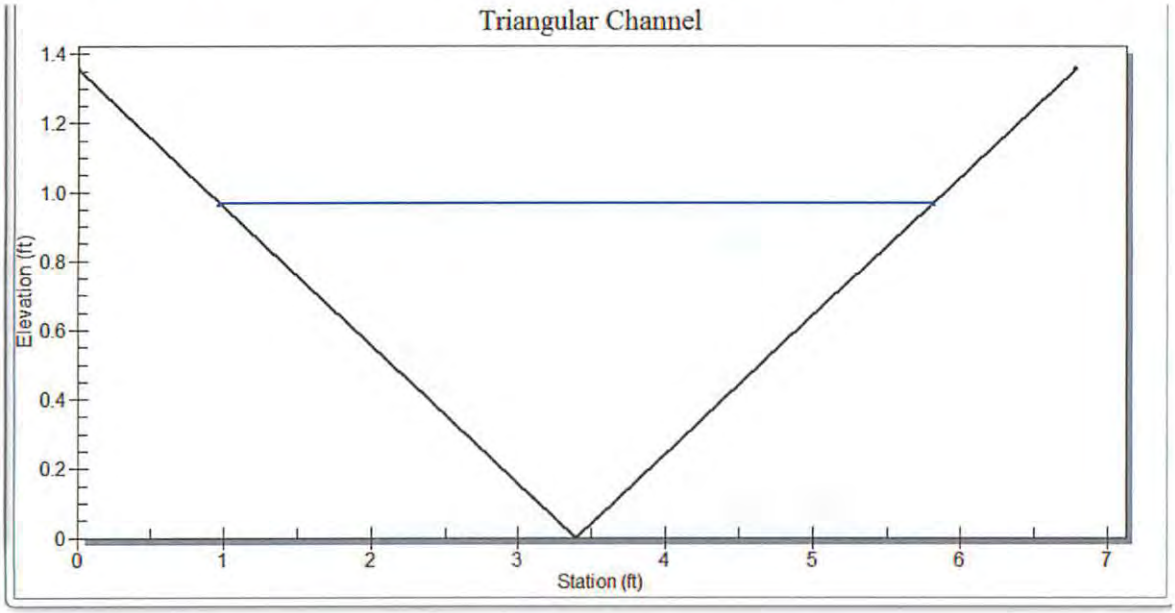
2. The section noted as "SWALE DESIGN" provides calculations for a proposed swale on the south side of 5312 Pale Moon Drive. The swale calculations utilize an 'n' factor of .015 which is too high for a typical sodded swale that would be used in these conditions. An 'n' factor of .06 should have been used for this situation. Below is a revised ditch calculation utilizing the n-factor of .06.



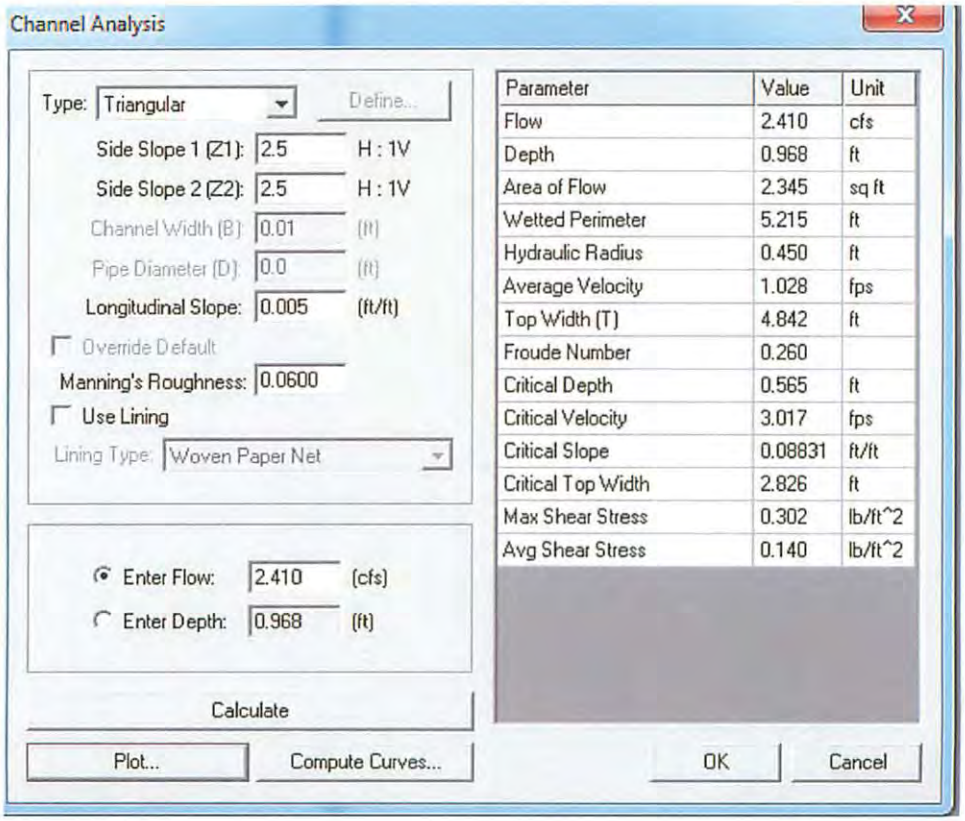


EXHIBIT "H"

Stormwater Management Plan
For
5312 Pale Moon Drive
For
Escambia County, Florida

JMA # - 2018.5312PM.00

Prepared By:

JMA
Engineering Services, Inc.
• Civil Engineering • Planning •

P.O. Box 4348
Milton, Florida 32572-4348

Phone: (850) 995-7323
Fax: (850) 995-7236

E-mail: jma@mcguire-assoc.com

Engineering Business # 00028905

EXHIBIT "I"

Certification Page

5312 Pale Moon Drive

JMA # - 2018.5312PM.00

4/5/2018

Gerald W. McGuire, P.E. #39572

6 pages

STATE OF FLORIDA

EXHIBIT "I"

5312 Pale Moon Drive

Stormwater Management Plan
March 2018 Rev.

Project Scope & Existing Conditions

The 0.72 acre site is an undeveloped lot in the Perdido Bay subdivision located at 5312 Pale Moon Drive. The parcel is bounded on the south by an existing residence, to the north by a vacant lot, the right of way of Pale Moon Drive on the east, and Perdido Bay to the west. Natural topography for the site prior to home construction gently sloped from the east at an elevation of 5+' at Pale Moon Drive gently to the west into Perdido Bay. The mean high water elevation at this point in Perdido Bay is 0.87' (NAVD88).

Several years back, the lot was purchased for the construction of a single family home with driveways, carport and a pool/lanai. Prior to this report, the lot has been filled to roughly an elevation of 7' to elevate the house slab above the flood plain. The lot fill is placed to grade most of the front part of the lot to Pale Moon Drive, with the rear of the lot graded toward Perdido Bay and stops approximately 50' back from the permitted seawall ().

Permits have been pulled from Escambia County or the State WMD for the following:

- Land and Tree Permit (Permit No. 1802404PLM) to clear trees and fill the lot;
- ERP Permit No. 0359395-001-002-EE for a seawall located landward of the established mean high water along Perdido Bay (permitted by Wetland Sciences, Inc.); Please note that Wetland Sciences has also furnished a letter stating there were no wetlands on the lot impacted by the existing fill (see attached letter and ERP Permit)
- A permit for the wall along the northern boundary of the lot is in process through the Escambia County Building Inspections Department.

PROPOSED WORK

The owner proposes to construct a new 6,250 SF home on the lot with a 1,300 SF pool/lanai area, and 2,240 SF driveway and other concrete work. The balance of the lot will either be sodded or along the shoreline and to the east of the seawall left in its natural state.

Side lot drainage will collected in a swale 0.5' to 1' deep along the southerly 5' wide strip the south side, and along an existing landscape wall that will prevent all flows to the north lot. The existing landscape wall is being permitted through Escambia County Building Inspections and has a top elevation of 7'. This wall prevents any water from leaving the site and flowing onto the lot to the north. The proposed swale along the

south boundary will collect and convey runoff from both this lot and the flows from the lot to the south.

SURROUNDING PROPERTY IMPACTS

The lot to the south drains approximately 50% of its runoff on to 5312 Pale Moon Drive. So as not to block this runoff and create an impact on the lot to the south, a swale is proposed along the property line between the lots that will collect the runoff from both lots and convey it westerly toward the Bay. This swale will be totally on 5312 Pale Moon and will collect water from the contributing area as seen on the attached aerial:

AERIAL OF BASINS (Existing Lot to South and 5312 Pale Moon Drive Lot)

As was stated earlier in this report, the landscape timber wall along the north boundary of 5312 Pale Moon Drive will prevent any runoff to discharge to the north. Therefore, this project will not negatively impact any surrounding lots.

EXHIBIT "I"

Swale Sizing Along Southern Boundary of Lot:

From the above, we can see the following areas contributing to the swale's flow:

Contributing Lot area to south	14,558.46 SF
Contributing Lot for this lot	10,431.81 SF
Total Area Contributing	**24,990.27 SF = 0.57 Acres**

The weighted Rational Coefficient calculated for pre-development versus post-development conditions is as follows:

Pervious C	0.25
Impervious C	0.90

Composite c Calculations

Pre-Development		
c-pre	0.25	
Onsite area	0.75	acres
Offsite	0.69	acres
Total Basin	1.44	

Post Development Prior to Home Construction				
	Impervious Area =		SF	Acres
		Building	0.00	0.00
		Asphalt	0.00	0.00
		Conc. Curb/walks	0.00	0.00
		Offsite	11,950.78	0.27
			11,951	0.27
c-per.	0.25	1.17		
c-imp.	0.9	0.27		
	Cpost =	0.37		
	Cpost prior to additions = 0.37			

Post Development After Home Construction				
	Impervious Area =		SF	Acres
		Building	6,251.00	0.14
		Pool/Lanai	1,300.00	0.03
		Concrete Drives	2,240.00	0.05
		Offsite	11,950.78	0.27
			21,741.78	0.50
c-per.	0.25	0.94		
c-imp.	0.9	0.50		
	Cpost =	0.47		
	Cpost after additions = 0.47			

Based on the Cpost, contributing acreage and a 100-year storm, we see the following:

Calculate Area Contributing to Swale Along South Boundary

	SF	Acres
OnSite	10431.8	0.24
OffSite	14558.5	0.33
Total Area	24990.3	0.57

Rainfall Intensity 9 inches/hour

Q = c*I*A 2.41 cfs

SWALE DESIGN:

The runoff collected in the proposed swale along the boundary between the lots will be 0.6' deep at its maximum depth and will carry the runoff generated by the contributing acreage from both lots. See attached swale calculations for the swale functioning.

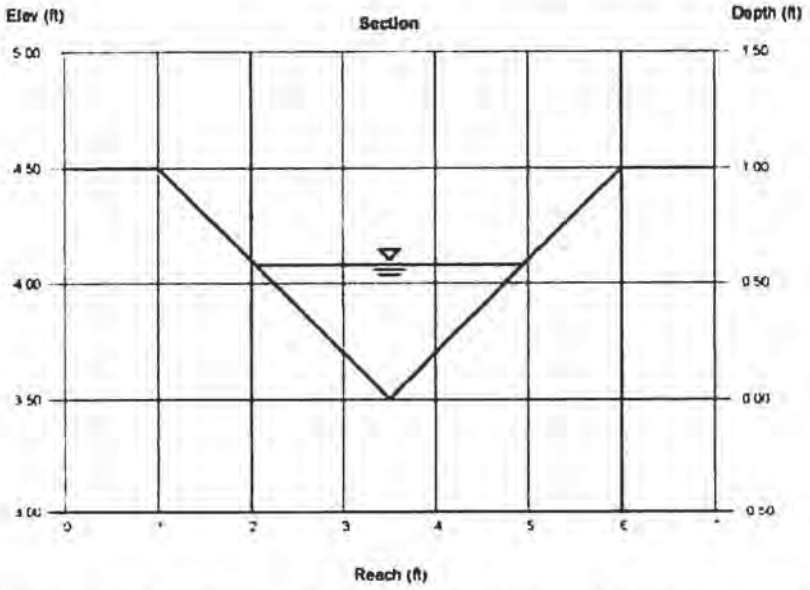
Channel Report

Hydraflow Express Extension for Autodesk® AutoCAD® Civil 3D® by Autodesk, Inc. Friday, Apr 6 2018

<Name>

Triangular	
Side Slopes (z 1)	= 2.50, 2.50
Total Depth (ft)	= 1.00
Invert Elev (ft)	= 3.50
Slope (%)	= 0.50
N-Value	= 0.015
Calculations	
Compute by	Known Q
Known Q (cfs)	= 2.41

Highlighted	
Depth (ft)	= 0.58
Q (cfs)	= 2.410
Area (sqft)	= 0.84
Velocity (ft/s)	= 2.87
Wetted Perim (ft)	= 3.12
Crit Depth, Yc (ft)	= 0.57
Top Width (ft)	= 2.90
EGL (ft)	= 0.71



Based on the above, the inclusion of the swale along the boundary with the lot to the south will prevent runoff from leaving our site and impacting the southerly lot, as well as collect runoff from the south lot to 5312 Pale Moon without blocking the flows.

EXHIBIT "I"

EXHIBIT "I"

Soil Map—Escambia County, Florida
(Web Soil Survey)

Map Scale: 1:1,850 if printed on A landscape (11" x 8.5") sheet.

N

Meters: 0 25 50 100 150

Feet: 0 50 100 200 300

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 16N WGS84

EXHIBIT "I"

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Escambia County, Florida
Survey Area Data: Version 16, Nov 21, 2017

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Dec 31, 2009—Mar 7, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
4	Pickney sand	0.8	5.9%
9	Leon sand, 0 to 2 percent slopes	2.2	16.2%
11	Hurricane sand, 0 to 5 percent slopes	4.4	32.4%
19	Foxworth sand, 0 to 5 percent slopes	3.5	25.3%
100	Waters of the Gulf of Mexico	2.8	20.3%
Totals for Area of Interest		13.7	100.0%

EXHIBIT "I"

Escambia County, Florida

19—Foxworth sand, 0 to 5 percent slopes

Map Unit Setting

National map unit symbol: 2ttkk
Elevation: 20 to 250 feet
Mean annual precipitation: 59 to 68 inches
Mean annual air temperature: 63 to 72 degrees F
Frost-free period: 209 to 295 days
Farmland classification: Not prime farmland

Map Unit Composition

Foxworth and similar soils: 95 percent
Minor components: 5 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Foxworth

Setting

Landform: Ridges on marine terraces
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Interfluve
Down-slope shape: Convex
Across-slope shape: Linear
Parent material: Eolian or sandy marine deposits

Typical profile

A - 0 to 6 inches: sand
C - 6 to 67 inches: sand
Cg - 67 to 80 inches: sand

Properties and qualities

Slope: 0 to 5 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Moderately well drained
Runoff class: Negligible
Capacity of the most limiting layer to transmit water (Ksat): High to very high (5.95 to 19.98 in/hr)
Depth to water table: About 42 to 72 inches
Frequency of flooding: None
Frequency of ponding: None
Salinity, maximum in profile: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Sodium adsorption ratio, maximum in profile: 4.0
Available water storage in profile: Low (about 4.8 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 3s
Hydrologic Soil Group: A

EXHIBIT "I"

Ecological site: Longleaf Pine-Turkey Oak Hills (R133AY002FL)
Forage suitability group: Sandy soils on rises, knolls, and ridges of mesic uplands (G133AA121FL)
Hydric soil rating: No

Minor Components

Lakeland
Percent of map unit: 4 percent
Landform: Hills on marine terraces
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Interfluve
Down-slope shape: Convex
Across-slope shape: Linear
Other vegetative classification: Longleaf Pine-Turkey Oak Hills (R133AY002FL)
Hydric soil rating: No

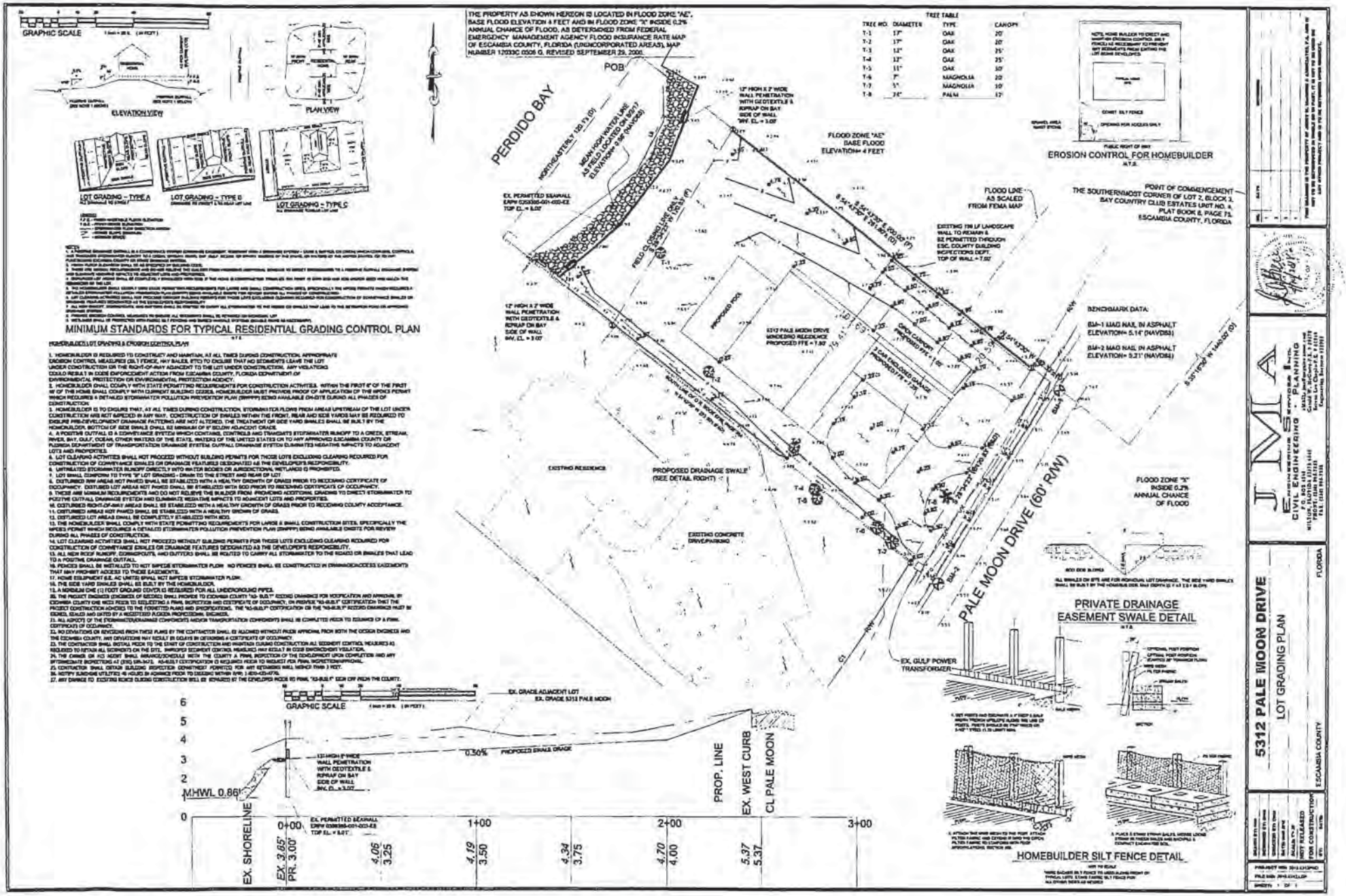
Chipley
Percent of map unit: 1 percent
Landform: Ridges on marine terraces
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Interfluve
Down-slope shape: Convex
Across-slope shape: Linear
Hydric soil rating: No

Data Source Information

Soil Survey Area: Escambia County, Florida
Survey Area Data: Version 16, Nov 21, 2017

EXHIBIT "I"

EXHIBIT "I"


GRAPHIC SCALE
ELEVATION VIEW
PLAN VIEW
LOT GRADING - TYPE A
LOT GRADING - TYPE B
LOT GRADING - TYPE C
MINIMUM STANDARDS FOR TYPICAL RESIDENTIAL GRADING CONTROL PLAN
THE PROPERTY AS SHOWN HEREON IS LOCATED IN FLOOD ZONE "AE", BASE FLOOD ELEVATION 4 FEET AND IN FLOOD ZONE "X" INSIDE 0.2% ANNUAL CHANCE OF FLOOD, AS DETERMINED FROM FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP OF ESCAMBIA COUNTY, FLORIDA (UNINCORPORATED AREAS), MAP NUMBER 12033C 0508 G, REVISED SEPTEMBER 29, 2006.
TREE TABLE
TREE NO. DIAMETER TYPE CANOPY
T-1 17" OAK 20'
T-2 17" OAK 20'
T-3 12" OAK 25'
T-4 12" OAK 25'
T-5 11" OAK 30'
T-6 7" MAGNOLIA 20'
T-7 5" MAGNOLIA 10'
T-8 24" PALM 12'
POB
PERDIDO BAY
NORTHEASTERLY 120 FT (+/-)
MEAN HIGH WATER LINE AS FIELD LOCATED ON 05/17 ELEVATION= 2.58' (NAVD88)
12" HIGH X 3' WIDE WALL PENETRATION WITH GEOTEXTILE & RIPRAP ON BAY SIDE OF WALL BW. EL. = 3.05'
EX. PERMITTED SEAWALL ERPI# 0208365-001-002-EE TOP EL. = 5.01'
FLOOD ZONE "AE" BASE FLOOD ELEVATION= 4 FEET
FLOOD LINE AS SCALED FROM FEMA MAP
EROSION CONTROL FOR HOMEBUILDER
POINT OF COMMENCEMENT THE SOUTHERNMOST CORNER OF LOT 2, BLOCK 3, BAY COUNTRY CLUB ESTATES UNIT NO. 4, PLAT BOOK 8, PAGE 73, ESCAMBIA COUNTY, FLORIDA
EXISTING 726 LF LANDSCAPE WALL TO REMAIN & BE PERMITTED THROUGH ESC. COUNTY BUILDING INSPECTIONS DEPT. TOP OF WALL = 7.02'
12" HIGH X 3' WIDE WALL PENETRATION WITH GEOTEXTILE & RIPRAP ON BAY SIDE OF WALL BW. EL. = 3.07'
5312 PALE MOON DRIVE WINDERMERE RESIDENCE PROPOSED FFE = 7.90'
OPEN CARPORT PROPOSED FFE = 7.90'
3 CAR ENCLOSED GARAGE PROPOSED FFE = 7.25'
PROPOSED POOL
BENCHMARK DATA:
BM-1 MAG NAIL IN ASPHALT ELEVATION= 5.14' (NAVD88)
BM-2 MAG NAIL IN ASPHALT ELEVATION= 5.21' (NAVD88)
EXISTING RESIDENCE
PROPOSED DRAINAGE SWALE (SEE DETAIL RIGHT)
EXISTING CONCRETE DRIVE/PARKING
PALE MOON DRIVE (60' R/W)
FLOOD ZONE "X" INSIDE 0.2% ANNUAL CHANCE OF FLOOD
PRIVATE DRAINAGE EASEMENT SWALE DETAIL
EX. GULF POWER TRANSFORMER
HOMEBUILDER SILT FENCE DETAIL
GRAPHIC SCALE
EX. GRADE ADJACENT LOT
EX. GRADE 5312 PALE MOON
0.30% PROPOSED SWALE GRADE
12" HIGH 3' WIDE WALL PENETRATION WITH GEOTEXTILE & RIPRAP ON BAY SIDE OF WALL BW. EL. = 3.07'
MHWL 0.86'
EX. SHORELINE
PROP. LINE
EX. WEST CURB
CL PALE MOON
EX. PERMITTED SEAWALL ERPI# 0208365-001-002-EE TOP EL. = 5.01'
0+00 EX. 3.65' PR. 3.00'
1+00 4.06 3.25
2+00 4.19 3.50
3+00 4.34 3.75
4.70 4.00
5.37 5.37
J M A CIVIL ENGINEERING SURVEYING PLANNING
5312 PALE MOON DRIVE
LOT GRADING PLAN
ESCAMBIA COUNTY FLORIDA
NOT RELEASED FOR CONSTRUCTION

5312 PALE MOON DRIVE
DRAINAGE BASIN MAP
ESCAMBIA COUNTY
FLORIDA
JMA
CIVIL ENGINEERING · PLANNING
PALE MOON DRIVE (60' R/W)
PERDIDO BAY
POB
EX. GULF POWER TRANSFORMER
PROPOSED DRAINAGE SWALE (SEE DETAIL RIGHT)
BENCHMARK DATA:
BM-1 MAG NAIL IN ASPHALT
ELEVATION= 5.22' (NAVD88)
BM-2 MAG NAIL IN ASPHALT
ELEVATION= 5.37' (NAVD88)
FLOOD ZONE "AE"
BASE FLOOD
ELEVATION = 7 FEET
FLOOD LINE
AS SCALED
FROM FEMA MAP
GRAPHIC SCALE

EXHIBIT "I"

Karla N Moreno

From: Horace L Jones
Sent: Friday, May 18, 2018 2:16 PM
To: Horace L Jones
Subject: FW: floodwater plan 5312 Pale Moon
Attachments: Swale Calculations 25-Year Event.pdf

From: Roza I. Sestnov
Sent: Thursday, May 17, 2018 2:46 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: FW: floodwater plan 5312 Pale Moon

Horace,

E-mail below was sent from Jerry with additional clarifications on Item #2. Please read below and see attached.

Thank you,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Jerry McGuire [mailto:jerry@mcguire-assoc.com]
Sent: Thursday, May 17, 2018 2:34 PM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: RE: floodwater plan 5312 Pale Moon

Roza,

You are correct, they are referring to the n-factor. Attached is a page from the FDOT Drainage Manual for various factors. You will note the FDOT recommends a design "n" of 0.025 to 0.035 for grass swales for this case. Also, note that we calculated the flow from a 100-year storm. Since we know from the report generated by Sigma that a 100-year storm will not exceed the swale, we decided to run a 25-year storm as required by County Code. We will use a n-factor of 0.03.

25-Year Storm Event:
Area = 0.57 Acres
Intensity = 6.00 inches/hour (FDOT Zone 1)
Cw = 0.47
Q=cia = 0.47 x 6 x 0.57 = 1.61 cfs

Exhibit J

Based on the County DSM for a 25-year storm, the depth of flow for the swale would be 0.63'. That leaves a freeboard in the swale of 0.37'. Combine this with the sandy soils, we see no problems with the swale as designed meeting and exceeding the County requirements.

Jerry

From: Roza I. Sestnov <risestnov@myescambia.com>
Sent: Thursday, May 17, 2018 9:09 AM
To: Jerry McGuire <jerry@mcguire-assoc.com>
Subject: RE: floodwater plan 5312 Pale Moon

Jerry,

Thank you so much for your response and input in this matter. As per our phone conversation please review your response #2. I think that Sigma report was referring to n-factor, roughness coefficient, and not to C-factor. Please respond.

Thanks again,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Jerry McGuire [mailto:jerry@mcguire-assoc.com]
Sent: Wednesday, May 16, 2018 2:33 PM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: RE: floodwater plan 5312 Pale Moon

Roza,

We have reviewed the report from the neighbor's engineer and offer the following:

1. **Page 1 of report – regarding the lot drainage to the north of 5312 Pale Moon Drive** - the adjacent lot to the north mainly drains to the center of the lot based on the attached aerial with contouring. During the development of this lot the lot owner should be afforded the same benefits of the lot we permitted and they can install a swale on their south property line through the Stormwater Permitting Management Permitting process. I don't see additional erosion concerns if they design it property and stabilize it.
2. **Regarding the C factor used:** attached is a table of common C factors used. The soil based on the soil survey is a Type A soil, and is a very well drained sand, and on a gentle slope. The C factor used could be up to 0.30, but a well maintained lawn could be down to 0.10. I would never use a c = 0.60 for this soil condition. Let me say, that the engineer for the owner to the south, when using a c=0.60 still calculates and shows the swale does not overtop in a 100-year event. I know of no freeboard required for drainage swales under the LDC DSM.
3. **Location of swale:** Please note that the swale is totally located on 5312 Pale Moon Drive. None of the swale is on the lot the south. WE are receiving water/runoff from the yard to the south and it is accounted

Exhibit J

for in the swale design. Furthermore, this is a grassed swale and not to be landscaped with any impediments that would hinder flow along the ditch.

4. **Lot Grading Plan addressing adjacent lots:** The Lot Grading Plan does indeed take into account the flows from the south lot in the swale design. The north lot mainly drains to the center of the lto, but one someone develops they can follow the same requirements as 5312 Pale Moon Drive had to follow. At that time they can install a swale along their lot lines.

Thanks,
Jerry

From: Roza I. Sestnov <risestnov@myescambia.com>
Sent: Wednesday, May 16, 2018 8:49 AM
To: Jerry's JMA <jerry@mcguire-assoc.com>
Subject: FW: floodwater plan 5312 Pale Moon

FYI.

Thank you!

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Horace L Jones
Sent: Tuesday, May 15, 2018 4:20 PM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: Fwd: floodwater plan 5312 Pale Moon

Sent from my iPhone

Begin forwarded message:

> **From:** "Fran Ogden" <franogdenrd@gmail.com>
> **To:** "Tim Tolbert" <JTTOLBERT@myescambia.com>, "Timothy R. Day" <TRDAY@myescambia.com>, "Horace L Jones" <HLJONES@myescambia.com>
> **Cc:** "Alison A. Rogers" <aarogers@co.escambia.fl.us>, "Jack R. Brown" <jrbrown@myescambia.com>
> **Subject: floodwater plan 5312 Pale Moon**
>
> Dear Mr. Tolbert, Mr. Jones, Mr.Day, and other whom this subject may concern,
>
> Attached you will find an engineering report that I was forced to commission when the county did not sufficiently protect my property. It is obvious to all but the permit reviewers that the Mindrebo's filling in the property 3-4 feet higher than the adjacent properties will cause all the surrounding areas higher flooding risks.

Exhibit J

You will see that in the submitted proposals there are insufficient and incorrect data

There has been no provisions made for the pre-exsting flow of the water from Pale Moon Drive to Perdido Bay. The existing homes have been engineered with the original elevations which allowed water to flow to the bay. It was filled illegally and with out any consideration of the impact that the changed elevations would cause. Mr. Mindrebo stated he was only concerned with his dream home and did not need to consider the neighbors. I believe this is exactly why we have a permitting process. Unfortunately, Mr. Banes, failed to make proper consideration and granted a permit with out a required floodwater plan. Ms. Roza of the LDC approved a retro actively submitted floodwater plan based on figures submitted from Jerry Maguire, but I have found his figures to be incorrect. Please review the attached report from Sigma to confirm.

I also maintain that more than 1800 cu. yds. was hauled in. (could you not reverse the permit based upon false statements in the after-the-fact application? because you certainly can add existing landscape wall to the list of falsehoods. I have a dozen neighbors to attest to this fact that it was not existing. Is the truth irrelevant?.) Please, let's verify this information with the dirt company. I think we can fairly say that the the Mindrebos and Rick Classic Homes have a blatant disregard for the surrounding area. Please protect us.

Several additional questions are also posed on this report. I strongly request that the permitting dept. halts the progress of this ongoing build until these significant questions have been answered.

Regards,
Fran Ogden

--
Fran Ogden
850-737-3436

Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.
Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.

Exhibit J

Channel Report 25-Year Event

Hydraflow Express Extension for Autodesk® AutoCAD® Civil 3D® by Autodesk, Inc. Thursday, May 17 2018

<Name>

Trapezoidal

Bottom Width (ft)	= 0.10
Side Slopes (z:1)	= 2.50, 2.50
Total Depth (ft)	= 1.00
Invert Elev (ft)	= 3.50
Slope (%)	= 0.50
N-Value	= 0.030

Calculations

Compute by:	Known Q
Known Q (cfs)	= 1.60

Highlighted

Depth (ft)	= 0.63
Q (cfs)	= 1.600
Area (sqft)	= 1.06
Velocity (ft/s)	= 1.52
Wetted Perim (ft)	= 3.49
Crit Depth, Yc (ft)	= 0.47
Top Width (ft)	= 3.25
EGL (ft)	= 0.67

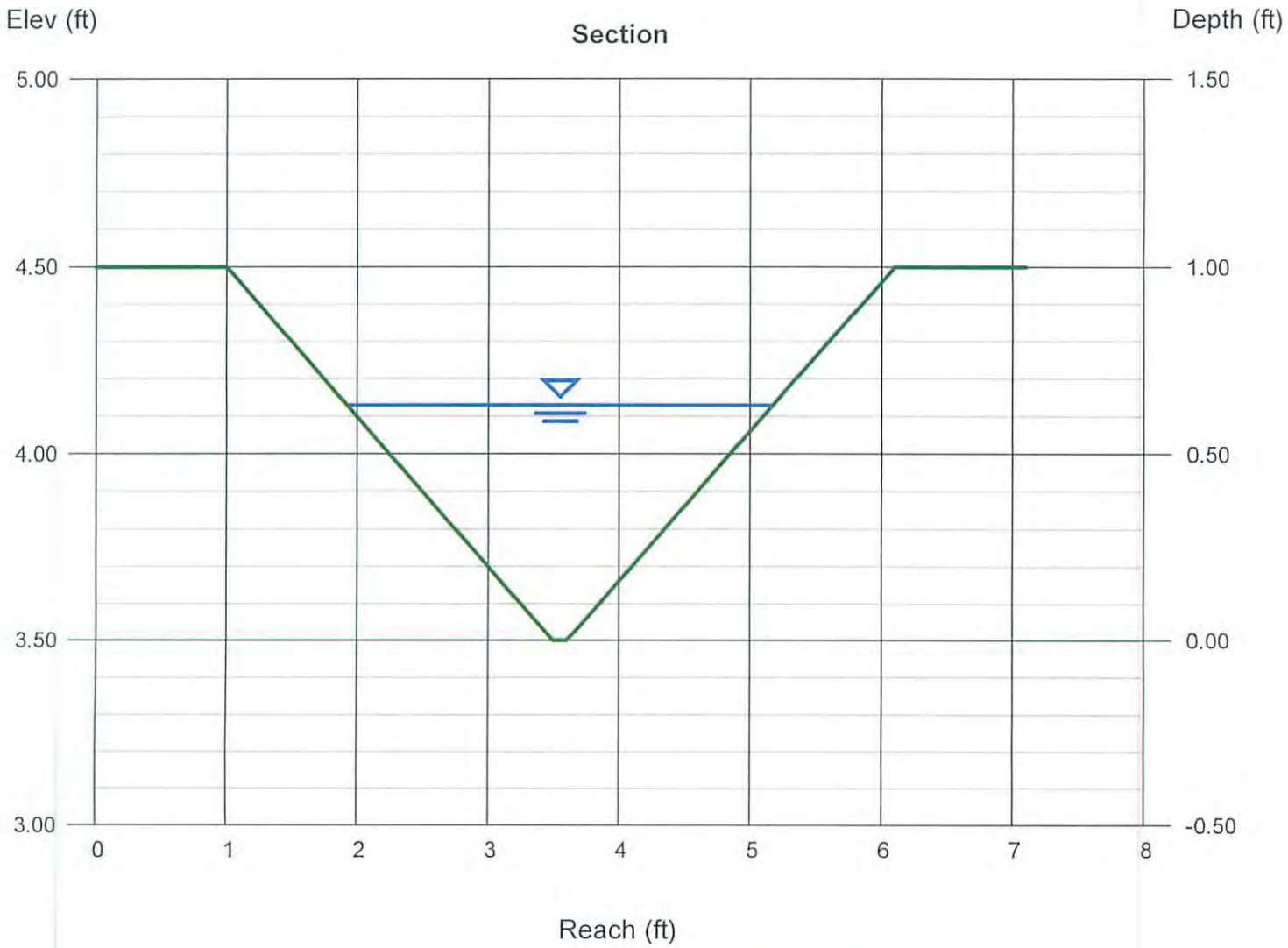


Exhibit J

Karla N Moreno

From: Horace L Jones
Sent: Friday, May 18, 2018 2:21 PM
To: Horace L Jones
Subject: FW: 5312 Pale Moon Sigma Report
Attachments: RE: floodwater plan 5312 Pale Moon; 180406.Pale Moon Drive Draft Writeup.05.15.18 with attachments(2).pdf; Aerial Contouring Pale Moon Drive.pdf

From: Roza I. Sestnov
Sent: Thursday, May 17, 2018 12:34 PM
To: Horace L Jones <HLJONES@myescambia.com>
Cc: Jerry McGuire <jerry@mcguire-assoc.com>
Subject: 5312 Pale Moon Sigma Report

Horace,

Based on **Stormwater Management Plan Review and Reporting** prepared by Jason Lashley with Sigma Consulting Group, we offer the following:

Responses to Sigma Report.

Stormwater Management Plan Calculations.

1. The approved drawings have a proposed drainage swale which is offset from the retaining wall, along the north property line. The purpose of this swale is to divert runoffs from the north portion of the property towards the open water, to the west. The plan indicates elevations at the retaining wall are being higher than the bottom of the proposed swale. Please note that property adjacent to the north shall have to be elevated when developed based on the current LDC FFE requirements. So, finished elevations of this lot will match +/- 5312 Pale Moon Drive elevations. Additionally, this lot to the north mainly drains to the center of the lot, away from the developing lot, based on attached map provided by the EOR. Therefore, no negative impact to this lot after construction is anticipated.

2. The County LDC does not have any specific requirements for the 'n' factor. So, it is up to the EOR what Manning Roughness Coefficient to choose. However, United States Department of Transportation-Federal Highway Administration Engineering website recommends this coefficient for open short grass areas to be 0.025-0.035, and not as suggested 0.06 in the report. Additionally, LDC DSM 1-1.5 requires that conveyance systems shall be designed for a 25-year storm event, not 100-year storm event. Based on the above, the proposed swale actually has a freeboard (a minimum of 0.25' for 100-year storm).

Stormwater Management Plan Drawings

1. The entire swale is proposed on the developing property. No disturbance of the adjacent property at 5330 Pale Moon is proposed.

Exhibit J

2. The swale shall stay as designed and constructed. There are several notes (##4, 9, 16, and 17) on the drawings that restrict any additional improvements in the conveyance swales. Any negative impact to adjacent property could be reported to the County. Additionally, based on response above, the swale has a freeboard.

3. Pale Moon Drive has curb and gutter. Stormwater from Pale Moon Drive was never flowing in the westerly direction. It was and will be collected by curb and gutter and then further by inlet/piping system and will be discharged to the open water/bay via an existing open ditch. The runoffs from proposed lot will not be discharged to adjacent lots, but will be diverted by two proposed swales to the open water, and the front portion of the lot will be discharging to the Pale Mood Drive curb, gutter, inlet/piping system.

Conclusion

Based on all listed above, the proposed and permitted Stormwater Management Plan satisfies the County Land Development Code and Design Standard Manual.

Please note that the EOR, Jerry McGuire, sent his responses to some of the items listed in the Sigma Report (see attached). Please let me know if you have any questions.

Thank you,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

Exhibit J

DSD received 2-5-18 (app.)
" " payment 2-12-18

Development Services Department, 3363 West Park Place, Pensacola, Florida 32505 (phone) 850-595-3475 (fax) 850-595-3703

PERMIT WILL EXPIRE ONE YEAR AFTER DATE OF ISSUE

LAND AND TREE MANAGEMENT PERMIT

Activities Covered Under Permit: Activities such as clearing, cutting, *excavating, *filling, protected tree removal, grading of land, or any other activity that alters land topography or vegetative cover is covered under this permit, where noted, provided such land disturbing activities do not result in adverse impacts to adjoining properties, waterbodies, watercourses, wetlands, environmentally sensitive lands, adjacent roadways or drainage systems, etc. Construction of infrastructure or addition of impervious area is **not** covered under this permit.

PERMIT # 180~~5~~2404 PLM DATE ISSUED: 2-12-18

After-the-fact
☒ LAND DISTURBING ☐ TREE ☐ BARRIER ISLAND SAND ☐ BEACH MOUSE

OWNER/AGENT Classic Homes of Pole Rick Fragale PHONE # 8506985186

Agent
OWNER'S ADDRESS 6833 Cedar Ridge Dr Pole FL 32526 FAX # 8509447261

PROJECT NAME Weis DREBO Residence ZONING AE

SITE ADDRESS(S) 5200 BLK Pale Moon DR. Lot 23 Blk 2 Federal Bay C. Club Estates ACREAGE .72 AC

PROPERTY REFERENCE #(s) 11-35-323-000-000-001 ACREAGE TO BE DISTURBED .6

AMOUNT OF FILL MATERIAL(s) 1800 cuyd SOURCE OF FILL MATERIAL(s) Sandy loam fill

Note, a separate Barrier Island Sand Evaluation &/or "prohibited material" removal Permit may also be required per current Escambia County Land Development Code requirements.

(NO PROTECTED TREES)

DESCRIBE **ALL** ACTIVITIES PROPOSED (land disturbance & protected tree removal locations shown on site map) Clear lot of most trees, appox Wetland determination for Grey C Wetlands Service. Clear & fill lot as existing. Also has a Mean High water table for Wetlands Service use & County.

NUMBER of PROTECTED TREES PROPOSED for REMOVAL Unknown, site cleared prior to authorization/permitting ??? FEES (office use only) $ 867

Land Disturbing: $216.75, Trees: ~~2 trees @ $105 + $25~~ each additional tree, Sand Placement: $55, Beach Mouse: $216.75

☑ APPROVED ☐ DENIED T. Day DATE 2-12-18

~~Timothy R Day, Environmental Programs Manager~~

COMMENTS After-the-fact Land Disturbing Permit for 11-35-32-3000-000-001 (5200 Blk Pale Moon is generic address). All adequate erosion controls shall be installed, including along southwestern waterway & property line, sufficiently maintained in good working order until site is stabilized. MERS Provisions also apply for setbacks

Responsibility of Owner/Agent: ~~If necessary~~ The owner/applicant shall incorporate measures to prevent erosion, sedimentation and/or flooding which may result from land disturbance activities. Silt fences, temporary sediment traps, temporary holding ponds, stabilization of disturbed areas with grass may be required to control erosion, sedimentation and/or flooding. The undersigned is fully aware of these responsibilities and will comply with these requirements. ****The Owner/Agent shall have a copy of the approved permit on the job site at all times.****

Other permits may also be required, such as for the retaining wall, house, or other features.

The undersigned agrees to grant permission for authorized Escambia County personnel to conduct all necessary site inspections associated with this permit.

SIGNATURE OF OWNER/AGENT* DATE 1/30/18

*A signed letter authorizing agent to act on the property owner's behalf will be required prior to processing.

Disclaimer: Escambia County shall not be held responsible for any losses or damages in the event that activities covered under this permit negatively impact adjacent properties, waterbodies, watercourses, wetlands, environmentally sensitive lands, adjacent roadways or drainage systems, etc.

1802404 PLM

AFFIDAVIT OF OWNERSHIP AND LIMITED POWER OF ATTORNEY

(Please print clearly)

As owner of the property located at 5203 Black Pale Moon Dr., Pensacola, Florida, property reference number(s) _____, I hereby designate (company) _____ (personal representative) Scott & Donna Mindrebo for the sole purpose of completing this Escambia County Development Review or Permitting Application and to act on my behalf during the County's processing of the Development Review or Permitting Application on the above referenced property.

This Limited Power of Attorney is granted on this 8 day of February the year of 2018 and is effective until the County 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 Escambia County Development Services Department.

_____ 2/8/18 Donna Mindrebo, Scott Mindrebo

Signature of Property Owner Date Printed Name of Owner

STATE of Texas

COUNTY of Brazoria

The forgoing instrument was acknowledged before me this 8 day of February, year of 2018 by Donna Mindrebo + Scott Mindrebo who ( ) did ( ) did not take an oath. He/she is ( ) personally known to me, ( ) produced current Florida/Other driver's license, and/or ( )produced current driver license as identification.

_____ 02/08/2018 Joshua Sultan

Signature of Notary Public Date Printed Name of Notary

11/25/2018 130037477

My Commission Expires Commission No. (Notary seal must be affixed)

JOSHUA SULTAN
Notary Public, State of Texas
Comm. Expires 11-25-2018
Notary ID 130037477

1802404 PL/b

Chris Jones
Escambia County Property Appraiser

General Information

Reference:	113S323000000001
Account:	103229000
Owners:	MINDREBO SCOTT J & MINDREBO DONNA JEAN
Mail:	2927 COVEBROOK DR PEARLAND, TX 77584
Situs:	5200 BLK PALE MOON DR 32507
Use Code:	VACANT RESIDENTIAL
Taxing Authority:	COUNTY MSTU
Schools (Elem/Int/High):	HELLEN CARO/BAILEY/ESCAMBIA
Tax Inquiry:	Open Tax Inquiry Window

Tax Inquiry link courtesy of Scott Lunsford Escambia County Tax Collector

Assessments

Year	Land	Imprv	Total	Cap Val
2017	$144,000	$0	$144,000	$144,000
2016	$144,000	$0	$144,000	$144,000
2015	$144,000	$0	$144,000	$144,000

Disclaimer

Amendment 1/Portability Calculations

★File for New Homestead Exemption Online

Sales Data

Sale Date	Book	Page	Value	Type	Official Records (New Window)
08/18/2011	6756	264	$159,900	WD	View Instr
09/2001	4777	1502	$198,000	WD	View Instr
05/1999	4427	222	$151,000	WD	View Instr
11/1997	4192	1864	$165,000	WD	View Instr
01/1969	422	406	$100	WD	View Instr

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

2017 Certified Roll Exemptions

None

Legal Description

BEG AT SOUTHERNMOST COR OF LT 1 BLK 3 PERDIDO BAY COUNTRY CLUB EST #4 PB 6 P 75 S 35 DEG 16 MIN 30 SEC W 1440 FT N...

Extra Features

None

Parcel Information

Launch Interactive Map

Section Map Id: 10-3S-32

Approx. Acreage: 0.7287

Zoned: LDR

Evacuation & Flood Information Open Report

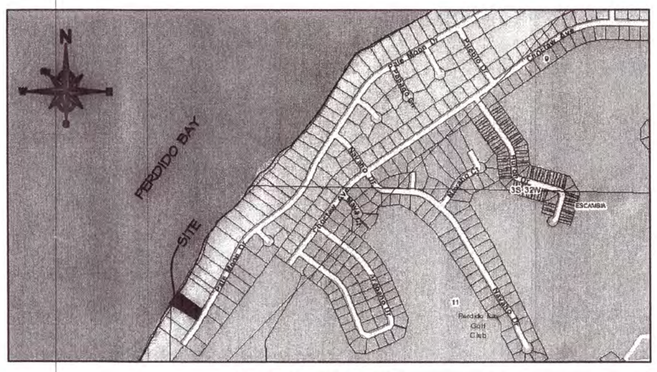
View Florida Department of Environmental Protection(DEP) Data

Buildings

Images

BOUNDARY AND MEAN HIGH WATER SURVEY
OF A PORTION OF SECTION 11, TOWNSHIP 3 SOUTH, RANGE 32 WEST, ESCAMBIA COUNTY, FLORIDA

Esc. Co. A+f
Land Disturbing Perm.# 1802404 PLM
All erosion & sediment controls shall be adequately installed & maintained in good working order until site is stabilized. Adverse impacts shall be corrected by owner/developer/contractors per code & permit requirements, as a total of approvals may apply. Additional permits or surveys


N
PERDIDO BAY
SITE
PALE MOON DR
SOUTHWIND DR
SOUTHWIND CIR
SOUTHWIND PL
SOUTHWIND CT
SOUTHWIND WAY
SOUTHWIND LN
SOUTHWIND TER
SOUTHWIND PKWY
SOUTHWIND BLVD
SOUTHWIND AVE
SOUTHWIND ST
SOUTHWIND RD
SOUTHWIND ALY
SOUTHWIND CV
SOUTHWIND PT
SOUTHWIND XING
SOUTHWIND HWY
SOUTHWIND TRL
SOUTHWIND PATH
SOUTHWIND WALK
SOUTHWIND RUN
SOUTHWIND GRN
SOUTHWIND MEWS
SOUTHWIND SQ
SOUTHWIND PLZ
SOUTHWIND EXPY
SOUTHWIND FWY
SOUTHWIND TPKE
SOUTHWIND BYP
SOUTHWIND BND
SOUTHWIND CRK
SOUTHWIND GLN
SOUTHWIND HBR
SOUTHWIND ISL
SOUTHWIND KEY
SOUTHWIND LK
SOUTHWIND MDW
SOUTHWIND OVL
SOUTHWIND PNE
SOUTHWIND RDG
SOUTHWIND SHR
SOUTHWIND SPG
SOUTHWIND TRC
SOUTHWIND VLY
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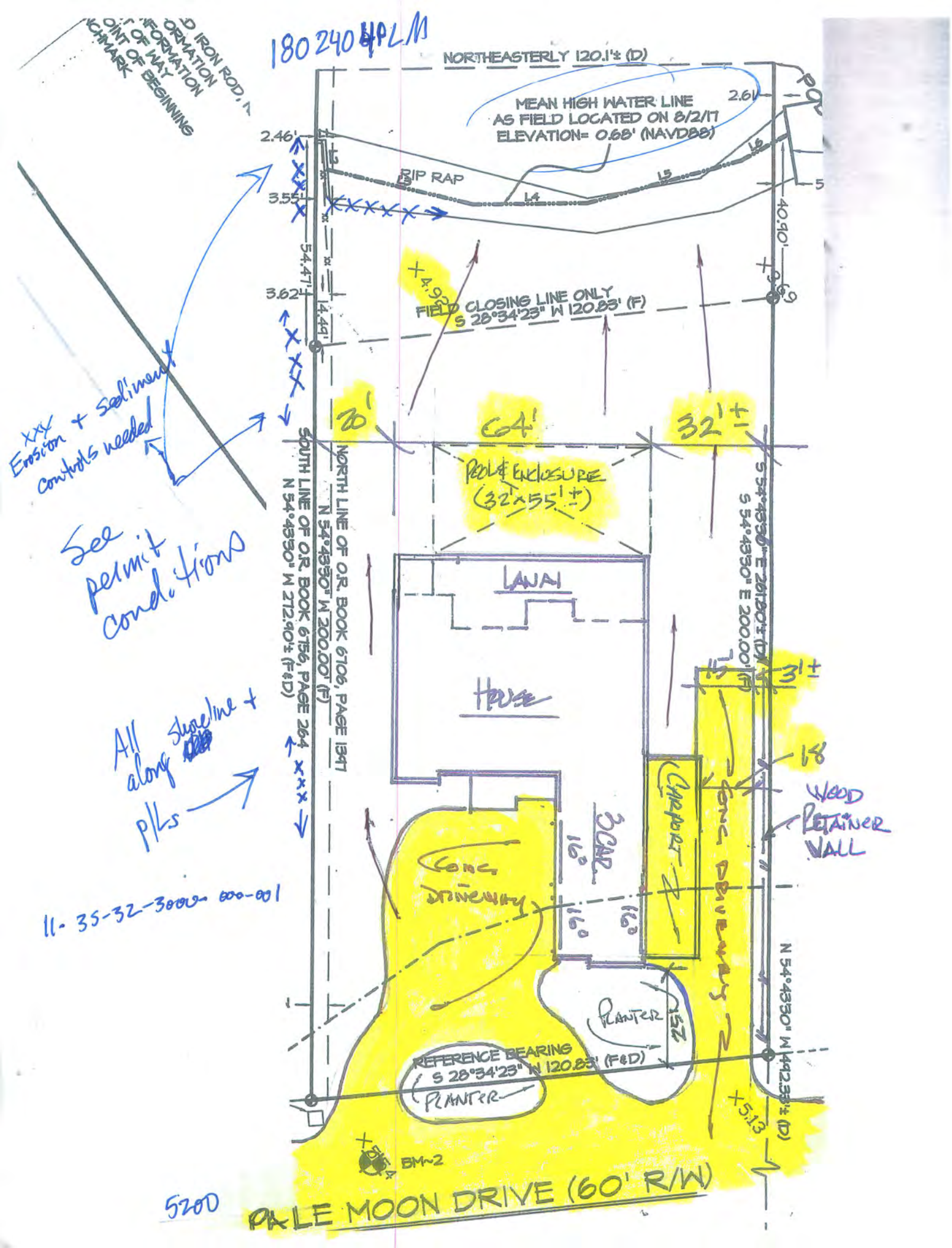
SOUTHWIND ZOOMERS

None

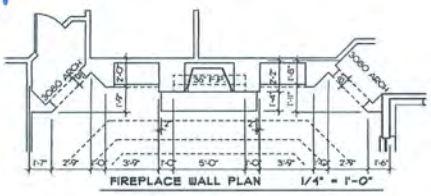
The primary use of the assessment data is for the preparation of the current year tax roll. No responsibility or liability is assumed for inaccuracies or errors.

Last Updated:01/11/2018 (tc.51625)

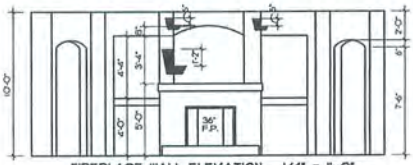
180 2404 PLAS


180 240 HPLM
D IRON ROD, N
ORMATION
FORMATION
T OF WAY
OINT OF BEGINNING
CHMARK
NORTHEASTERLY 120.1'± (D)
MEAN HIGH WATER LINE
AS FIELD LOCATED ON 8/2/17
ELEVATION= 0.68' (NAVD88)
2.61
2.46'
3.55
3.62
RIP RAP
L1
L2
L3
L4
L5
5
40.90'
54.47'
14.44'
+4.9
+3.69
FIELD CLOSING LINE ONLY
S 28°34'23" W 120.83' (F)
xxx Erosion + Sediment controls needed
See permit conditions
All stakes along P/Ls
11-35-32-3000-000-001
20'
64'
32'±
POOL & ENCLOSURE
(32'x55'±)
LANAI
HOUSE
31'±
18'
CARPORT
CONC. DRIVEWAY
WOOD RETAINER WALL
3 CAR
16'
16'
16'
CONC. DRIVEWAY
PLANTER
15Z
PLANTER
REFERENCE BEARING
S 28°34'23" W 120.83' (F&D)
+5.13
BM-2
SOUTH LINE OF O.R. BOOK 6156, PAGE 264
N 54°43'30" W 212.90'± (F&D)
NORTH LINE OF O.R. BOOK 6706, PAGE 1341
N 54°43'30" W 200.00' (F)
S 54°43'30" E 261.80'± (D)
S 54°43'30" E 200.00' (F)
N 54°43'30" W 442.35'± (D)
5200
PALE MOON DRIVE (60' R/W)

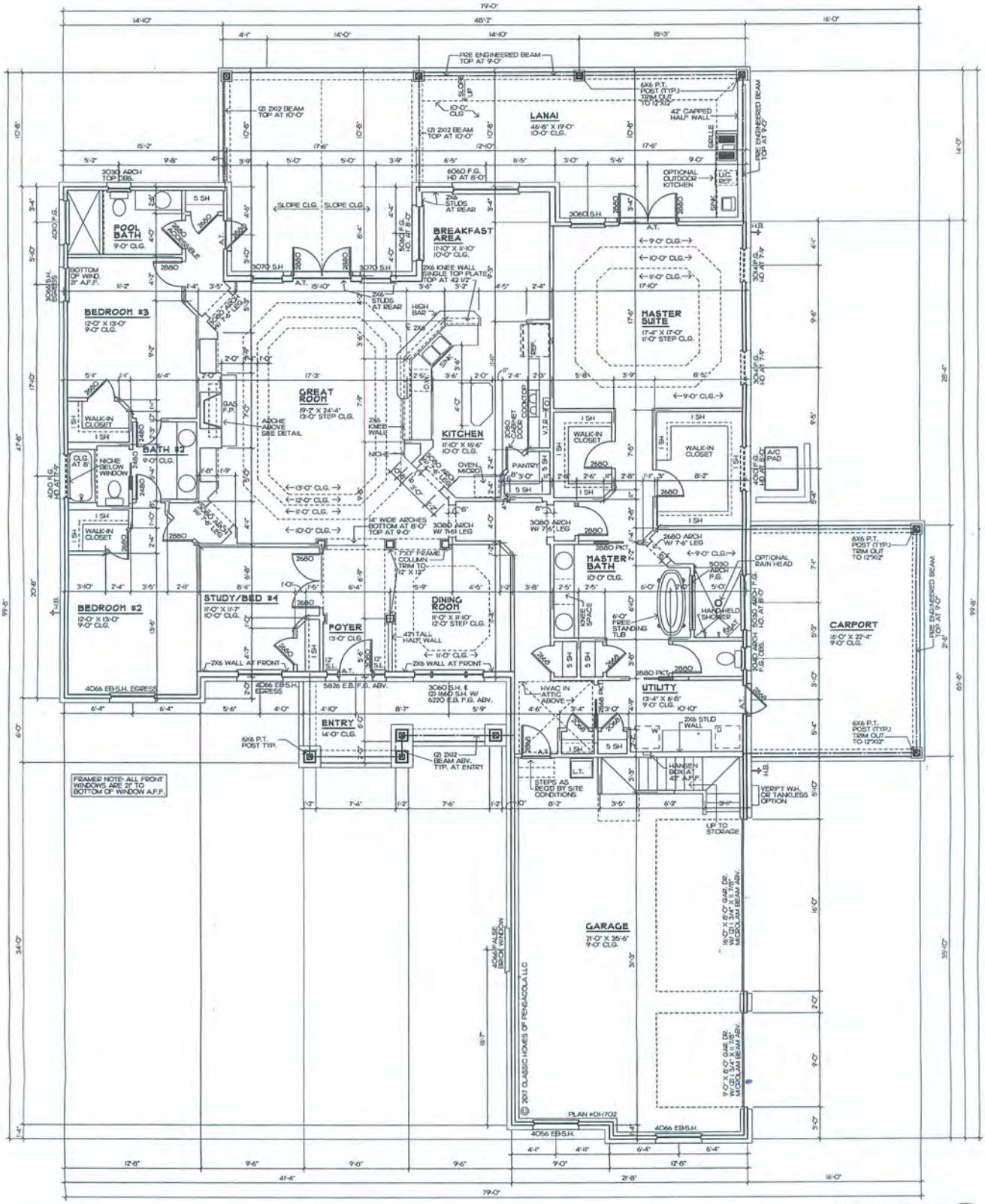
1802404 PLM
(for general reference)



FIREPLACE WALL PLAN 1/4" = 1'-0"



FIREPLACE WALL ELEVATION 1/4" = 1'-0"



3	FLOOR PLAN 1/4" = 1'-0"	CLASSIC HOMES OF PENSACOLA LLC.	03-14-2017 KJS
	PLAN #OH702	MINDREBO RESIDENCE	06-13-2017 KJS
	LIVING 2,957 ♦	PERDIDO BAY GOLF AND COUNTRY CLUB	
	LANAI 720 ♦		
	GARAGE 604 ♦		
	ENTRY 136 ♦		
	CARPORT 357 ♦		
	TOTAL SQ. FT. 4,974 ♦		

Kevin J. Smudde Design
Residential Design & Drafting Service CAD Automated
Internet http://www.kjsdesign.net
4236 N. Cambridge Way • Pace, FL 32571
850 478-2842 • mail-to@kjsdesign.net

Date of Issuance

01/11/2018

1802404 PLM

Escambia County

Office of Environmental Enforcement
Escambia County Central Office Complex
3363 West Park Place, Pensacola, FL 32505
PHONE: (850) 595-1820 FAX: (850) 595-0149

Case Number

CE1801136E

NOTICE OF VIOLATION

At (Location): PR: 113S323000000001
5200 BLK PALE MOON DR PENSACOLA, FL

Zipcode
32507

Respondent: MINDREBO, SCOTT J & DONNA JEAN
Address: 2927 COVEBROOK DR
PEARLAND, TX 77584

DOB: Race: Height: Weight: D.L.:

Comply within 10 days of receipt of this notice	**Warning** Failure to correct this violation and notify this Officer of Compliance will result in fines or a hearing. If the Hearing is scheduled you may be assessed $1,100 or more for costs of said hearing, plus possible fines; the County may abate the violations and place a Lien on the property.

Ordinance Description

Violation 1 LDC. Ch. 4. Art. 5. Sec. 4-5.2 General provisions. (a) Approval required. All land uses and development activities which impact environmentally sensitive lands require prior county review and approval for compliance with the regulations of this article unless the use or activity is specifically identified in the Land Development Code (LDC) as exempt from these regulations. Method of abatement: Contact Planning and Zoning (595-3475) and comply with all review and approval requirements directed by that office, to include potential mitigation.

Violation 2 LDC. Ch. 4. Art. 5. Sec. 4-5.3 Wetlands. Protection required. Wetlands as defined in Florida Administrative Code (Ch. 62-340) shall be protected from draining, dredging, filling, excavating, building, pollution, and other alterations or acts that will reduce or otherwise adversely impact their ecological functions and public benefits. (b) Mitigation for impacts. Mitigation for adverse impacts to wetlands shall be based on the Uniform Mitigation Assessment Method (UMAM) prescribed by Florida Administrative Code (Ch. 62-345). (c) Enforcement. In addition to the general LDC compliance enforcement provisions of Chapter 1, for any violations of LDC erosion control provisions impacting wetlands, violators shall begin remedial action immediately and have seven calendar days to complete restoration of the impacted area to pre-impact conditions or better. For other violations of the wetland protection provisions of this article, violators shall begin remedial action planning immediately and have 21 calendar days to complete restoration of the impacted area to pre-impact conditions or better. With documented evidence of good faith restoration efforts the Planning Official may authorize an extension to the time period for completion of the required action for extenuating circumstances. Method of abatement: Contact Planning and Zoning (595-3475) and comply with all requirements directed by that office, to include mitigation within the time limits listed above.

Violation 3 Sec. 42-196 (a) Nuisance Conditions. The creation or maintenance of any condition conducive to the breeding of rats, vermin, flies, mosquitoes, or other arthropods that are capable of transmitting diseases directly or indirectly to humans.Sec. 42-197 Method of abatement: (a) For conditions conductive to the breeding of rats, vermin, flies, mosquitoes, or other arthropods: Complete removal of all contributing conditions.

Violation 4 Sec. 42-196 (b) Trash and Debris. The accumulation of garbage, or other solid waste materials which violates any state law, regulation, or ordinance of the county or which poses a danger to the health, safety, and welfare to residents of the county;Sec. 42-197 Method of abatement: (a) Complete removal of all contributing conditions

1802404 PLM

Violation 5 LDC. Ch. 2. Art. 3. Sec. 2-3.2 General land disturbance. (a) General. A general land disturbance permit is required prior to beginning any activity involving the clearing, cutting, excavating, filling, or grading of land, or any other activity that alters land topography or vegetative cover and is not authorized by the other land disturbance permits of this article. Method of Abatement: Contact Planning and Zoning (595-3474) and comply with all requirements to obtain the required land disturbance permit.

Violation 6 **5-4.2 - Stormwater impact review.**

(a)

Approval required. No land use or development activity may alter or disrupt existing stormwater runoff patterns or conditions without prior county review and approval for compliance with the standards of this article unless the use or activity is specifically identified in the LDC as exempt from these standards. Uses or activities that may alter or disrupt existing stormwater runoff sufficiently to require a stormwater management plan include the following:

(1)

Land disturbance. Grading, digging, cutting, scraping, or excavating of soil; placement of fill materials; substantial removal of vegetation; the drainage of land; and any other forms of land disturbance that would significantly change stormwater runoff.

(2)

Lot coverage. Construction of a structure or the non-de minimis alteration of the size of one or more structures; placement of aggregate and paving; and other constructed changes in the proportions of pervious, impervious, and semi-impervious lot coverage.

(3)

Alterations. Alteration of the shoreline or bank of any watercourse or surface waterbody; or alteration of any ditches, dikes, terraces, berms, swales, piping, inlets, ponds, or other natural or manmade elements affecting the control or management of stormwater.

(4)

Subdivision. The subdivision of land, including the replatting of a recorded subdivision.

Officer Comments

COMPLY AND MAINTAIN ABOVE ORDINANCES WITHIN THE TIME SPECIFIED TO AVOID FURTHER ENFORCEMENT ACTION. CONTACT OFFICER WITH QUESTIONS OR FURTHER INSTRUCTIONS.

Contact officer Richard Craig at 850-554-7160 upon compliance or with questions regarding this notice.

Richard Craig #678

Signature of Officer: Richard Craig #678
recraig@myescambia.com
(850) 554-7160

USPS

Signature of Respondent

Per Esc. Co. Env. Code Enforcement 1-11-18
1802404 PLM

1802404 PLM

1802404 PL M

1802404 PLM

180204 PLM

1802404 PLM

180Z404 PLM

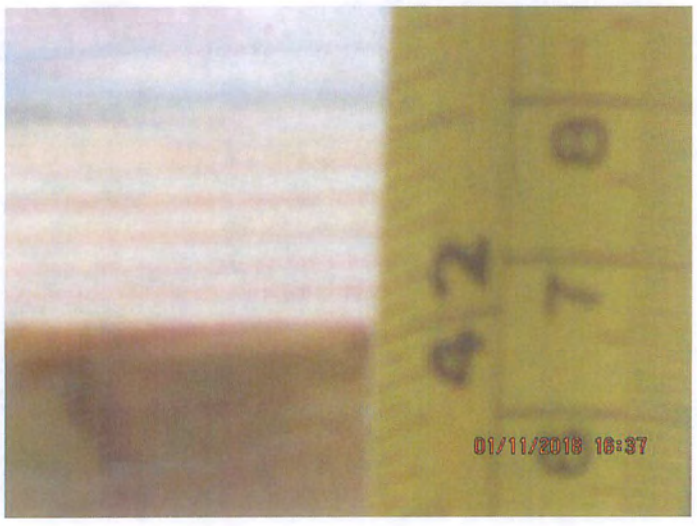
1862404 PLM

180Z404 PLM

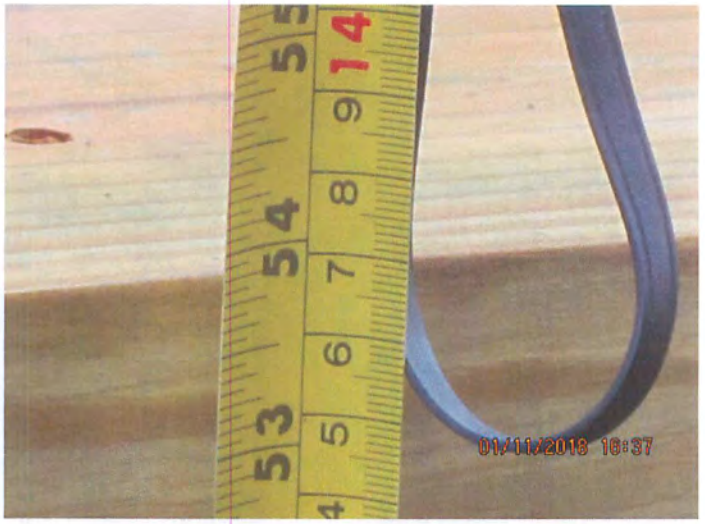
1802404 PLM

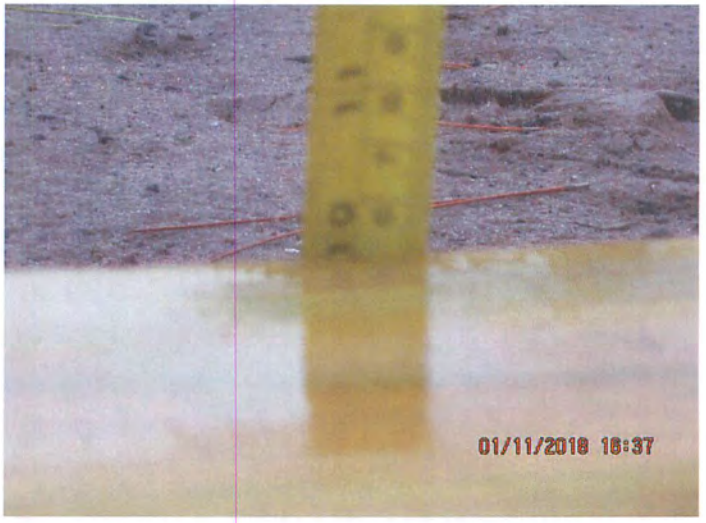
180Z404 PLM

180Z404PLM



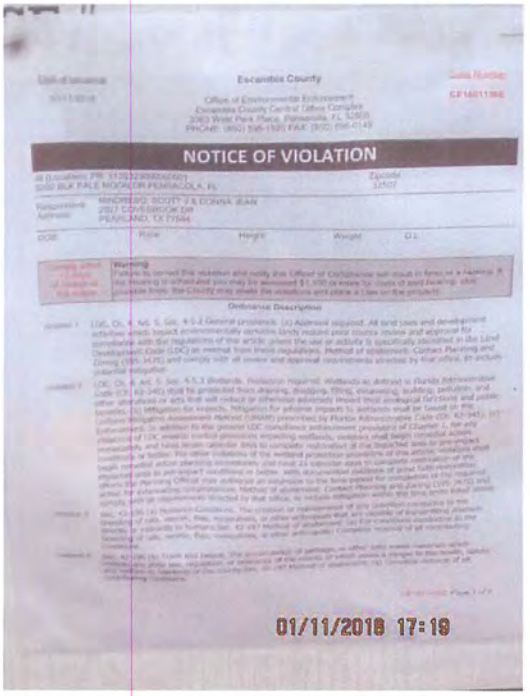
180404 PLM





1802404 PL M

1862404PLM



Escambia County

Office of Environmental Enforcement
Escambia County Central Office Complex
3363 West Park Place, Pensacola, FL 32505
PHONE: (850) 595-1520 FAX: (850) 595-4149

NOTICE OF VIOLATION

All Locations PIN: 112S232400000001
3350 BLK PALE MOON DR PENSACOLA, FL

MINORSKO, SCOTT J & CONNA JEAN
2927 COVE BROOK DR
PEARLAND, TX 77584

DOB: Race: Height: Weight: D.L.

Warning
Failure to correct this violation and notify the Office of Compliance will result in fines or a hearing. If the hearing is scheduled you may be assessed $1,000 or more for costs of said hearing, plus possible fines. The County may place the violations and place a Lien on the property.

Ordinance Description

01/11/2018 17:19

Escambia County, Florida - Permit Invoice

3363 West Park Place
Pensacola, FL 32505
(850) 595-0149

Monday, February 12, 2018

Invoice for Permit Number 1802404PLM
N/A
5200 BLK PALE MOON DR
PENSACOLA FL 32507

2 Convenient Payment Options Available

Pay Online with your Visa, Mastercard or via ACH (Direct Debit from Checking Account) through the MyGovernmentOnline.org portal:
Go to **www.mygovernmentonline.org** and login with your user account. Click on the "**Account**" button at the top right section of the page. Scroll down to the "**My Permits**" section. Locate the permit number you wish to pay and click on "**View Permit**". Click on the "**Payments**" tab. Click on the "**Pay Online**" button near the bottom of the page to pay the balance with your Visa or MasterCard. Once you have completed processing your payment please allow the permit review staff sufficient time to review your project and follow-up with you.

Pay In-Person (Cash or Check):
Escambia County, Florida
3363 West Park Place
Pensacola, FL 32505

Fee Type	Amount Due	Amount Paid
Land Disturbance Permit	$211.75	$0.00
Land Disturbance Permit	$211.75	$0.00
Land Disturbance Permit	$211.75	$0.00
Land Disturbance Permit	$211.75	$0.00
DSD Construction Technology Fee	$5.00	$0.00
DSD Construction Technology Fee	$5.00	$0.00
DSD Construction Technology Fee	$5.00	$0.00
DSD Construction Technology Fee	$5.00	$0.00
	$867.00	**$0.00**

Balance to Pay: 867.00

Escambia County
Planning and Zoning Payment Receipt

2/12/2018

1802404PLM **Ref: 3032846**

5200 BLK PALE MOON DR
PENSACOLA FL 32507

Paid By:
N/A

, FL

Payment Description:

Payments

Payment ID	Receieved Date	Payment Type	Reference Num	Fee	Amount
2031846	2/12/2018	Check	10897	Land Disturbance Permit	$211.75
				Land Disturbance Permit	$211.75
				Land Disturbance Permit	$211.75
				Land Disturbance Permit	$211.75
				DSD Construction Technology Fee	$5.00
				DSD Construction Technology Fee	$5.00
				DSD Construction Technology Fee	$5.00
				DSD Construction Technology Fee	$5.00
					$867.00
Total					**$867.00**

THIS IS NOT A PERMIT. This receipt does not authorize you to begin construction on your project.

From:	Roza I. Sestnov
To:	Jerry"s JMA
Cc:	Horace L Jones; Andrew D. Holmer; Christina L. Smith
Subject:	5312 Plane Moon Drive Stormwater Permit
Date:	Thursday, March 29, 2018 12:03:00 PM
Attachments:	Stormwater Comments.pdf

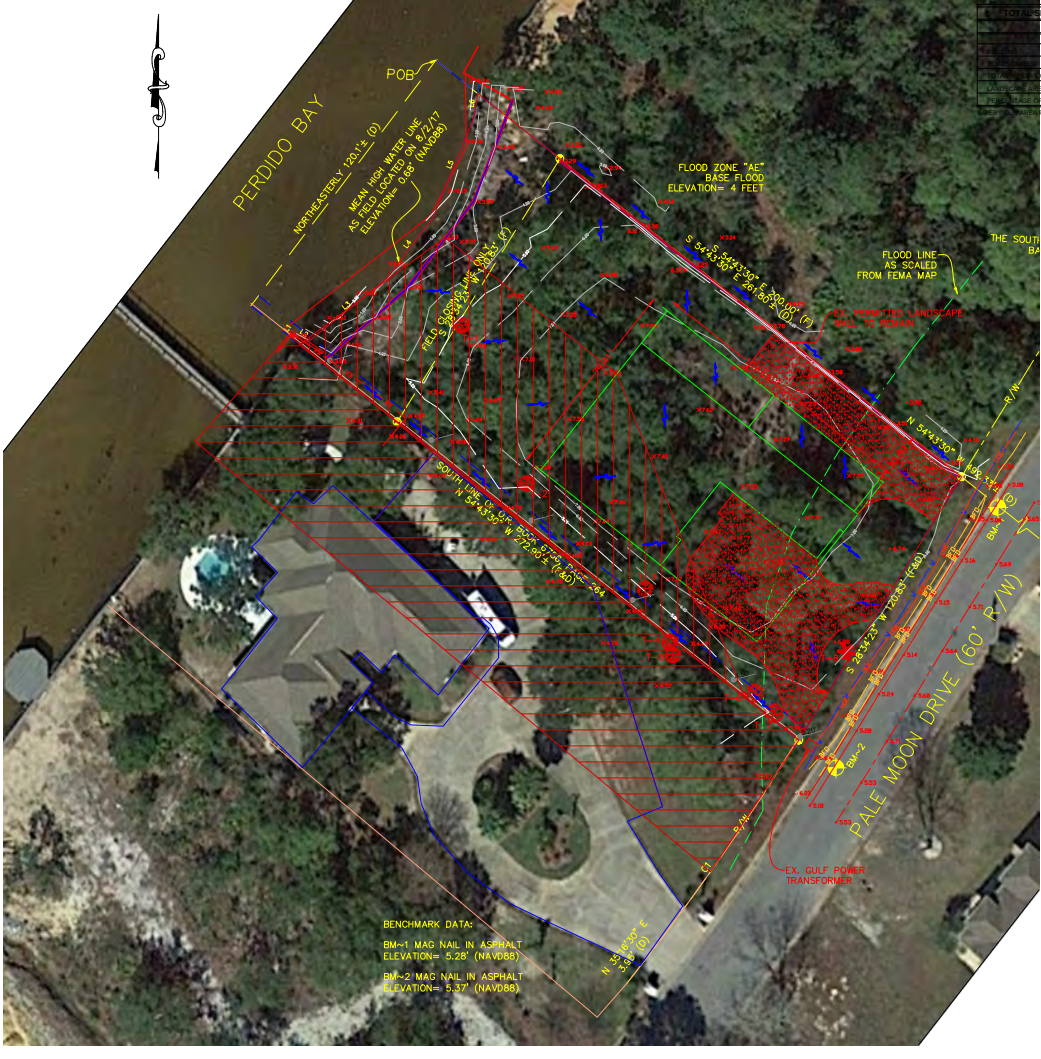
Jerry,

Please find attached stormwater comments for the referenced stormwater management permit/application. Please let me know if you have any questions.

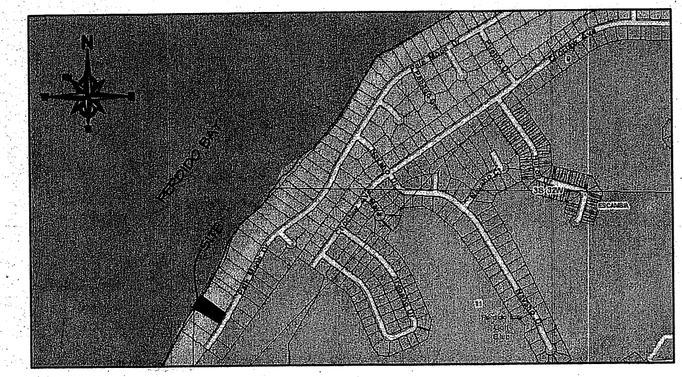
Regards,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.


POB
PERDIDO BAY
NORTHEASTERLY 120.1'± (D)
MEAN HIGH WATER LINE AS FIELD LOCATED ON 9/2/17 ELEVATION= 0.68' (NAVD88)
FLOOD ZONE "AE" BASE FLOOD ELEVATION= 4 FEET
FLOOD LINE AS SCALED FROM FEMA MAP
THE SOUTH BA
EX. PERMITTED LANDSCAPE WALL TO REMAIN
S 54°43'30" E 260.80'± (D)
N 54°43'30" W 260.80'± (D)
R/W
BM-1
BM-2
S 26°16'23" W 126.06'± (D&M)
PALE MOON DRIVE (60' R/W)
EX. GULF POWER TRANSFORMER
SOUTH LINE OF SEC 6
N 89°45'30" W 272.96'± (D)
BEGIN 1' CONTOUR INTERVAL
N 35°58'30" E 35'± (D)
BENCHMARK DATA:
BM-1 MAG NAIL IN ASPHALT
ELEVATION= 5.28' (NAVD88)
BM-2 MAG NAIL IN ASPHALT
ELEVATION= 5.37' (NAVD88)

BOUNDARY SURVEY AND HOUSE LAYOUT
OF A PORTION OF SECTION 11, TOWNSHIP 3 SOUTH, RANGE 32 WEST, ESCAMBIA COUNTY, FLORIDA



VICINITY MAP: 1"=1000'

DESCRIPTION AS FURNISHED: (OFFICIAL RECORDS BOOK 6756, PAGE 264)

COMMENCING AT THE MONUMENT ON THE SOUTHERNMOST CORNER OF LOT 1, BLOCK 3, PERDIDO BAY COUNTRY CLUB ESTATES UNIT NO. 4, PLAT BOOK 6, PAGE 75, OFFICIAL RECORDS OF ESCAMBIA COUNTY, FLORIDA; THENCE S 35°16'30" W 1440 FEET; THENCE N 54°43'30" W 442.33 FEET (MORE OR LESS) TO THE WATERS EDGE OF PERDIDO BAY FOR THE POINT OF BEGINNING; THENCE RETRACING LINE LAST RUN S 54°43'30" E 261.80 FEET (MORE OR LESS) TO THE NORTHWESTERN MOST R/W LINE OF PALE MOON DRIVE; THENCE S 28°34'30" W ALONG SAID R/W LINE 120.83 FEET; THENCE N 54°43'30" W 212.90 FEET (MORE OR LESS) TO THE WATERS EDGE OF PERDIDO BAY; THENCE IN A NORTHEASTERLY DIRECTION ALONG SAID WATERS EDGE 120.1 FEET (MORE OR LESS) TO THE POINT OF BEGINNING.

GENERAL NOTES:

1. THE BEARINGS AS SHOWN HEREON ARE REFERENCED TO THE ASSUMED BEARING OF SOUTH 28 DEGREES 34 MINUTES 23 SECONDS EAST ALONG THE SOUTH LINE OF THE PROPERTY AS PER THE DESCRIPTION AS FURNISHED.
2. THE SURVEY DATUM AS SHOWN HEREON IS REFERENCED TO THE DESCRIPTION AS FURNISHED 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 "AE", BASE FLOOD ELEVATION 4 FEET AND IN FLOOD ZONE "X" INSIDE 0.2% ANNUAL CHANCE OF FLOOD, AS DETERMINED FROM FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP OF ESCAMBIA COUNTY, FLORIDA (UNINCORPORATED AREAS), MAP NUMBER 12033C 0508 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 5J-17.050 - 5J-17.173052 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 ELEVATIONS AS SHOWN HEREON ARE REFERENCED TO NORTH AMERICAN VERTICAL DATUM OF 1988, FROM ESCAMBIA COUNTY GEODETIC CONTROL POINT STAMPED "ESC 4075" HAVING A PUBLISHED ELEVATION OF 109.05 FEET.
9. THE MEASUREMENTS OF THE BUILDINGS AND/OR FOUNDATIONS SHOWN HEREON DO NOT INCLUDE CONCRETE FOOTERS OR EAVE OVERHANGS.
10. FENCE LOCATIONS SHOWN HEREON MAY BE EXAGGERATED AND NOT TO SCALE FOR CLARITY PURPOSES
11. 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.
12. 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.
13. THIS SURVEY MAY BE SUBJECT TO ADDITIONAL REQUIREMENTS BY COUNTY, STATE OR OTHER AGENCIES.
14. ENCROACHMENTS ARE AS SHOWN.
15. THE MEAN HIGH WATER ELEVATION AS SHOWN HEREON WAS ESTABLISHED BY EXTENDING THE ELEVATION SHOWN AT MEAN HIGH WATER INTERPOLATION POINT NO. 3360.
16. THIS MEAN HIGH WATER LINE SURVEY COMPLIES WITH CHAPTER 177, PART II, FLORIDA STATUTES.

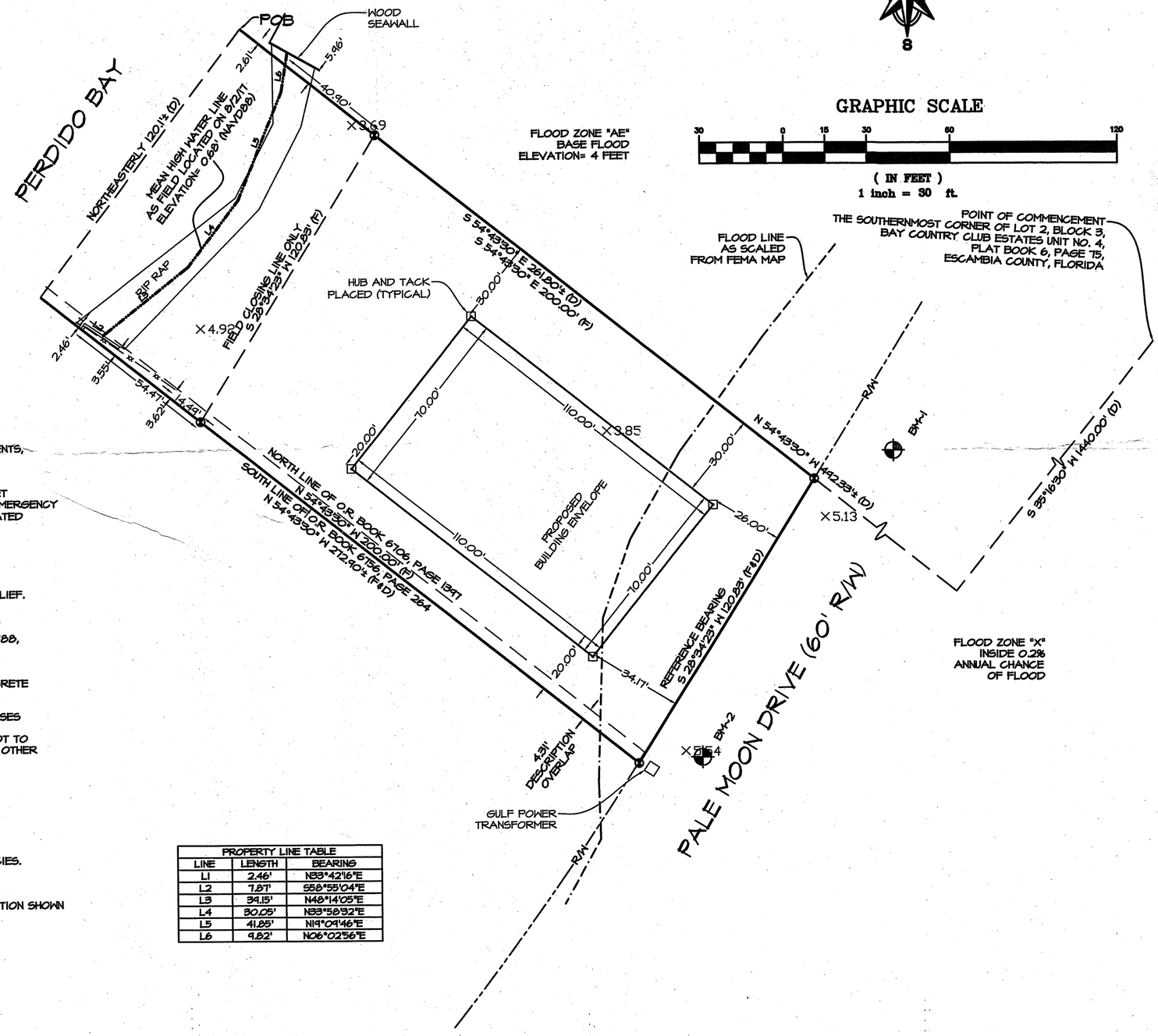
DENOTES:

- ● ~ 1/2" CAPPED IRON ROD, NUMBERED 7277 (PLACED)
- (D) ~ DEED INFORMATION
- (F) ~ FIELD INFORMATION
- R/W ~ RIGHT OF WAY
- P.O.B. ~ POINT OF BEGINNING
- ⊕ ~ BENCHMARK

BENCHMARK DATA:

BM-1 MAG NAIL IN ASPHALT
ELEVATION= 5.28' (NAVD88)

BM-2 MAG NAIL IN ASPHALT
ELEVATION= 5.37' (NAVD88)



PROPERTY LINE TABLE		
LINE	LENGTH	BEARING
L1	2.46'	N33°42'16"E
L2	7.87'	S58°55'04"E
L3	94.15'	N48°14'05"E
L4	30.05'	N33°58'32"E
L5	41.85'	N19°04'46"E
L6	9.82'	N06°02'56"E

NORTHWEST FLORIDA LAND SURVEYING, INC.
7142 BELGIUM CIRCLE, PENSACOLA, FLORIDA 32526

10/31/17

FRED R. THOMPSON, PROFESSIONAL LAND SURVEYOR
REGISTRATION NUMBER 3027 CORP. NUMBER 7277
STATE OF FLORIDA

NO.	DATE	APPR.	REVISIONS

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

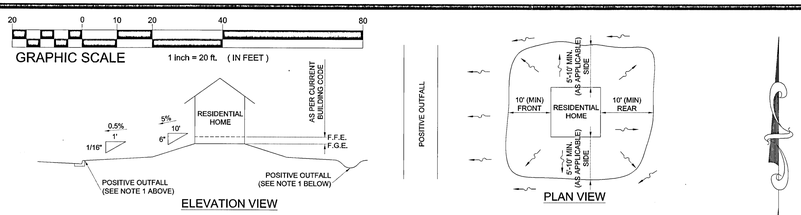
NORTHWEST FLORIDA LAND SURVEYING, INC.
A PROFESSIONAL SERVICE ORGANIZATION
7142 BELGIUM CIRCLE
Pensacola, FL 32526
(850) 438-1068

SCALE	CREW CHIEF	DRAWN	CHECKED	DATE
1"=30'	RM	JAS	FRT	10/31/17

BOUNDARY SURVEY AND HOUSE LAYOUT
OF A PORTION OF SECTION 11,
TOWNSHIP 3 SOUTH, RANGE 32 WEST,
ESCAMBIA COUNTY, FLORIDA

PREPARED FOR AND REQUESTED BY:
DONNA MINDREBO

PROJECT NO.	NO.
21324	1 OF 1
INDEX 10	SHEETS



LEGEND:
F.F.E. - FINISH HABITABLE FLOOR ELEVATION
F.G.E. - FINISH GRADE ELEVATION
- STORMWATER FLOW DIRECTION ARROW
- GRADE SLOPE (MINIMUM)
- MINIMUM GRADE

NOTES:
1. A POSITIVE DRAINAGE OUTFALL IS A CONVEYANCE SYSTEM (DRAINAGE EASEMENT, ROADWAY WITH A DRAINAGE SYSTEM – CURB & GUTTER, OR DITCH) WHICH CONTAINS, CONTROLS, AND TRANSMITS STORMWATER RUNOFF TO A CREEK, STREAM, RIVER, BAY, GULF, OCEAN, OR OTHER WATERS OF THE STATE, OR WATERS OF THE UNITED STATES, OR TO ANY FUNCTIONING ESCAMBIA COUNTY OR STATE DRAINAGE SYSTEM.
2. FINISH FLOOR ELEVATION SHALL BE AS SPECIFIED BY BUILDING CODE.
3. THESE ARE MINIMAL REQUIREMENTS AND DO NOT RELIEVE THE BUILDER FROM PROVIDING ADDITIONAL GRADING TO DIRECT STORMWATER TO A POSITIVE OUTFALL DRAINAGE SYSTEM AND ELIMINATE NEGATIVE IMPACTS TO ADJACENT LOTS AND PROPERTIES.
4. DISTURBED LOT AREAS SHALL BE COMPLETELY STABILIZED WITH SOD. IF THE HOME IS CONSTRUCTED, STABILIZE THE FIRST 10' WITH SOD AND SOD AND/OR SEED AND MULCH THE REMAINDER OF THE LOT.
5. THE HOMEBUILDER SHALL COMPLY WITH STATE PERMITTING REQUIREMENTS FOR LARGE AND SMALL CONSTRUCTION SITES, SPECIFICALLY THE NPDES PERMITS WHICH REQUIRES A DETAILED STORMWATER POLLUTION PREVENTION PLAN (SWPPP) BEING AVAILABLE ONSITE FOR REVIEW DURING ALL PHASES OF CONSTRUCTION.
6. LOT CLEARING ACTIVITIES SHALL NOT PROCEED WITHOUT BUILDING PERMITS FOR THOSE LOTS EXCLUDING CLEARING REQUIRED FOR CONSTRUCTION OF CONVEYANCE SWALES OR DRAINAGE FEATURES DESIGNATED AS THE DEVELOPER'S RESPONSIBILITY.
7. ALL NEW RUNOFF, DOWNSPOUTS, AND GUTTERS SHALL BE ROUTED TO CARRY ALL STORMWATER TO THE ROADS OR SWALES THAT LEAD TO THE RETENTION POND OR APPROVED DRAINAGE SYSTEM.
8. PROVIDE EROSION CONTROL MEASURES TO ENSURE ALL SEDIMENTS SHALL BE RETAINED ON INDIVIDUAL LOT.
9. WETLANDS SHALL BE PROTECTED WITH FABRIC SILT FENCING AND BURIED HAYBALE SYSTEMS (DOUBLE ROWS AS NECESSARY).

MINIMUM STANDARDS FOR TYPICAL RESIDENTIAL GRADING CONTROL PLAN

N.T.S.

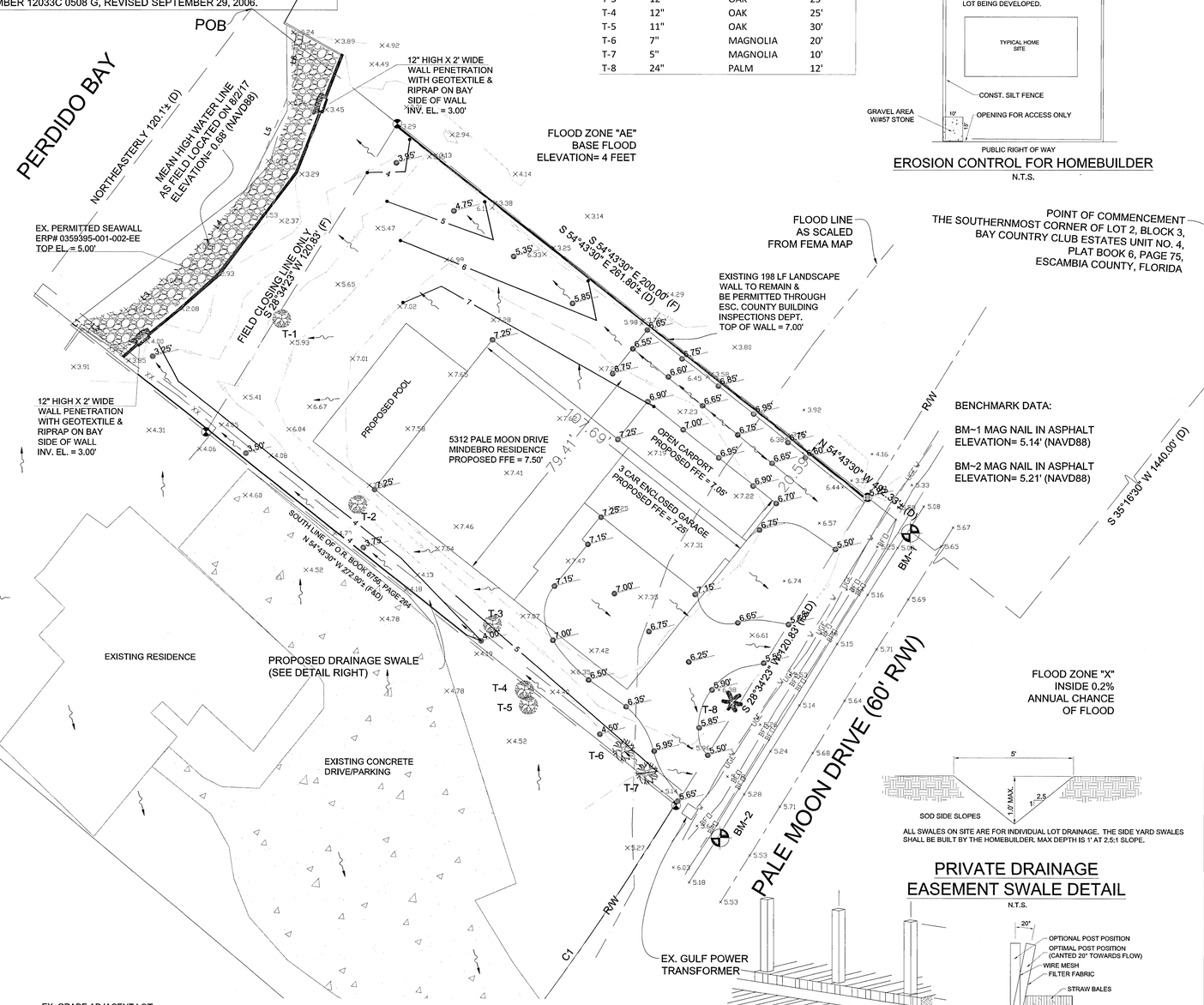
HOMEBUILDER LOT GRADING & EROSION CONTROL PLAN

1. HOMEBUILDER IS REQUIRED TO CONSTRUCT AND MAINTAIN, AT ALL TIMES DURING CONSTRUCTION, APPROPRIATE EROSION CONTROL MEASURES (SILT FENCE, HAY BALES, ETC) TO ENSURE THAT NO SEDIMENTS LEAVE THE LOT UNDER CONSTRUCTION OR THE RIGHT-OF-WAY ADJACENT TO THE LOT UNDER CONSTRUCTION. ANY VIOLATIONS COULD RESULT IN CODE ENFORCEMENT ACTION FROM ESCAMBIA COUNTY, FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OR ENVIRONMENTAL PROTECTION AGENCY.
2. HOMEBUILDER SHALL COMPLY WITH STATE PERMITTING REQUIREMENTS FOR CONSTRUCTION ACTIVITIES. WITHIN THE FIRST 6" OF THE FIRST 10' OF THE HOME SHALL COMPLY WITH CURRENT BUILDING CODES. HOMEBUILDER MUST PROVIDE PROOF OF APPLICATION OF THE NPDES PERMIT WHICH REQUIRES A DETAILED STORMWATER POLLUTION PREVENTION PLAN (SWPPP) BEING AVAILABLE ON-SITE DURING ALL PHASES OF CONSTRUCTION.
3. HOMEBUILDER IS TO ENSURE THAT, AT ALL TIMES DURING CONSTRUCTION, STORMWATER FLOWS FROM AREAS UPSTREAM OF THE LOT UNDER CONSTRUCTION ARE NOT IMPEDED IN ANY WAY. CONSTRUCTION OF SWALES WITHIN THE FRONT, REAR AND SIDE YARDS MAY BE REQUIRED TO ENSURE PRE-DEVELOPMENT DRAINAGE PATTERNS ARE NOT ALTERED. THE TREATMENT OR SIDE YARD SWALES SHALL BE BUILT BY THE HOMEBUILDER. BOTTOM OF SIDE SWALE SHALL BE MINIMUM OF 6" BELOW ADJACENT GRADE.
4. A POSITIVE OUTFALL IS A CONVEYANCE SYSTEM WHICH CONTAINS, CONTROLS AND TRANSMITS STORMWATER RUNOFF TO A CREEK, STREAM, RIVER, BAY, GULF, OCEAN, OTHER WATERS OF THE STATE, WATERS OF THE UNITED STATES OR TO ANY APPROVED ESCAMBIA COUNTY OR FLORIDA DEPARTMENT OF TRANSPORTATION DRAINAGE SYSTEM. OUTFALL DRAINAGE SYSTEM ELIMINATES NEGATIVE IMPACTS TO ADJACENT LOTS AND PROPERTIES.
5. LOT CLEARING ACTIVITIES SHALL NOT PROCEED WITHOUT BUILDING PERMITS FOR THOSE LOTS EXCLUDING CLEARING REQUIRED FOR CONSTRUCTION OF CONVEYANCE SWALES OR DRAINAGE FEATURES DESIGNATED AS THE DEVELOPER'S RESPONSIBILITY.
6. UNTREATED STORMWATER RUNOFF DIRECTLY INTO WATER BODIES OR JURISDICTIONAL WETLANDS IS PROHIBITED.
7. LOT SHALL CONFORM TO TYPE "B" LOT GRADING - DRAIN TO THE STREET AND REAR OF LOT.
8. DISTURBED R/W AREAS NOT PAVED SHALL BE STABILIZED WITH A HEALTHY GROWTH OF GRASS PRIOR TO RECEIVING CERTIFICATE OF OCCUPANCY. DISTUBED LOT AREAS NOT PAVED SHALL BE STABILIZED WITH SOD PRIOR TO RECEIVING CERTIFICATE OF OCCUPANCY.
9. THESE ARE MINIMUM REQUIREMENTS AND DO NOT RELIEVE THE BUILDER FROM PROVIDING ADDITIONAL GRADING TO DIRECT STORMWATER TO POSITIVE OUTFALL DRAINAGE SYSTEM AND ELIMINIATE NEGATIVE IMPACTS TO ADJACENT LOTS AND PROPERTIES.
10. DISTURBED RIGHT-OF-WAY AREAS SHALL BE STABILIZED WITH A HEALTHY GROWTH OF GRASS PRIOR TO RECEIVING COUNTY ACCEPTANCE.
11. DISTURBED AREAS NOT PAVED SHALL BE STABILIZED WITH A HEALTHY GROWN OF GRASS.
12. DISTURBED LOT AREAS SHALL BE COMPLETELY STABILIZED WITH SOD.
13. THE HOMEBUILDER SHALL COMPLY WITH STATE PERMITTING REQUIREMENTS FOR LARGE & SMALL CONSTRUCTION SITES, SPECIFICALLY THE NPDES PERMIT WHICH REQUIRES A DETAILED STORMWATER POLLUTION PREVENTION PLAN (SWPPP) BEING AVAILABLE ONSITE FOR REVIEW DURING ALL PHASES OF CONSTRUCTION.
14. LOT CLEARING ACTIVITIES SHALL NOT PROCEED WITHOUT BUILDING PERMITS FOR THOSE LOTS EXCLUDING CLEARING REQUIRED FOR CONSTRUCTION OF CONVEYANCE SWALES OR DRAINAGE FEATURES DESIGNATED AS THE DEVELOPER'S RESPONSIBILITY.
15. ALL NEW ROOF RUNOFF, DOWNSPOUTS, AND GUTTERS SHALL BE ROUTED TO CARRY ALL STORMWATER TO THE ROADS OR SWALES THAT LEAD TO A POSITIVE DRAINAGE OUTFALL.
16. FENCES SHALL BE INSTALLED TO NOT IMPEDE STORMWATER FLOW. NO FENCES SHALL BE CONSTRUCTED IN DRAINAGE/ACCESS EASEMENTS THAT MAY PROHIBIT ACCESS TO THESE EASEMENTS.
17. HOME EQUIPMENT (I.E. AC UNITS) SHALL NOT IMPEDE STORMWATER FLOW.
18. THE SIDE YARD SWALES SHALL BE BUILT BY THE HOMEBUILDER.
19. A MINIMUM ONE (1) FOOT GROUND COVER IS REQUIRED FOR ALL UNDERGROUND PIPES.
20. THE PROJECT ENGINEER (ENGINEER OF RECORD) SHALL PROVIDE TO ESCAMBIA COUNTY "AS- BUILT" RECORD DRAWINGS FOR VERIFICATION AND APPROVAL BY ESCAMBIA COUNTY ONE WEEK PRIOR TO REQUESTING A FINAL INSPECTION AND CERTIFICATE OF OCCUPANCY, OR PROVIDE "AS-BUILT" CERTIFICATION THAT THE PROJECT CONSTRUCTION ADHERES TO THE PERMITTED PLANS AND SPECIFICATIONS. THE "AS-BUILT" CERTIFICATION OR THE "AS-BUILT" RECORD DRAWINGS MUST BE SIGNED, SEALED AND DATED BY A REGISTERED FLORIDA PROFESSIONAL ENGINEER.
21. ALL ASPECTS OF THE STORMWATER/DRAINAGE COMPONENTS AND/OR TRANSPORTATION COMPONENTS SHALL BE COMPLETED PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY.
22. NO DEVIATIONS OR REVISIONS FROM THESE PLANS BY THE CONTRACTOR SHALL BE ALLOWED WITHOUT PRIOR APPROVAL FROM BOTH THE DESIGN ENGINEER AND THE ESCAMBIA COUNTY. ANY DEVIATIONS MAY RESULT IN DELAYS IN OBTAINING A CERTIFICATE OF OCCUPANCY.
23. THE CONTRACTOR SHALL INSTALL PRIOR TO THE START OF CONSTRUCTION AND MAINTAIN DURING CONSTRUCTION ALL SEDIMENT CONTROL MEASURES AS REQUIRED TO RETAIN ALL SEDIMENTS ON THE SITE. IMPROPER SEDIMENT CONTROL MEASURES MAY RESULT IN CODE ENFORCEMENT VIOLATION.
24. THE OWNER OR HIS AGENT SHALL ARRANGE/SCHEDULE WITH THE COUNTY A FINAL INSPECTION OF THE DEVELOPMENT UPON COMPLETION AND ANY INTERMEDIATE INSPECTIONS AT (850) 595-3472. AS-BUILT CERTIFICATION IS REQUIRED PRIOR TO REQUEST FOR FINAL INSPECTION/APPROVAL.
25. CONTRACTOR SHALL OBTAIN BUILDING INSPECTION DEPARTMENT PERMIT(S) FOR ANY RETAINING WALL HIGHER THAN 2 FEET.
26. NOTIFY SUNSHINE UTILITIES 48 HOURS IN ADVANCE PRIOR TO DIGGING WITHIN R/W; 1-800-432-4770.
27. ANY DAMAGE TO EXISTING ROADS DURING CONSTRUCTION WILL BE REPAIRED BY THE DEVELOPER PRIOR TO FINAL "AS-BUILT" SIGN OFF FROM THE COUNTY.

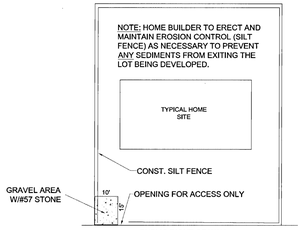
THE PROPERTY AS SHOWN HEREON IS LOCATED IN FLOOD ZONE "AE", BASE FLOOD ELEVATION 4 FEET AND IN FLOOD ZONE "X" INSIDE 0.2% ANNUAL CHANCE OF FLOOD, AS DETERMINED FROM FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP OF ESCAMBIA COUNTY, FLORIDA (UNINCORPORATED AREAS), MAP NUMBER 12033C 0508 G, REVISED SEPTEMBER 29, 2006.

TREE TABLE

TREE NO.	DIAMETER	TYPE	CANOPY
T-1	17"	OAK	20'
T-2	17"	OAK	20'
T-3	12"	OAK	25'
T-4	12"	OAK	25'
T-5	11"	OAK	30'
T-6	7"	MAGNOLIA	20'
T-7	5"	MAGNOLIA	10'
T-8	24"	PALM	12'



NOTE: HOME BUILDER TO ERECT AND MAINTAIN EROSION CONTROL (SILT FENCE) AS NECESSARY TO PREVENT ANY SEDIMENTS FROM EXITING THE LOT BEING DEVELOPED.



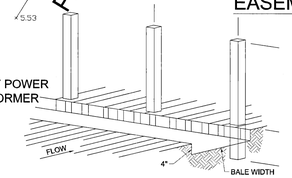
EROSION CONTROL FOR HOMEBUILDER

N.T.S.

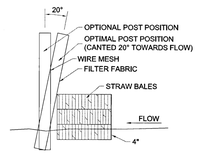
ALL SWALES ON SITE ARE FOR INDIVIDUAL LOT DRAINAGE. THE SIDE YARD SWALES SHALL BE BUILT BY THE HOMEBUILDER. MAX DEPTH IS 1' AT 2.5:1 SLOPE.

PRIVATE DRAINAGE EASEMENT SWALE DETAIL

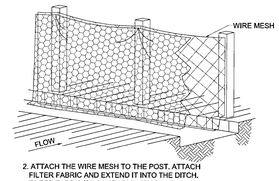
N.T.S.



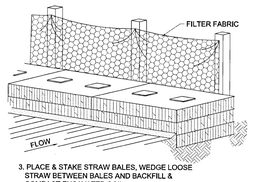
1. SET POSTS AND EXCAVATE A 4" DEEP & BALE WIDTH TRENCH UPSLOPE ALONG THE LINE OF POSTS. POSTS SHOULD BE 2"X4" WOOD OR 2-1/2" * STEEL (1.33 LBS/FT MIN).



SECTION



2. ATTACH THE WIRE MESH TO THE POST. ATTACH FILTER FABRIC AND EXTEND IT INTO THE DITCH. FILTER FABRIC TO CONFORM WITH FDOT SPECIFICATIONS, SECTION 985.

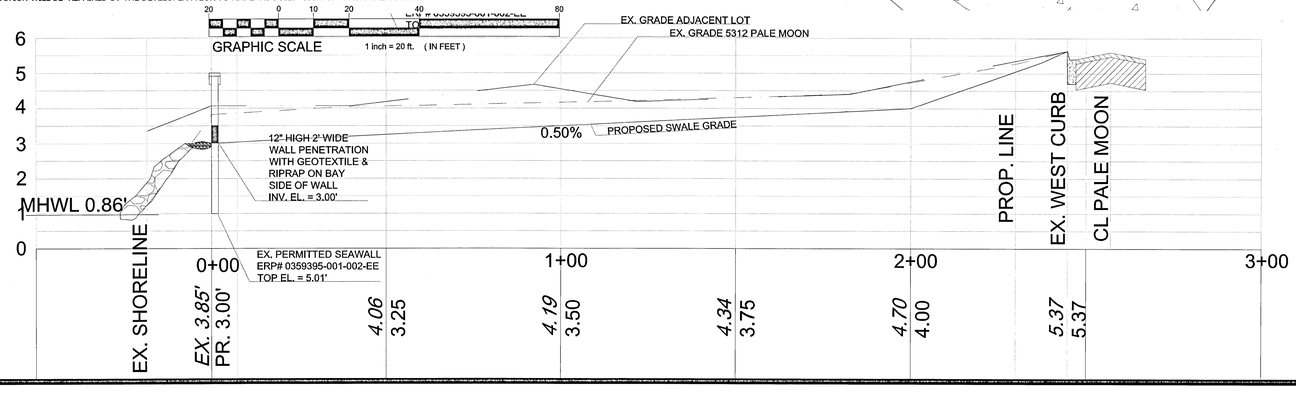


3. PLACE & STAKE STRAW BALES, WEDGE LOOSE STRAW BETWEEN BALES AND BACKFILL & COMPACT EXCAVATED SOIL.

HOMEBUILDER SILT FENCE DETAIL

NOT TO SCALE

*WIRE BACKED SILT FENCE TO USED ALONG FRONT OF TYPICAL LOTS. STAKE FABRIC SILT FENCE FOR ALL OTHER SIDES AS NEEDED.



NO.	DATE	REVISIONS
1		
2		
3		
4		

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JMA ENGINEERING SERVICES INC.
CIVIL ENGINEERING - PLANNING
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MILTON, FLORIDA 32572
PHONE: (850) 994-7323
FAX: (850) 994-7236
Jerry W. McGuire-P.E. # 61249
Serena Lee Chapin-P.E. # 61349
Engineering Business #28905

5312 PALE MOON DRIVE

LOT GRADING PLAN

FLORIDA

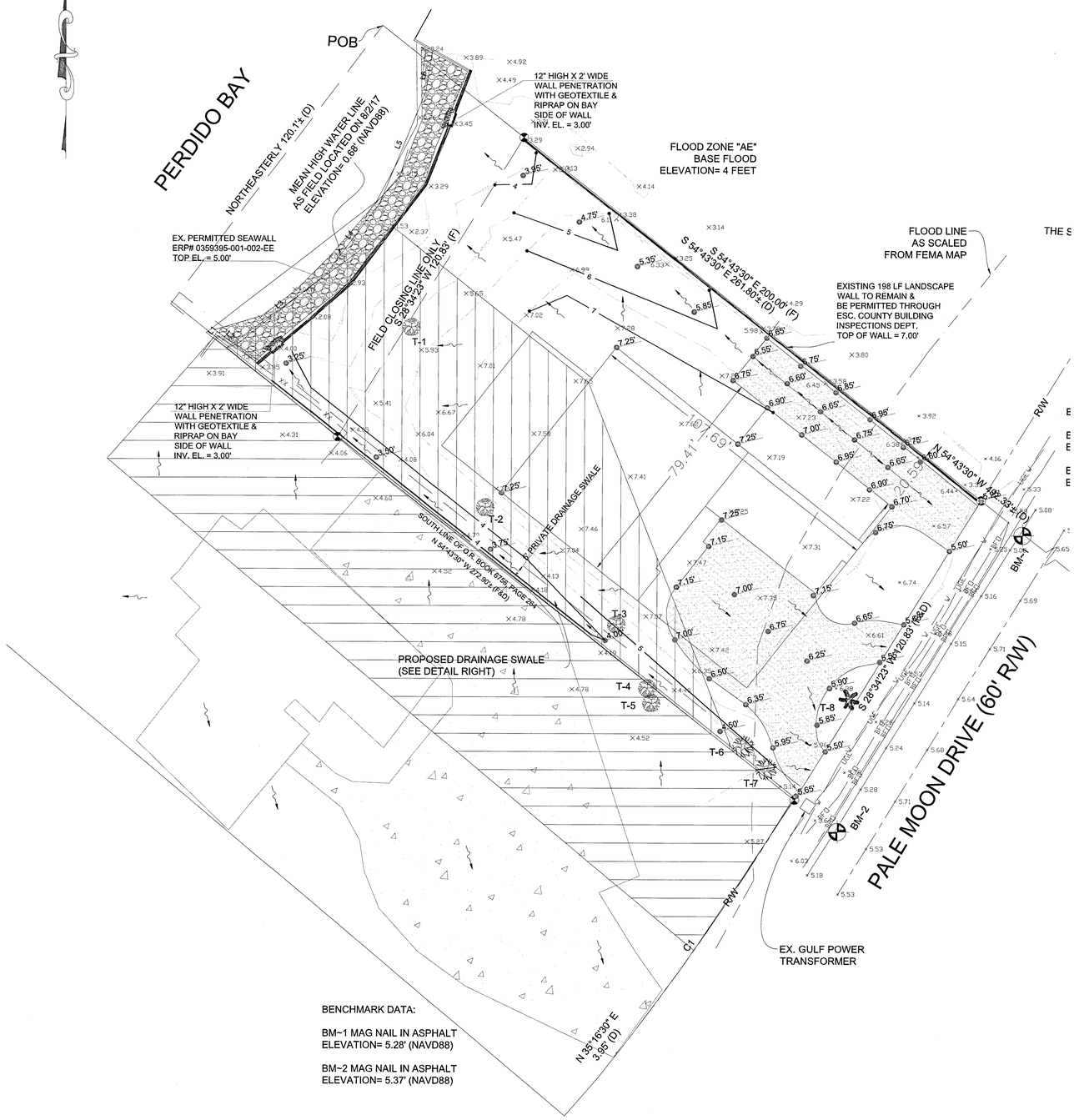
ESCAMBIA COUNTY

DRAWN BY: HAH
DESIGNED BY: GWM
CHECKED BY: GWM
DATE: MAR 2018
SCALE: 1" = 20'
NOT RELEASED FOR CONSTRUCTION
BY:
DATE:

PROJECT NO: 2018.5312PMD
FILE NO: 2018.5312.LGP
SHEET: 1 OF 1

20 0 10 20 40 80

GRAPHIC SCALE 1 inch = 20 ft. (IN FEET)



BENCHMARK DATA:

BM-1 MAG NAIL IN ASPHALT
ELEVATION= 5.28' (NAVD88)

BM-2 MAG NAIL IN ASPHALT
ELEVATION= 5.37' (NAVD88)

NO.	DATE	REVISIONS
1		
2		
3		
4		

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JWA
ENGINEERING SERVICES INC.
CIVIL ENGINEERING • PLANNING
EMAIL: jma@mcguire-assoc.com
Gerald W. McGuire, P.E. # 36572
Seren Lee Chaplo-P.E. # 61249
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MILTON, FLORIDA 32572-6348
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5312 PALE MOON DRIVE

DRAINAGE BASIN MAP

FLORIDA

ESCAMBIA COUNTY

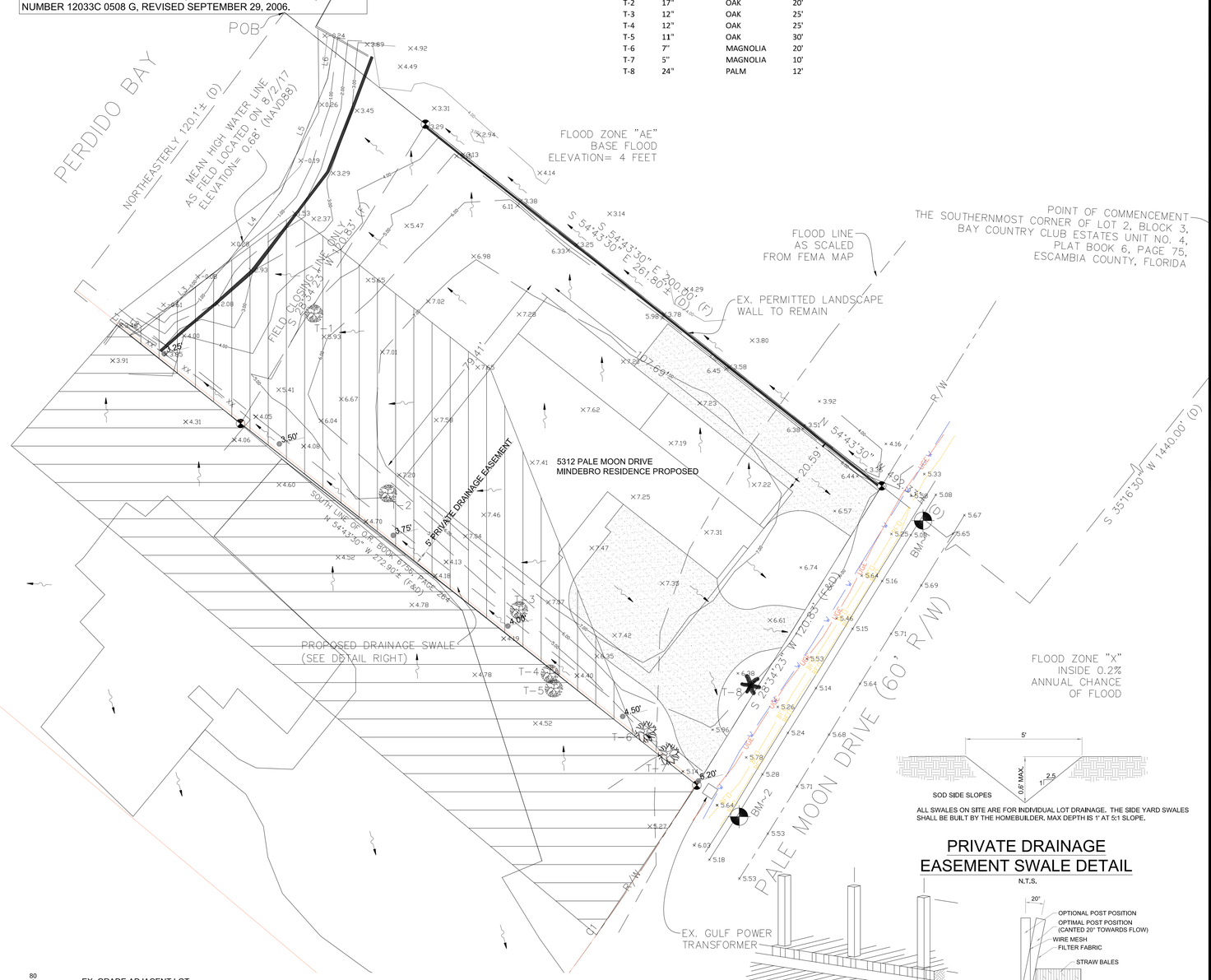
DRAWN BY: HAH
DESIGNED BY: GWM
CHECKED BY: GWM
DATE: MAR 2018
SCALE: 1"= 20'
NOT RELEASED FOR CONSTRUCTION
BY: DATE:

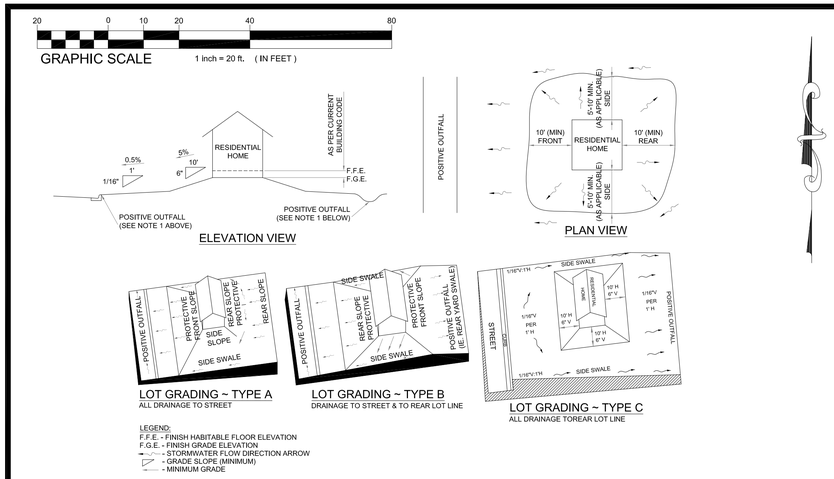
PROJECT NO: 2018.5312PMD
FILE NO: 2018.5312.LGP
SHEET: 1 OF 1

THE PROPERTY AS SHOWN HEREON IS LOCATED IN FLOOD ZONE "AE", BASE FLOOD ELEVATION 4 FEET AND IN FLOOD ZONE "X" INSIDE 0.2% ANNUAL CHANCE OF FLOOD, AS DETERMINED FROM FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP OF ESCAMBIA COUNTY, FLORIDA (UNINCORPORATED AREAS), MAP NUMBER 12033C 0508 G, REVISED SEPTEMBER 29, 2006.

TREE TABLE

TREE NO.	DIAMETER	TYPE	CANOPY
T-1	17"	OAK	20'
T-2	17"	OAK	20'
T-3	12"	OAK	25'
T-4	12"	OAK	25'
T-5	11"	OAK	30'
T-6	7"	MAGNOLIA	20'
T-7	5"	MAGNOLIA	10'
T-8	24"	PALM	12'





LEGEND:
F.F.E. - FINISH HABITABLE FLOOR ELEVATION
F.G.E. - FINISH GRADE ELEVATION
- STORMWATER FLOW DIRECTION ARROW
- GRADE SLOPE (MINIMUM)
- MINIMUM GRADE

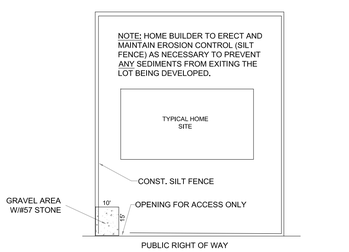
NOTES:
1. A POSITIVE DRAINAGE OUTFALL IS A CONVEYANCE SYSTEM (DRAINAGE EASEMENT, ROADWAY WITH A DRAINAGE SYSTEM – CURB & GUTTER, OR DITCH) WHICH CONTAINS, CONTROLS, AND TRANSMITS STORMWATER RUNOFF TO A CREEK, STREAM, RIVER, BAY, GULF, OCEAN, OR OTHER WATERS OF THE STATE, OR WATERS OF THE UNITED STATES, OR TO ANY FUNCTIONING ESCAMBIA COUNTY OR STATE DRAINAGE SYSTEM.
2. FINISH FLOOR ELEVATION SHALL BE AS SPECIFIED BY BUILDING CODE.
3. THESE ARE MINIMAL REQUIREMENTS AND DO NOT RELIEVE THE BUILDER FROM PROVIDING ADDITIONAL GRADING TO DIRECT STORMWATER TO A POSITIVE OUTFALL DRAINAGE SYSTEM AND ELIMINATE NEGATIVE IMPACTS TO ADJACENT LOTS AND PROPERTIES.
4. DISTURBED LOT AREAS SHALL BE COMPLETELY STABILIZED WITH SOD. IF THE HOME IS CONSTRUCTED, STABILIZE THE FIRST 10' WITH SOD AND SOD AND/OR SEED AND MULCH THE REMAINDER OF THE LOT.
5. THE HOMEBUILDER SHALL COMPLY WITH STATE PERMITTING REQUIREMENTS FOR LARGE AND SMALL CONSTRUCTION SITES, SPECIFICALLY THE NPDES PERMITS WHICH REQUIRES A DETAILED STORMWATER POLLUTION PREVENTION PLAN (SWPPP) BEING AVAILABLE ONSITE FOR REVIEW DURING ALL PHASES OF CONSTRUCTION.
6. LOT CLEARING ACTIVITIES SHALL NOT PROCEED WITHOUT BUILDING PERMITS FOR THOSE LOTS EXCLUDING CLEARING REQUIRED FOR CONSTRUCTION OF CONVEYANCE SWALES OR DRAINAGE FEATURES DESIGNATED AS THE DEVELOPER'S RESPONSIBILITY.
7. ALL NEW RUNOFF, DOWNSPOUTS, AND GUTTERS SHALL BE ROUTED TO CARRY ALL STORMWATER TO THE ROADS OR SWALES THAT LEAD TO THE RETENTION POND OR APPROVED DRAINAGE SYSTEM.
8. PROVIDE EROSION CONTROL MEASURES TO ENSURE ALL SEDIMENTS SHALL BE RETAINED ON INDIVIDUAL LOT.
9. WETLANDS SHALL BE PROTECTED WITH FABRIC SILT FENCING AND BURIED HAYBALE SYSTEMS (DOUBLE ROWS AS NECESSARY).

MINIMUM STANDARDS FOR TYPICAL RESIDENTIAL GRADING CONTROL PLAN

N.T.S.

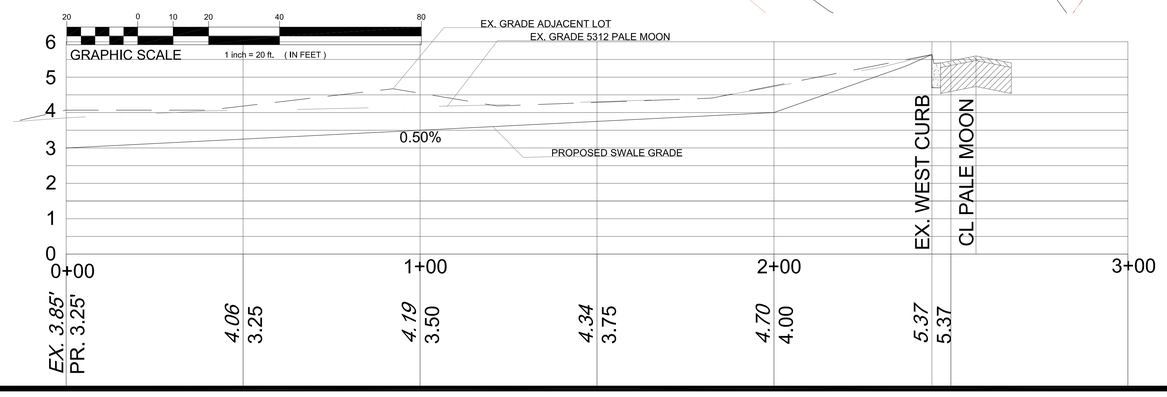
HOMEBUILDER LOT GRADING & EROSION CONTROL PLAN

1. HOMEBUILDER IS REQUIRED TO CONSTRUCT AND MAINTAIN, AT ALL TIMES DURING CONSTRUCTION, APPROPRIATE EROSION CONTROL MEASURES (SILT FENCE, HAY BALES, ETC) TO ENSURE THAT NO SEDIMENTS LEAVE THE LOT UNDER CONSTRUCTION OR THE RIGHT-OF-WAY ADJACENT TO THE LOT UNDER CONSTRUCTION. ANY VIOLATIONS COULD RESULT IN CODE ENFORCEMENT ACTION FROM ESCAMBIA COUNTY, FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OR ENVIRONMENTAL PROTECTION AGENCY.
2. HOMEBUILDER SHALL COMPLY WITH STATE PERMITTING REQUIREMENTS FOR CONSTRUCTION ACTIVITIES. WITHIN THE FIRST 6" OF THE FIRST 10' OF THE HOME SHALL COMPLY WITH CURRENT BUILDING CODES. HOMEBUILDER MUST PROVIDE PROOF OF APPLICATION OF THE NPDES PERMIT WHICH REQUIRES A DETAILED STORMWATER POLLUTION PREVENTION PLAN (SWPPP) BEING AVAILABLE ON-SITE DURING ALL PHASES OF CONSTRUCTION.
3. HOMEBUILDER IS TO ENSURE THAT, AT ALL TIMES DURING CONSTRUCTION, STORMWATER FLOWS FROM AREAS UPSTREAM OF THE LOT UNDER CONSTRUCTION ARE NOT IMPEDED IN ANY WAY. CONSTRUCTION OF SWALES WITHIN THE FRONT, REAR AND SIDE YARDS MAY BE REQUIRED TO ENSURE PRE-DEVELOPMENT DRAINAGE PATTERNS ARE NOT ALTERED. THE TREATMENT OR SIDE YARD SWALES SHALL BE BUILT BY THE HOMEBUILDER, BOTTOM OF SIDE SWALE SHALL BE MINIMUM OF 6" BELOW ADJACENT GRADE.
4. A POSITIVE OUTFALL IS A CONVEYANCE SYSTEM WHICH CONTAINS, CONTROLS AND TRANSMITS STORMWATER RUNOFF TO A CREEK, STREAM, RIVER, BAY, GULF, OCEAN, OTHER WATERS OF THE STATE, WATERS OF THE UNITED STATES OR TO ANY APPROVED ESCAMBIA COUNTY OR FLORIDA DEPARTMENT OF TRANSPORTATION DRAINAGE SYSTEM. OUTFALL DRAINAGE SYSTEM ELIMINATES NEGATIVE IMPACTS TO ADJACENT LOTS AND PROPERTIES.
5. LOT CLEARING ACTIVITIES SHALL NOT PROCEED WITHOUT BUILDING PERMITS FOR THOSE LOTS EXCLUDING CLEARING REQUIRED FOR CONSTRUCTION OF CONVEYANCE SWALES OR DRAINAGE FEATURES DESIGNATED AS THE DEVELOPER'S RESPONSIBILITY.
6. UNTREATED STORMWATER RUNOFF DIRECTLY INTO WATER BODIES OR JURISDICTIONAL WETLANDS IS PROHIBITED.
7. AS A GUIDELINE, THE MINIMUM FINISHED HABITABLE FLOOR ELEVATION (FFE) FOR LOTS SHALL TYPICALLY BE 8" (SODDED AROUND BUILDING) OR 10" (UNSODDED) ABOVE FINISHED GRADES OF LOTS, UNLESS OTHERWISE DICTATED BY FLOOD ZONE. FINISHED GRADES SHALL SLOPE FROM THE FOUNDATION 6" WITHIN 10' (5% GRADE), INCLUDING SIDEWALKS, PATIOS AND DRIVEWAYS AND THEN SLOPED AT A MINIMUM 1/16" PER FOOT (0.5% GRADE) TO A POSITIVE OUTFALL (FFE EXCLUDES BASEMENT ELEVATIONS).
8. LOT SHALL CONFORM TO TYPE "B" LOT GRADING - DRAIN TO THE STREET AND REAR OF LOT.
9. DISTURBED R/W AREAS NOT PAVED SHALL BE STABILIZED WITH A HEALTHY GROWTH OF GRASS PRIOR TO RECEIVING CERTIFICATE OF OCCUPANCY. DISTUBED LOT AREAS NOT PAVED SHALL BE STABILIZED WITH SOD PRIOR TO RECEIVING CERTIFICATE OF OCCUPANCY.
10. THESE ARE MINIMUM REQUIREMENTS AND DO NOT RELIEVE THE BUILDER FROM PROVIDING ADDITIONAL GRADING TO DIRECT STORMWATER TO POSITIVE OUTFALL DRAINAGE SYSTEM AND ELIMINIATE NEGATIVE IMPACTS TO ADJACENT LOTS AND PROPERTIES.
11. FINISHED FLOOR ELEVATIONS (EXCLUDING BASEMENT ELEVATIONS) SHALL BE SET A MINIMUM 8 -INCHES ABOVE THE ADJACENT TOP OF CURB ELEVATION OR (WHEN APPLICABLE) TOP OF REAR YARD CONVEYANCE SWALE ELEVATION UNLESS MORE RESTRICTIVE BUILDING CODES OR FLOOD ZONE RESTRICTIONS APPLY.
12. DISTURBED RIGHT-OF-WAY AREAS SHALL BE STABILIZED WITH A HEALTHY GROWTH OF GRASS PRIOR TO RECEIVING COUNTY ACCEPTANCE.
13. DISTURBED AREAS NOT PAVED SHALL BE STABILIZED WITH A HEALTHY GROWN OF GRASS.
14. DISTURBED LOT AREAS SHALL BE COMPLETELY STABILIZED WITH SOD.
15. THE HOMEBUILDER SHALL COMPLY WITH STATE PERMITTING REQUIREMENTS FOR LARGE & SMALL CONSTRUCTION SITES, SPECIFICALLY THE NPDES PERMIT WHICH REQUIRES A DETAILED STORMWATER POLLUTION PREVENTION PLAN (SWPPP) BEING AVAILABLE ONSITE FOR REVIEW DURING ALL PHASES OF CONSTRUCTION.
16. LOT CLEARING ACTIVITIES SHALL NOT PROCEED WITHOUT BUILDING PERMITS FOR THOSE LOTS EXCLUDING CLEARING REQUIRED FOR CONSTRUCTION OF CONVEYANCE SWALES OR DRAINAGE FEATURES DESIGNATED AS THE DEVELOPER'S RESPONSIBILITY.
17. ALL NEW ROOF RUNOFF, DOWNSPOUTS, AND GUTTERS SHALL BE ROUTED TO CARRY ALL STORMWATER TO THE ROADS OR SWALES THAT LEAD TO A POSITIVE DRAINAGE OUTFALL.
18. FENCES SHALL BE INSTALLED TO NOT IMPEDE STORMWATER FLOW. NO FENCES SHALL BE CONSTRUCTED IN DRAINAGE/ACCESS EASEMENTS THAT MAY PROHIBIT ACCESS TO THESE EASEMENTS.
19. HOME EQUIPMENT (I.E. AC UNITS) SHALL NOT IMPEDE STORMWATER FLOW.
20. THE SIDE YARD SWALES SHALL BE BUILT BY THE HOMEBUILDER.
21. A MINIMUM ONE (1) FOOT GROUND COVER IS REQUIRED FOR ALL UNDERGROUND PIPES.



EROSION CONTROL FOR HOMEBUILDER

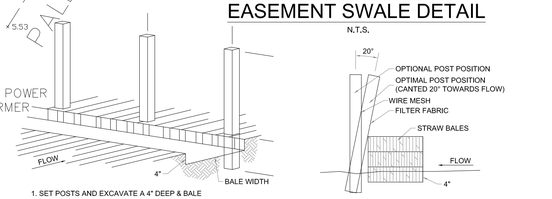
N.T.S.



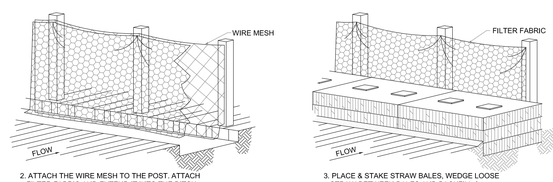
ALL SWALES ON SITE ARE FOR INDIVIDUAL LOT DRAINAGE. THE SIDE YARD SWALES SHALL BE BUILT BY THE HOMEBUILDER. MAX DEPTH IS 1' AT 5:1 SLOPE.

PRIVATE DRAINAGE EASEMENT SWALE DETAIL

N.T.S.



1. SET POSTS AND EXCAVATE A 4" DEEP & BALE WIDTH TRENCH UPSLOPE ALONG THE LINE OF POSTS. POSTS SHOULD BE 2"X4" WOOD OR 2-1/2 " STEEL (1.33 LBS/FT MIN).



2. ATTACH THE WIRE MESH TO THE POST. ATTACH FILTER FABRIC AND EXTEND IT INTO THE DITCH. FILTER FABRIC TO CONFORM WITH FDOT SPECIFICATIONS, SECTION 985.

3. PLACE & STAKE STRAW BALES, WEDGE LOOSE STRAW BETWEEN BALES AND BACKFILL & COMPACT EXCAVATED SOIL.

HOMEBUILDER SILT FENCE DETAIL

NOT TO SCALE

*WIRE BACKED SILT FENCE TO USED ALONG FRONT OF TYPICAL LOTS. STAKE FABRIC SILT FENCE FOR ALL OTHER SIDES AS NEEDED.

NO.	DATE	REVISIONS
1		
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eMAIL: jma@mcguire-assoc.com
Gerald W. McGuire-P.E. # 39572
Serena Lee Chapla-P.E. # 61349
Engineering Business #28366

5312 PALE MOON DRIVE

LOT GRADING PLAN

ESCAMBIA COUNTY FLORIDA

DRAWN BY: HAH
DESIGNED BY: GWM
CHECKED BY: GWM
DATE: MAR 2018
SCALE: 1"= 20'
NOT RELEASED FOR CONSTRUCTION
BY: DATE:

PROJECT NO: 2018.5312PMD
FILE NO: 2018.5312.LGP
SHEET: 1 OF 1

U.S. DEPARTMENT OF HOMELAND SECURITY
Federal Emergency Management Agency
National Flood Insurance Program

OMB No. 1660-0008
Expiration Date: November 30, 2018

ELEVATION CERTIFICATE

Important: Follow the instructions on pages 1–9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A – PROPERTY INFORMATION		FOR INSURANCE COMPANY USE
A1. Building Owner's Name DONNA AND SCOTT MINDREBO		Policy Number:
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 5312 PALE MOON DRIVE		Company NAIC Number:
City PENSACOLA	State Florida	ZIP Code 32507

A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.)
113S323000000001

A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) RESIDENTIAL

A5. Latitude/Longitude: Lat. 30°19'45.5" Long. 87°26'11.2" Horizontal Datum: ☐ NAD 1927 ☒ NAD 1983

A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.

A7. Building Diagram Number 1

A8. For a building with a crawlspace or enclosure(s):

a) Square footage of crawlspace or enclosure(s) 0 sq ft

b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade 0

c) Total net area of flood openings in A8.b 0 sq in

d) Engineered flood openings? ☐ Yes ☒ No

A9. For a building with an attached garage:

a) Square footage of attached garage 0 sq ft

b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade 0

c) Total net area of flood openings in A9.b 0 sq in

d) Engineered flood openings? ☐ Yes ☒ No

SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP Community Name & Community Number	B2. County Name	B3. State
ESCAMBIA COUNTY 120080	ESCAMBIA	Florida

B4. Map/Panel Number	B5. Suffix	B6. FIRM Index Date	B7. FIRM Panel Effective/ Revised Date	B8. Flood Zone(s)	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth)
12033C 0508	G	09/29/2006	09/29/2006	AE	4 FEET

B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9:
☐ FIS Profile ☒ FIRM ☐ Community Determined ☐ Other/Source:

B11. Indicate elevation datum used for BFE in Item B9: ☐ NGVD 1929 ☒ NAVD 1988 ☐ Other/Source:

B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? ☐ Yes ☒ No
Designation Date: ☐ CBRS ☐ OPA

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expiration Date: November 30, 2018

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 5312 PALE MOON DRIVE			Policy Number:
City PENSACOLA	State Florida	ZIP Code 32507	Company NAIC Number

SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: ☒ Construction Drawings* ☐ Building Under Construction* ☐ Finished Construction

*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO. Complete Items C2.a–h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: ESC 4075 Vertical Datum: NAVD88

Indicate elevation datum used for the elevations in items a) through h) below.

☐ NGVD 1929 ☒ NAVD 1988 ☐ Other/Source: _____

Datum used for building elevations must be the same as that used for the BFE.

		Check the measurement used.	
a) Top of bottom floor (including basement, crawlspace, or enclosure floor)	7.5	☒ feet	☐ meters
b) Top of the next higher floor	N/A	☒ feet	☐ meters
c) Bottom of the lowest horizontal structural member (V Zones only)	N/A	☒ feet	☐ meters
d) Attached garage (top of slab)	N/A	☒ feet	☐ meters
e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments)	7.5	☒ feet	☐ meters
f) Lowest adjacent (finished) grade next to building (LAG)	3.85	☒ feet	☐ meters
g) Highest adjacent (finished) grade next to building (HAG)	5.13	☒ feet	☐ meters
h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support	3.85	☒ feet	☐ meters

SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. *I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.*

Were latitude and longitude in Section A provided by a licensed land surveyor? ☒ Yes ☐ No ☒ Check here if attachments.

Certifier's Name FRED R. THOMPSON	License Number 3027	
Title PRESIDENT		
Company Name NORTHWEST FLORIDA LAND SURVEYING, INC.		
Address 7142 BELGIUM CIRCLE		
City PENSACOLA	State Florida	ZIP Code 32526
Signature Fred R Thompson	Date 03/14/2018	Telephone (850) 432-1052

Place Seal Here

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including type of equipment and location, per C2(e), if applicable)

THIS SURVEYOR ONLY CERTIFIES TO SECTIONS C AND D, AND OR SECTION PERTAINING TO SURVEYING MATTERS ONLY. SECTIONS A AND B ARE NOT INCLUDED. THE ELEVATIONS SHOWN HEREON ARE REFERENCED TO NORTH AMERICAN VERTICAL DATUM OF 1988 FROM ESCAMBIA COUNTY GEODETIC CONTROL POINT ESC 4075. THE ELEVATION SHOWN IN SECTION C2e REFERS TO TOP OF A/C PAD. PROJECT # 21324

P. Bay - Neighbor Resident

Subject: RE: MEAN HIGH WATER LINE SURVEY FILING REQUEST

From: Evers, Lamar (Lamar.Evers@dep.state.fl.us)

To: JAS@NWFLS.COM; rickfaciane50@yahoo.com; DMINDREBO@ATT.NET;

Date: Thursday, August 3, 2017 12:48 PM

Dear Jeff,

Attached is the Notice of Mean High Water Survey Filing for Project No. 21324.

Sincerely,

W. Lamar Evers, PSM

Professional Land Surveyor II

Bureau of Survey and Mapping

Ph. 850.245.2636

New Logo-2

From: JEFF SIMMONS [mailto:JAS@NWFLS.COM]
Sent: Thursday, August 03, 2017 1:20 PM
To: Evers, Lamar <Lamar.Evers@dep.state.fl.us>; rickfaciane50@yahoo.com; DMINDREBO@ATT.NET
Subject: MEAN HIGH WATER LINE SURVEY FILING REQUEST

SEE ATTACHED PDFS

JEFF SIMMONS

SURVEY TECHNICIAN

NORTHWEST FLORIDA LAND SURVEYING, INC

7142 BELGIUM CIRCLE

PENSACOLA, FL 32526

(850) 432 1052

FAX (850) 433 6049

JAS@NWFLS.COM

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Attachments

- MHW6579 Notice of Filing.pdf (984.85KB)
- image001.jpg (7.09KB)

Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

Notice of Mean High Water Survey Filing

The Mean High Water Line Survey noted below has been filed in the Bureau of Survey and mapping public repository. Mean High Water Survey File Number: 6579

Survey Date: 8/2/2017

County: Escambia

Waterbody: Perdido Bay

Job Number: 21324

Project: Parcel described in O.R. Book 6756, Page 264

Section 11 Township 3S Range 32W

USGS 7.5 Minute Quad Map Name: Perdido Bay

Surveyor's Name: Fred R. Thompson

PSM No. 3027

Business Name: Northwest Florida Land Surveying, Inc.

Address: 7142 Belgium Circle

Pensacola, FL 32526

Tel.: 850.432.1052

Email: jas@nwfls.com

W. Lamar Evers Digitally signed by W. Lamar Evers Date: 2017.08.03 13:45:31 -04'00'

For the Bureau of Survey and Mapping

8/3/2017

Date

Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Rick Scott
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Tel.: 850.432.1052

Email: jas@nwfls.com

W. Lamar Evers Digitally signed by W. Lamar Evers Date: 2017.08.03 13:45:31 -04'00'

For the Bureau of Survey and Mapping

8/3/2017

Date

Jerry's JMA

From: Rick Faciane <rickfaciane50@yahoo.com>
Sent: Wednesday, March 14, 2018 7:10 AM
To: Jerry McGuire; FRED THOMPSON
Subject: Fw: 5312 Pale Moon

Jerry ---confirm you recd this from yesterday...This owner ids: Scott & Donna Mindrebo -good folks they will need your help
to wade thru the countys storm water review process now being requested.
All this comes from a angry lot owner next door .
I asked Rusty to send you the MEAN high water survey ,tree survey ,boundary survev and other docs related to what has been
given to Escambia County to date....Id like to meet with you at Rusty asap and have Donna there as well...Im going to suggest
she also engage Lisa Minschew as well if needed if you run into too many road blocks....with this owner from now on.
Call me when you get a moment, I know your busy aren't we all....

Rick Faciane
Classic Homes of Pensacola, LLC.
Office: 850-944-6805
Cell: 850-698-5186
Fax: 850-944-2261

-Wetland Surveyor (copy / file)
-Northwest Fork + Revise plan on lot
-Seawall (permit #)
-Landscape wall (~3')

----- Forwarded Message -----
From: Horace L Jones <HLJONES@myescambia.com>
To: "'rickfaciane50@yahoo.com'" <rickfaciane50@yahoo.com>
Cc: Terry D Williams <TDWILLIA@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Timothy R. Day <TRDAY@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>
Sent: Tuesday, March 13, 2018 3:48 PM
Subject: FW: 5312 Pale Moon

Rick,

Please see the e-mail below on the LDc requirement for a stormwater management plan submittal. This is the current regulation as of 3/13/18.

Respectfully.

From: Roza I. Sestnov
Sent: Tuesday, March 13, 2018 2:59 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: 5312 Pale Moon

Horace,

Here is the Section of LDC with applicable language:

Sec. 5-4.2 Stormwater impact review.

(a) Approval required. No land use or development activity may alter or disrupt existing stormwater runoff patterns or conditions without prior county review and approval for compliance with the standards of this article unless the use or activity is specifically identified in the LDC as exempt from these standards. Uses or activities that may alter or disrupt existing stormwater runoff sufficiently to require a stormwater management plan include the following:

(1) Land disturbance. Grading, digging, cutting, scraping, or excavating of soil; placement of fill materials; substantial removal of vegetation; the drainage of land; and any other forms of land disturbance that would significantly change stormwater runoff.

(2) Lot coverage. Construction of a structure or the non-*de minimis* alteration of the size of one or more structures; placement of aggregate and paving; and other constructed changes in the proportions of pervious, impervious, and semi-impervious lot coverage.

(3) Alterations. Alteration of the shoreline or bank of any watercourse or surface waterbody; or alteration of any ditches, dikes, terraces, berms, swales, piping, inlets, ponds, or other natural or manmade elements affecting the control or management of stormwater.

(4) Subdivision. The subdivision of land, including the replatting of a recorded subdivision.

Please let me know if you need any additional info.

Thank you.

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

P Please consider the environment before printing this e-mail. Think Green.

Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.

Jerry's JMA

From: Rick Faciane <rickfaciane50@yahoo.com>
Sent: Wednesday, March 14, 2018 7:16 AM
To: Jerry McGuire; FRED THOMPSON
Subject: Fw: 5312 Palemoon Drive #11-3S-32-3000-000-001

Rick Faciane
Classic Homes of Pensacola, LLC.
Office: 850-944-6805
Cell: 850-698-5186
Fax: 850-944-2261

----- Forwarded Message -----
From: Horace L Jones <HLJONES@myescambia.com>
To: "'rickfaciane50@yahoo.com'" <rickfaciane50@yahoo.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Chips Kirschenfeld <JTKIRSCHE@myescambia.com>; Jack R. Brown <jrbrown@myescambia.com>; Angela D. Crawley <adcrawle@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Dianne C. Simpson <dcsimpso@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>; Karla N Moreno <KNMORENO@myescambia.com>
Sent: Tuesday, March 13, 2018 2:17 PM
Subject: 5312 Palemoon Drive #11-3S-32-3000-000-001

Good Afternoon, Rick

It is my understanding, from a phone call discussion that you had with Mrs. Roza this morning on 3/13/13, that you will be submitting a detailed Stormwater Plan for the referenced lot for the construction of a single-family dwelling on the lot in question. Please note that a stormwater management plan must be submitted to the Development Services Department for review **within two-weeks from this notification**. If the stormwater management plan is not received during the time as specified, the County will revoke the Land Disturbance permit and Code Enforcement will schedule this property to be heard at the next available Special Magistrate date to address any outstanding code issues.

The submitted building plans and *all the supporting documents* and/or plans {including the stormwater management plan) must be reviewed and approved prior to the issuance of any building permits or any other land use development and/or activities on the lot in question.

If you have any questions, please do not hesitate call me or e-mail me

This e-mail is to serve as notification. Please reply with an acknowledgement that you received this e-mail. Failure to acknowledge receipt does not nullify this notification.

Respectfully submitted.

Horace Jones
Department Director
Development Services Department
33363 West Park Place, *Pensacola, FL*
850-595-3625 or 554-8210
hljones@myescambia.com

Horace Jones
Department Director
Development Services Department
33363 West Park Place, *Pensacola, FL*
850-595-3625 or 554-8210
hljones@myescambia.com

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Donna Mindebro
713-436-9150 home
713-882-7773 cell
email: dmindebro@att.net
2927 Corebrook Drive
Pearland, TX 77584

JMA
Engineering Services, Inc.
• Civil Engineering • Planning •

March 26, 2018

Ms. Christina Smith
Escambia County Development Review
1090 W. Leonard Street
Pensacola, Florida 32503

RE: 5312 Pale Moon Drive - Response to Comments - Final Submittal
Stormwater Management Permit Submittal
JMA Project No. 2018.5312PM.00

Dear Christina:

In response to the County comments, we offer the following:

Stormwater Management **Roza Sestnov, P.E.**

1. We have expanded the negative impact statements in the SWMP. It addresses the reduced impacts to adjacent properties, the swale to collect runoff from the south lot onto this lot, the receiving drainage system. There is no impact on the area-wide drainage system. Adjacent properties will not be damaged, but rather reduced by this work.
2. There is no conveyance swale along the north property line, but an existing landscape wall constructed to a top elevation to 7.0'. All grades on our lot will be lower than the 7.0' elevation, so no water will leave our lot and head north. We have removed the flow arrows from the lot to the north.
3. We have indicated the proposed FFE to be 7.50', based on the BFE Certification.
4. We have revised the flow arrows to show the water from the front of the house not having a chance to enter the swale. We have added grading to the front, sides and rear to the drawings. We also show lot contouring to collect and convey our water to the Bay as naturally exists. No impacts to surrounding lots.
5. Any downspouts from the house will be routed to the drainage swale along the south or north boundary. Note 15 on the plans covers this.
6. We have added a 12" x 24" wide rectangular slot cut into the wall and framed out to allow runoff on both sides of the property pass through the seawall. We also added/called out riprap with geotextile on the west side (water side) of the wall. Please note that the wall is having riprap installed up to and against the wall when completed.
7. We have called out the benchmarks with elevation and shown their locations.

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PHONE 850.995.7323 • e-MAIL jerry@mcguire-assoc.com

8. Private Drainage Swale Detail:
   a) We have removed the "Easement" from the drainage swale labeling.
   b) We have revised the drainage swale detail to call a maximum depth of 1'. We have also revised the swale cross slope to be 2.5:1. Suggest keeping 1' maximum depth to achieve greater freeboard in the swale.
9. We have removed notes ## 7 & 11 from "Homebuilder Lot Grading & Erosion Control Notes".
10. The builder has spoken to the Building Inspection Department about the wall and the BID indicated there is no permit required for the wall.
11. Attached is the correct Wetland Assessment Report for this lot. We received an email from Brad Bane that it was satisfactory. See attached email from Brad and the report itself he reviewed.
12. We have added the requested notes on the plan as Notes 20 thru 27.
    a) "The project engineer (engineer of record) shall provide to Escambia County "As-Built" record drawings for verification and approval by Escambia County one week prior to requesting a final inspection and certificate of occupancy, or provide "As-Built" certification that the project construction adheres to the permitted plans and specifications. The "As-Built" certification or the "As-Built" record drawings must be signed, sealed and dated by a registered Florida Professional Engineer".
    b) "All aspects of the stormwater/drainage components and/or transportation components shall be completed prior to issuance of a final certificate of occupancy."
    c) "No deviations or revisions from these plans by the contractor shall be allowed without prior approval from both the design engineer and the Escambia County. Any deviations may result in delays in obtaining a certificate of occupancy."
    d) "The contractor shall install prior to the start of construction and maintain during construction all sediment control measures as required to retain all sediments on the site. Improper sediment control measures may result in Code Enforcement Violation."
    e) "The owner or his agent shall arrange/schedule with the County a final inspection of the development upon completion and any intermediate inspections at (850) 595-3472. As-built certification is required prior to request for final inspection/approval."
    f) "Contractor shall obtain Building Inspection Department permit(s) for any retaining wall higher than 2 feet."
    g) "Notify Sunshine utilities 48 hours in advance prior to digging within R/W; 1-800-432-4770."
    h) "Any damage to existing roads during construction will be repaired by the developer prior to final "as-built" sign off from the county."

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JMA
Engineering Services, Inc.
• Civil Engineering • Planning •

Attached are the following items for the Stormwater Management Permit final submittal:

1. One set of signed and sealed site plans for the stormwater improvements revised per the above referenced comments.
2. One signed and sealed copy of the revised Stormwater Management Permit plan with calculations.
3. One copy of miscellaneous supporting information.
4. Once copy of all the above items on disc.

Should you require additional information, feel free to contact me.

Sincerely,

JMA ENGINEERING SERVICES, INC.

Jerry W. McGuire, P.E.
President

Attachments

Cc: Donna Mindebro, Homeowner (w/att.)
Rick Faciane, Classic Homes (w/att.)

2726 Wallace Lake Road • Pace, FL • 32571
PHONE 850.995.7323 • e-MAIL jerry@mcguire-assoc.com

WETLAND SCIENCES
INCORPORATED

March 29, 2018

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

Re: Scott & Donna Mindrebo
5312 Pale Moon Drive, Pensacola, FL 32507
WSI Project 2017-687

Dear Mr. Bane,

There has been much speculation & accusations regarding the historical existence of wetlands within the parcel of property with the physical address of 5312 Pale Moon Drive owned by Scott & Donna Mindrebo. Our firm's involvement with this project began in October 2017. At that time we were retained by Charlie Dutton (Marine Contractor) to secure state/federal authorizations that would allow the construction of a vinyl sheet pile retaining wall along the shoreline of said lot.

Wetland Sciences, Inc., inspected the parcel of property on November 30, 2017 to gather data necessary to prepare the state/federal environmental resource permit applications (ERP). This inspection included a review of the condition of the shoreline and property. Photograph #1 that is included in the photo essay appended as Exhibit A depicts the condition of the shoreline as noted during our November 30, 2017 site inspection.

Photograph #1 clearly shows the condition of the shoreline and the plant community structure that existed prior to land development activities. There is no evidence within the photograph to suggest the presence of wetlands. The shoreline was armored with a mixture of Class II and III limestone rip that extended below and above the horizontal plane of the mean high water line. Vegetation noted in the picture is typical of an upland community.

Photograph #2 in Exhibit A depicts the northern half of the shoreline and the shoreline of the neighboring property to the north. In the photograph you can clearly see that the top of the rip rap revetment within the subject property is at or near the same horizontal elevation as the adjoining property which is dominated by upland plant community structure. Live oaks dominate the canopy within the adjoining property.

Photograph #3 in Exhibit A depicts the southern half of the shoreline and the shoreline of the neighboring property to the south. In the photograph you can clearly see that the top of the rip rap revetment within the subject property is at or near the same horizontal elevation as the adjoining property which is dominated by upland plant community structure. Mature live oaks dominate the canopy within the adjoining property.

Please understand that one of the primary factors under evaluation during our site inspection would be the presence of wetlands within the subject property as this would have implications with the Environmental Resource Permit for the proposed vertical retaining wall. If wetlands were noted, we would have delineated the extent of wetlands within the lot and/or quantified the potential impact that would result from the construction of the wall. Wetlands were not noted during our inspection. Any wetlands that would have been identified during our inspection would have been depicted on the plans prepared and submitted in support of the ERP application.

Furthermore, the ERP permit process is subject to review by staff of the Florida Department of Environmental Protection (DEP). DEP staff would have inspected the site prior to the issuance of the ERP permit. I have appended in Exhibit B, a checklist prepared by DEP in support of the ERP application. This checklist confirms a review of the project and the fact that the project will not impact emergent tidal wetlands. Had the DEP reviewer noted the presence of wetlands within the property, Wetland Sciences, Inc. would have been notified by the Department. No such notice was received and the permit was issued on December 5, 2017.

Our firm used the pictures contained within Exhibit A in support of a shoreline condition letter addressed to Escambia County. This was in an effort to secure LDC concurrency statement from Development Services which would allow the Marine Contractor to proceed with applying for a building permit. LDC concurrency was received on February 26, 2018.

There is absolutely no evidence that would suggest the subject property contained any wetlands. I have personally reviewed soil survey data, national wetlands inventory data, aerial photographs (present and historical), recorded subdivision plat, historical DEP permits, topographic data, and National Hydrography Data all of which suggest that the parcel was comprised entirely of upland resources. I would be happy to provide any information we have on file that supports this assertion.

I certainly hope this letter puts this issue to rest. If should have any questions or require any additional information, please do not hesitate to call.

Respectfully,
Wetland Sciences, Inc.

Keith Johnson
Senior Scientist

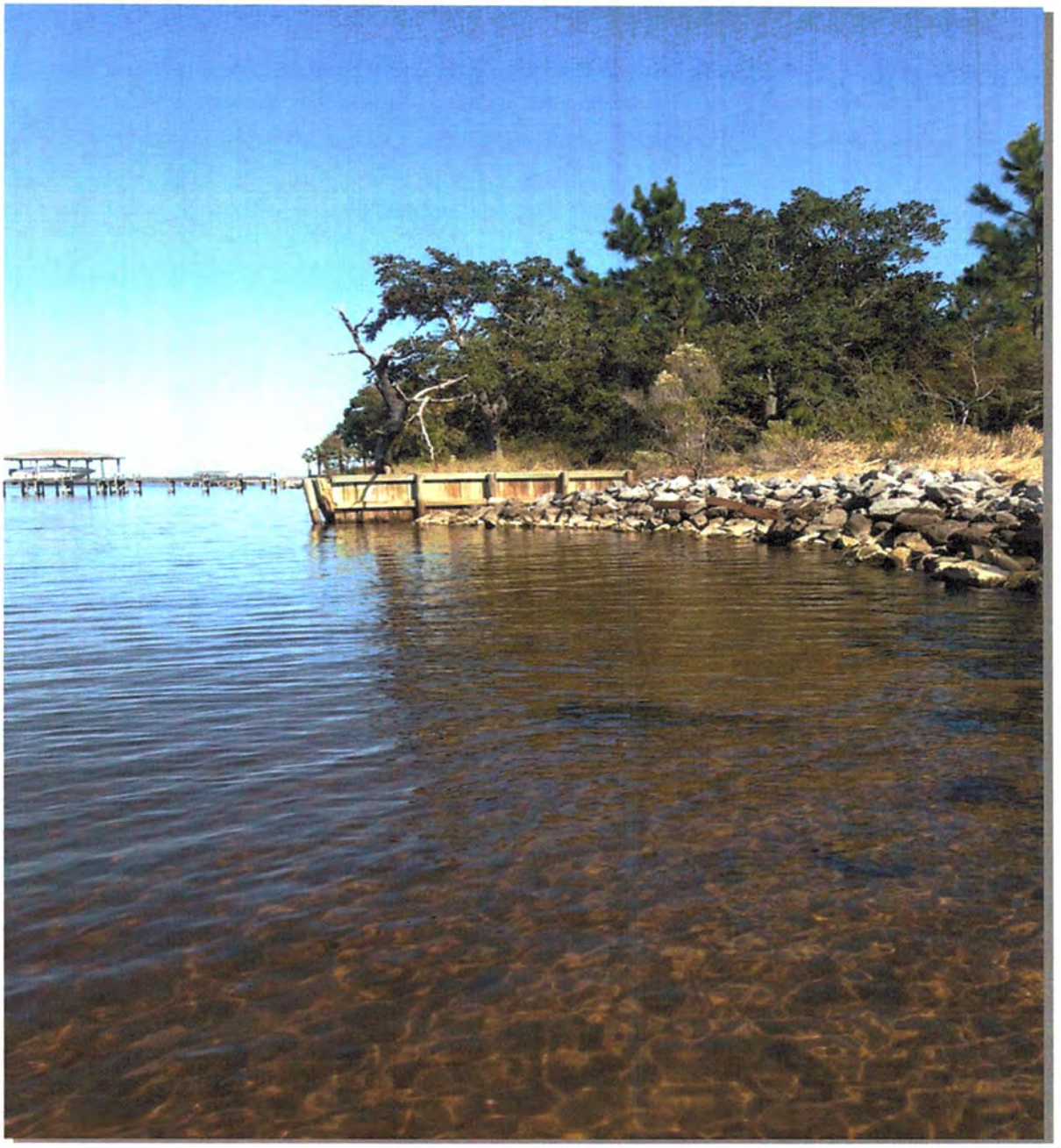
Enclosures: Exhibit A – Site Photographs from November 30, 2017 Site Inspection
Exhibit B – SPGP checklist from DEP Reviewer Douglas Sprague
Exhibit C – State/Federal ERP permits

Cc: Craig Martin, Wetland Sciences, Inc.
Jerry McGuire
Fred Thompson
Rick Faciane
Scott & Donna Mindrebo
Timothy Day, Escambia County
File

Exhibit A

Site Photographs

Photograph #1. Condition of shoreline at 5312 Pale Moon Drive on November 30, 2017. The brown grass landward of the rock is broomsedge (Andropogon virginicus). The shrubs located along the silt fence are yaupon holly (Ilex vomitoria). Trees also noted in the picture are large flowering magnolia (Magnolia grandiflora – FAC), slash pine (Pinus elliottii), and live oak (Quercus viginiana). The plant community structure is typical of an upland mesic flatwood.



Photograph #2. Taken on November 30, 2017 within the nearshore areas in between the riparian rights area of the subject property. The photograph clearly shows the northern half of the property and the adjoining property to the north. Note that the elevation of the top of the rip rap is almost identical to the grade of the adjoining lot which is comprised mainly of live oaks (*Quercus virginiana*). Again, there are no indications of wetlands within the photograph.

Photograph #3. Taken on November 30, 2017 along the shoreline of the subject property approximately 30-ft. north of the southern riparian line looking south. Also note that the top of the rip rap revetment within the subject property is at or near the elevation of the adjoining property to the south. The property to the south is clearly dominated by a canopy of Live Oaks.

Exhibit B

SGPG Checklist Retrieved from OCULUS
Site ID# 0359395

Project Specifications

DEP File (PA) No.: 0359395-001-002-EE

County: Escambia

Applicant: Scott Mindrebo

Project Name: Dock and Seawall

Project Location: 5200 Blk Pale Moon Dr. Pensacola FL 32507

NMFS 2nd Tier Consultation Checklist for activities under the State Programmatic General Permit (SPGP) for the State of Florida within all coastal counties of Florida, and for maintenance dredging within Clay, Putnam, Marion and Lake Counties

1) **Is the project located in a coastal county of Florida?** ☑ Yes ☐ No
List of Florida coastal counties: *(Escambia, Santa Rosa, Okaloosa, Walton, Bay, Gulf, Franklin, Wakulla, Jefferson, Taylor, Dixie, Levy, Citrus, Hernando, Pasco, Pinellas, Hillsborough, Manatee, Sarasota, Charlotte, Lee, Collier, Broward, Palm Beach, Martin, Saint Lucie, Indian River, Brevard, Volusia, Flagler, Saint Johns, Duval, Nassau;* ***NOT ALLOWED: SPGP not authorized in Monroe (except for boat lifts).***

If YES, proceed with the checklist below.

2) **Does the proposed action involve maintenance dredging?** ☐ Yes ☑ No
If the permit request is for maintenance dredging in a *non-coastal county*, is it for one of these 4 counties: Clay, Putnam, Marion, or Lake?

If YES, proceed with the checklist below.

Type of Project Authorized under SPGP	Check all that apply
Shoreline stabilization, including seawalls and riprap - ***Complete checklist A***	☑
Boat Ramps and Boat Launch Areas and Associated Structures – ***Complete checklist B***	☐
Docks, Piers, Associated Facilities, Aids to Navigation, and Other Minor Piling-Supported Structures – ***Complete checklist C***	☑
Maintenance Dredging of Canals and Channels (including removal of organic detritus from freshwater lakes and rivers) – ***Complete checklist D***	☐
Removal of derelict vessels, Scientific sampling, measurement and monitoring devices (construction, operation, maintenance and removal), Subaqueous Utility Crossings (upland to upland), or Geotechnical investigations – ***Complete checklist E***	☐
Living Shorelines – ***Complete checklist F***	☐
Boat Lifts in Monroe County – ***Complete checklist F***	☐

Checklist A - Shoreline Stabilization			
Please check all of the following Project Design Criteria (PDCs) that apply to the applicant's permit request.	**Check all that apply**		
Construction of seawalls or riprap, including only that backfilling needed to level the land behind seawalls or riprap, in artificially created waterways	☐		
Restoration of seawalls or riprap at its previous location or upland of or within one foot waterward of its previous location	☐		
Construction of private vertical seawalls in marine/coastal or other surface waters, other than in an estuary or lagoon, and the construction of riprap revetments, and is no more than 150 feet in length	☑		
If this is a new, vertical seawall, will it be placed waterward of the Mean High Water Line (MHWL) or Ordinary High Water Line (OHWL)? *New vertical seawalls may not be placed waterward of the MHWL unless it is necessary to align with existing adjacent seawalls.*	Yes ◉	No ○	N/A ○
If this permit application is for a new seawall, is it ≤ 150 feet in length?	Yes ◉	No ○	N/A ○
If the project is for a seawall and/or riprap restoration/replacement, permitted at its previous location, then will it be placed upland of, or within one foot waterward of its previous location?	Yes ○	No ○	N/A ◉
New riprap will not be placed more than 10 feet waterward of the MHWL or OHWL.	Yes ◉	No ○	N/A ○
If applies: Stabilization measures other than vertical seawalls will be no steeper than a 2H:1V slope.	Yes ○	No ○	N/A ○
Will the project adhere to *NMFS' Sea Turtle and Smalltooth Sawfish Construction Conditions?*	Yes ◉	No ○	N/A ○
Please confirm that the project will have no effect on submerged aquatic vegetation, including Johnson's seagrass, tidal wetlands, hard bottom, or any other essential fish habitat.	Yes ◉	No ○	N/A ○
Please confirm that the project is not located in designated critical habitat for Johnson' seagrass, smalltooth sawfish, *acroporid* corals, or Gulf sturgeon.	Yes ◉	No ○	N/A ○
Please confirm that the project does not involve dredging or removal of mangroves and that mangrove trimming will be strictly limited to minimal trimming necessary to perform the authorized work. *Dredging or removal of mangroves or portions of mangroves below the mean high water line is not authorized under this permit.*	Yes ○	No ○	N/A ◉
Please confirm that the project is not proposed on or contiguous to ocean beach.	Yes ◉	No ○	
Please confirm that this project does not involve groins, jetties, breakwaters, and beach nourishment/renourishment.	Yes ◉	No ○	
Physical structures (e.g., seawalls, docks, boat ramps) <u>are NOT</u> in nearshore reproductive habitat of loggerhead critical habitat. ["Red" per S.C. #A.2.i(3)]	Yes ○	No ○	N/A ◉
Project <u>is NOT</u> in the St Mary's River between October 1 and December 31 to protect the Atlantic sturgeon during spawning season. [Entire river "Red" per S.C. #A.2.e., and construction window "Red" per S.C. #A.2.i(4)]	Yes ○	No ○	N/A ◉
Note: FDEP/Designee will check the above per review process described in Special Conditions #A.1. to A.4, inclusive. Permittee also responsible for complying with Special Conditions #B.1 to B.28, inclusive, attached to Authorization, some of which incorporate PDCs relevant to these projects.			

Checklist B - Boat Ramps			
Please check all of the following Project Design Criteria (PDCs) that apply to the applicant's permit request.	**Check all that apply**		
Please confirm that the project is **not located** in designated critical habitat for Johnson' seagrass, smalltooth sawfish, acroporid corals, or Gulf sturgeon.	Yes ☐	No ☐	N/A ☐
Please confirm that the project will not adversely impact submerged aquatic vegetation, including Johnson's seagrass, tidal wetlands, hard bottom, or any other essential fish habitat.	Yes ☐	No ☐	N/A ☐
Will the project adhere to *NMFS' Sea Turtle and Smalltooth Sawfish Construction Conditions?*	Yes ☐	No ☐	N/A ☐
Please confirm that the project does not involve dredging or removal of mangroves and that mangrove trimming will be strictly limited to minimal trimming necessary to perform the authorized work. *Dredging or removal of mangroves or portions of mangroves below the mean high water line is not authorized under this permit.*	Yes ☐	No ☐	N/A ☐
Please confirm that the project is not proposed on or contiguous to ocean beach.	Yes ☐	No ☐	N/A ☐
Physical structures (e.g., seawalls, docks, boat ramps) <u>are NOT</u> in nearshore reproductive habitat of loggerhead critical habitat. ["Red" per S.C. #A.2.i(3)]	Yes ☐	No ☐	N/A ☐
Project <u>is NOT</u> in the St Mary's River between October 1 and December 31 to protect the Atlantic sturgeon during spawning season. [Entire river "Red" per S.C. #A.2.e., and construction window "Red" per" per S.C. #A.2.i(4)]	Yes ☐	No ☐	N/A ☐
Note: FDEP/Designee will check the above per review process described in Special Conditions #A.1. to A.4, inclusive. Permittee also responsible for complying with Special Conditions #B.1 to B.28, inclusive, attached to Authorization, some of which incorporate PDCs relevant to these projects.			

Checklist C – Docks, Piers, Aids to Navigation and other Piling-Supported Structures			
Please check all of the following Project Design Criteria (PDCs) that apply to the applicant's permit request.	**Check all that apply**		
Please confirm that the project **is not** located in any Federally ESA-designated critical habitats other than those of the smalltooth sawfish and Gulf sturgeon (*The only critical habitats in which piling-supported structures may be authorized under the SPGP are those designated for the smalltooth sawfish or gulf sturgeon*).	Yes ☑	No ☐	N/A ☐
If project involves the installation of a private dock, then the total surface area of the dock is ≤ 1000 square feet either over wetlands or other surface waters.	☑		
Replacement or repair of an existing dock.	☐		
Installation of aids to navigation and buoys associated with such aids.	☐		
Installation of piling support structures associated with water testing or monitoring equipment required by the FDEP.	☐		
Construction, extension, and removal of certain docks/piers and associated structures, as identified by 62-330.427 F.A.C.	☐		
Piling supported structures, less than 1000 square feet, not in Outstanding Florida Waters.	☑		
Piling supported structures, less than 500 square feet, in Outstanding Florida Waters.	☐		
Construction, installation, operation, or maintenance of floating vessel platforms and boat lifts.	☐		
Please confirm that the project **is not** located in any Federally ESA-designated critical habitats other than those of the smalltooth sawfish and Gulf sturgeon (*The only critical habitats in which piling-supported structures may be authorized under the SPGP are those designated for the smalltooth sawfish or gulf sturgeon*).	Yes ☑	No ☐	N/A ☐
If you checked YES above, is the project designated critical habitat for either smalltooth sawfish or Gulf sturgeon?	Yes ☐	No ☑	N/A ☐
If a project is within the range of Johnson's seagrass, the applicant agrees, at a minimum, to fully comply with The COE and NMFS' "Construction Conditions for Docks or Other Minor Structures Constructed in or Over Johnson's Seagrass (*Halophila johnsoni*)" dated February 2002.	Yes ☐	No ☐	N/A ☑
For projects where other aquatic vegetation is present, please confirm that the project will, at a minimum, fully comply with COE and NMFS' "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation, Marsh, or Mangrove Habitat" dated August 2001.	Yes ☐	No ☐	N/A ☑
Will the project adhere to NMFS' *Sea Turtle and Smalltooth Sawfish Construction Conditions*?	Yes ☑	No ☐	N/A ☐
Please confirm that the proposed project **is not** on or contiguous to (adjacent to) ocean beach.	Yes ☑	No ☐	N/A ☐
Please confirm that the proposed project **is not** a municipal or commercial pier or dock	Yes ☑	No ☐	N/A ☐
Please confirm that the project does not involve dredging or removal of mangroves and that mangrove trimming will be strictly limited to minimal trimming necessary to perform the authorized work (i.e. only within footprint of access walkway of no more than 4 feet in width). *Dredging or removal of mangroves or portions of mangroves below the mean high water line is not authorized under this permit.*	Yes ☐	No ☐	N/A ☑
Please confirm that no dredging is proposed for this project.	Yes ☑	No ☐	N/A ☐
Please confirm that water depths will not be altered in association with this project.	Yes ☑	No ☐	N/A ☐

	Installation of anchored ATONs and permanent buoys are NOT within the geographic boundary of North Atlantic right whale critical habitat.. ["Red" per S.C. #A.2.h(1)(iv)]	Yes	No	N/A
		☐	☐	⊙
	Project is NOT in areas identified as smalltooth sawfish exclusion zones. ["Red" per S.C. #A.2.i(1).	Yes	No	N/A
		☐	☐	⊙
	Project is NOT in a mouth of a Gulf sturgeon spawning river or narrow inlets. ["Red" per S.C. #A.2.l(2). Note this is a paraphrase of AP4.2]	Yes	No	N/A
		⊙	☐	☐
	Physical structures (e.g., seawalls, docks, boat ramps) are NOT in nearshore reproductive habitat of loggerhead critical habitat. ["Red" per S.C. #A.2.i(3)]	Yes	No	N/A
		☐	☐	⊙
	Project is NOT in the St Mary's River between October 1 and December 31 to protect the Atlantic sturgeon during spawning season. [Entire river "Red" per S.C. #A.2.e., and construction window "Red" per" per S.C. #A.2.i(4)]	Yes	No	N/A
		☐	☐	⊙
Note: FDEP/Designee will check the above per review process described in Special Conditions #A.1. to A.4, inclusive. Permittee also responsible for complying with Special Conditions #B.1 to B.28, inclusive, attached to Authorization, some of which incorporate PDCs relevant to these projects.				

Checklist D - Maintenance Dredging			
Please check all of the following Project Design Criteria (PDCs) that apply to the applicant's permit request.	**Check all that apply**		
Maintenance dredging of existing manmade canals, channels, basins, berths, and intake and discharge structures.	☐		
Removal of organic detritus material by individual residential property owners (freshwater rivers and lakes only).	☐		
Maintenance dredging of 4,000 cubic yards or less, placing spoil in uplands, and employing turbidity controls.	☐		
Will dredging be limited to the previous project depth, or to -5.0 feet below Mean Low Water or Ordinary Low Water?	Yes ☐	No ☐	N/A ☐
Will excavated spoil material be deposited in a suitable upland (i.e., non-wetland pursuant to current federal criteria) disposal site?	Yes ☐	No ☐	N/A ☐
Please confirm that the project is not located in designated critical habitat for Johnson' seagrass, smalltooth sawfish, acroporid corals, or Gulf sturgeon.	Yes ☐	No ☐	N/A ☐
Please confirm that the project will have no effect on submerged aquatic vegetation, including Johnson's seagrass, tidal wetlands, hard bottom, or any other essential fish habitat.	Yes ☐	No ☐	N/A ☐
Will the project adhere to *NMFS' Sea Turtle and Smalltooth Sawfish Construction Conditions*?	Yes ☐	No ☐	N/A ☐
Please confirm that the project does not involve dredging or removal of mangroves and that mangrove trimming will be strictly limited to minimal trimming necessary to perform the authorized work. *Dredging or removal of mangroves or portions of mangroves below the mean high water line is not authorized under this permit.*	Yes ☐	No ☐	N/A ☐
Please confirm that the project is not proposed on or contiguous to ocean beach.	Yes ☐	No ☐	N/A ☐
Please confirm that no dredging will be performed by hopper dredge.	Yes ☐	No ☐	N/A ☐
Projects will not include dredging within the mapped and authorized federal navigational channels (e.g., ICW, AIWW, GIWW or harbors [e.g., Port Canaveral]). Dredging outside of the mapped channel in the surrounding waters is allowed... ["Red" per S.C. #A.2.b.]	Yes ☐	No ☐	N/A ☐
Project <u>is NOT</u> in areas identified as Smalltooth sawfish critical habitat. ["Red" per S.C. #A.2.f(2)(i).]	Yes ☐	No ☐	N/A ☐
Project <u>is NOT</u> in areas identified as Gulf sturgeon critical habitat. ["Red" per S.C. #A.2.f(2)(iii).]	Yes ☐	No ☐	N/A ☐
Project <u>is NOT</u> in areas identified as acroporid coral critical habitat. ["Red" per S.C. #A.2.f(2)(ii).]	Yes ☐	No ☐	N/A ☐
Project <u>is NOT</u> in the St Mary's River between October 1 and December 31 to protect the Atlantic sturgeon during spawning season. [Entire river "Red" per S.C. #A.2.e., and construction window "Red" per" per S.C. #A.2.i(4)]	Yes ☐	No ☐	N/A ☐
Note: FDEP/Designee will check the above per review process described in Special Conditions #A.1. to A.4, inclusive. Permittee also responsible for complying with Special Conditions #B.1 to B.28, inclusive, attached to Authorization, some of which incorporate PDCs relevant to these projects.			

Checklist E – Transient Activities			
Please check all of the following Project Design Criteria (PDCs) that apply to the applicant's permit request.	**Check all that apply**		
Applicable to ALL Projects			
Project is NOT in areas identified as smalltooth sawfish exclusion zones. ["Red" per S.C. #A.2.i(1).	Yes ☐	No ☐	N/A ☐
Project is NOT in a mouth of a Gulf sturgeon spawning river or narrow inlets. ["Red" per S.C. #A.2.l(2).]	Yes ☐	No ☐	N/A ☐
Physical structures (e.g., seawalls, docks, boat ramps) are NOT in nearshore reproductive habitat of loggerhead critical habitat. ["Red" per S.C. #A.2.i(3)]	Yes ☐	No ☐	N/A ☐
Project is NOT in the St Mary's River between October 1 and December 31 to protect the Atlantic sturgeon during spawning season. [Entire river "Red" per S.C. #A.2.e., and construction window "Red" per" per S.C. #A.2.i(4)]	Yes ☐	No ☐	N/A ☐
Applicable to: Installation, Maintenance, Repair, and Removal of Utility Lines and Subaqueous Utility Crossings. Additional restrictions: Authorization under SPGP V is limited to upland to upland directional drilling (HDD). Crossing a federal project is not authorized by this SPGP V (including federally authorized channels of the Intracoastal Waterways, inlets, ports and turning basins; and including levees, dikes, dams or other water retaining structures. HDD crossing of a flood control channel/canal in a Federal project (either federally or locally maintained) may be authorized if meets Special Condition 18.		☐	
For subaqueous transmission lines/horizontal directional drilling, the applicant will provide and follow a Frac-out Contingency Plan similar to the plan located in Appendix B. "Yes" if Corps says "Green" to this project per S.C. #A.3.l (this project is "Yellow" so that the Corps may review the Frac-out Contingency Plan or contact Applicant to obtain same). [S.C. #B.18.a. requiring the Plan be developed, submitted and then followed.]	Yes ☐	No ☐	N/A ☐
Project is NOT in *Acropora* critical habitat where the essential features are present. ["Red" per S.C. #A.2.h(1)(i). Note that what is stated here is paraphrase of A9.10.]	Yes ☐	No ☐	N/A ☐
Applicable to Removal of Derelict Vessels		☐	
(No additional checks)			
Applicable to Construction, operation, maintenance and removal of scientific sampling, measurement and monitoring devices.		☐	
Applicable to Geotechnical Investigations. Additional Restrictions: Seismic exploratory activities and any activities on tribal lands or waters are not authorized by this SPGP V.		☐	
Installation of permanent anchored devices and buoys are NOT within the geographic boundary of North Atlantic right whale critical habitat. ["Red" per S.C. #A.2.h(1)(iv)]	Yes ☐	No ☐	N/A ☐
Note: FDEP/Designee will check the above per review process described in Special Conditions #A.1. to A.4, inclusive. Permittee also responsible for complying with Special Conditions #B.1 to B.28, inclusive, attached to Authorization, some of which incorporate PDCs relevant to these projects.			

Checklist F – Other New Activities			
Please check all of the following Project Design Criteria (PDCs) that apply to the applicant's permit request.	**Check all that apply**		
Applicable to ALL Projects			
Project is NOT in areas identified as smalltooth sawfish exclusion zones. ["Red" per S.C. #A.2.i(1).]	Yes ☐	No ☐	N/A ☐
Project is NOT in a mouth of a Gulf sturgeon spawning river or narrow inlets. ["Red" per S.C. #A.2.l(2).]	Yes ☐	No ☐	N/A ☐
Physical structures (e.g., seawalls, docks, boat ramps) are NOT in nearshore reproductive habitat of loggerhead critical habitat. ["Red" per S.C. #A.2.i(3)]	Yes ☐	No ☐	N/A ☐
Project is NOT in the St Mary's River between October 1 and December 31 to protect the Atlantic sturgeon during spawning season. [Entire river "Red" per S.C. #A.2.e., and construction window "Red" per" per S.C. #A.2.i(4)]	Yes ☐	No ☐	N/A ☐
Applicable to Living Shorelines. Restoration of an eroding shoreline with native wetland vegetative enhancement plantings. Additional Restriction: Not authorized by this SPGP V if the work extends water ward past the adjacent shorelines (this provision is to preclude changes in down drift currents).	☐		
Project is NOT in Smalltooth sawfish critical habitat when essential feature of critical habitat is present. ["Red" per S.C. #A.2.f(2)(i).]	Yes ☐	No ☐	N/A ☐
Artificial reef structures are NOT within the geographic boundary of North Atlantic right whale critical habitat.. ["Red" per S.C. #A.2.f(2)(vii).]	Yes ☐	No ☐	N/A ☐
Project is NOT in *Acropora* critical habitat where the essential features are present. ["Red" per S.C. #A.2.f(2)(ii).]	Yes ☐	No ☐	N/A ☐
Project is NOT in Johnson's seagrass critical habitat when essential feature of critical habitat is present. ["Red" per S.C. #A.2.f(2)(vii).]	Yes ☐	No ☐	N/A ☐
Applicable to Boat Lifts in Monroe County.		☐	
Project is NOT on or contiguous to ocean beaches. ["Red" per S.C. #A.2.r].	Yes ☐	No ☐	N/A ☐
Project is NOT in *Acropora* critical habitat where the essential features are present. ["Red" per S.C. #A.2.f(2)(ii).]	Yes ☐	No ☐	N/A ☐
Note: FDEP/Designee will check the above per review process described in Special Conditions #A.1. to A.4, inclusive. Permittee also responsible for complying with Special Conditions #B.1 to B.28, inclusive, attached to Authorization, some of which incorporate PDCs relevant to these projects.			

Exhibit C

State/Federal ERP Permits

Florida Department of Environmental Protection

Northwest District Office
160 W. Government Street, Suite 308
Pensacola, Florida 32502-5740

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

December 15, 2016

Scott and Donna Mindrebo
2927 Covebrook drive
Pearland, Texas 77584
dmindrebo@att.net

File No.: 0359395-001-002-EE, Escambia County

Dear Mr. and Mrs. Mindrebo:

On December 5, 2017 we received your request for verification of exemption to perform the following activities:

To construct a private, residential, single-family dock measuring 1,000 square feet or less of overwater surface area and concurrently install approximately 119 linear feet of vinyl, sheet pile, vertical, seawall between and adjoining existing seawalls at both ends, faced with clean limestone or concrete rip rap at a slope no greater than 2 horizontal to 1 vertical within Perdido Bay, Class III Florida Waterbody, immediately adjacent to Parcel No.11-3S-32-3000-000-001, 5200 Block Pale Moon Drive, Pensacola, Florida 32507 in Section 11, Township 3 South, Range 32 West of Escambia County at 30°19'46.10" North Latitude, 87°26'11.89" West Longitude.

Your request has been reviewed to determine whether it qualifies for (1) regulatory exemption, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal approval that may be necessary for work in wetlands or waters of the United States.

Your project qualifies for all three. However, this letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity.

If you change the project from what you submitted, the authorization(s) granted may no longer be valid at the time of commencement of the project. Please contact us prior to beginning your project if you wish to make any changes.

If you have any questions regarding this matter, please contact Douglas Sprague at the letterhead address, at (850)595-0579, or at Douglas.sprague@dep.state.fl.us

1. Regulatory Review – Verified

Based on the information submitted, the Department has verified that the activities as proposed are exempt, under Rule 62-330.051(5)(b) and (12)(c), Florida Administrative Code (F.A.C.) from the need to obtain a regulatory permit under Part IV of Chapter 373 of the Florida Statutes.

This exemption verification is based on the information you provided the Department and the statutes and rules in effect when the information was submitted. This verification may not be valid if site conditions materially change, the project design is modified, or the statutes or rules governing the exempt activity are amended. In the event you need to re-verify the exempt status for the activity, a new request and verification fee will be required. Any substantial modifications to the project design should be submitted to the Department for review, as changes may result in a permit being required.

2. Proprietary Review – Granted

The Department acts as staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) and issues certain authorizations for the use of sovereign submerged lands. The Department has the authority to review activities on sovereign submerged lands under Chapters 253 and 258, F.S. and Chapters 18-20 and 18-21, F.A.C.

The activity appears to be located on sovereign submerged lands owned by the Board of Trustees. The activity is not exempt from the need to obtain the applicable proprietary authorization. As staff to the Board of Trustees, the Department has reviewed the activity described above, and has determined that the activity qualifies for an automatic consent by rule under Rule 18-21.005(1)(b), F.A.C. and Section 253.77, F.S. to construct and use the activity on the specified sovereign submerged lands, as long as the work performed is located within the boundaries as described herein and is consistent with the terms and conditions herein. No further application is required for this consent by rule.

Special Consent Conditions for Sovereign Submerged Lands Authorization

1. The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.

2. Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.

3. Applicant binds itself and its successors and assigns to abide by the provisions and conditions set forth in the authorization. If the applicant or its successors or assigns fails or refuses to comply with the provisions and conditions of the authorization, the authorization may be terminated by the Board of Trustees after written notice to the applicant or its successors or assigns. Upon receipt of such notice, the applicant or its successors or assigns will have thirty (30) days in which to correct the violations. Failure to correct the violations within this period will result in the automatic revocation of this authorization.

4. All costs incurred by the Board of Trustees in enforcing the terms and conditions of the authorization will be paid by the applicant. Any notice required by law will be made by certified mail at the address shown on page one of the authorization. The applicant will notify the Board of Trustees in writing of any change of address at least ten days before the change becomes effective.

5. This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.

General Conditions for Authorizations for Activities on State-Owned Submerged Land

All authorizations granted by rule or in writing under Rule 18-21.005, F.A.C., except those for geophysical testing, shall be subject to the general conditions as set forth in paragraphs (a) through (i) below. The general conditions shall be part of all authorizations under this chapter, shall be binding upon the grantee, and shall be enforceable under Chapter 253 or 258, Part II, F.S.

(a) Authorizations are valid only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use shall constitute a violation. Violation of the authorization shall result in suspension or revocation of the grantee's use of the sovereignty submerged land unless cured to the satisfaction of the Board.

(b) Authorizations convey no title to sovereignty submerged land or water column, nor do they constitute recognition or acknowledgment of any other person's title to such land or water.

(c) Authorizations may be modified, suspended, or revoked in accordance with their terms or the remedies provided in Sections 253.04 and 258.46, F.S., or Chapter 18-14, F.A.C.

(d) Structures or activities shall be constructed and used to avoid or minimize adverse impacts to sovereignty submerged lands and resources.
(e) Construction, use, or operation of the structure or activity shall not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.

(f) Structures or activities shall not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity shall be modified in accordance with the court's decision.

(g) Structures or activities shall not create a navigational hazard.

(h) Structures shall be maintained in a functional condition and shall be repaired or removed if they become dilapidated to such an extent that they are no longer functional. This shall not be construed to prohibit the repair or replacement subject to the provisions of Rule 18-21.005, F.A.C., within one year, of a structure damaged in a discrete event such as a storm, flood, accident, or fire.

(i) Structures or activities shall be constructed, operated, and maintained solely for water dependent purposes, or for non-water dependent activities authorized under paragraph 18-21.004(1)(f), F.A.C., or any other applicable law.

3. Federal Review – SPGP Approved

Your proposed activity as outlined in your application and attached drawings qualifies for federal authorization pursuant to the State Programmatic General Permit (SPGP) V, and a **SEPARATE permit** or authorization **will not be required** from the U.S. Army Corps of Engineers (Corps). Please note that the federal authorization expires on July 26, 2021. However, your authorization may remain in effect for up to one (1) additional year if provisions of Special Condition B.27 of the SPGP V permit instrument are met. You, as permittee, are required to adhere to all General Conditions and Special Conditions that may apply to your project. Special conditions required for your project are attached. A copy of the SPGP V with all terms and conditions and the General Conditions may be found online in the Jacksonville District Regulatory Division Sourcebook.

Authority for review – an agreement with the Corps entitled "Coordination Agreement Between the U.S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection, or Duly Authorized Designee, State Programmatic General Permit " Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

Additional Information

Please retain this letter. The activities may be inspected by authorized state personnel in the future to ensure compliance with appropriate statutes and administrative codes. If the activities are not in compliance, you may be subject to penalties under Chapter 373, F.S. and Chapter 18-14, F.A.C.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S. before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28 106.201 and 28 106.301, F.A.C., a petition for an administrative hearing must contain the following information:

(a) The name and address of each agency affected and each agency's file or identification number, if known;
(b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
(c) A statement of when and how the petitioner received notice of the agency decision;
(d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
(e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
(f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
(g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S. or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us, before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S. by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days from the date this action is filed with the Clerk of the Department.

EXECUTION AND CLERKING
Executed in Orlando, Florida.
STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Douglas Sprague
Environmental Specialist
Submerged Lands and Environmental Resources Program

TAM:ds

Attachment(s):

1. Rule 62-330.051(5)(b) and (12)(c), F.A.C. and / or Section 403.813(1)(b)(o), F.S., 2 pages
2. General Conditions for Federal Authorization for SPGP V, 2 pages
3. SPGP V: Special Conditions Related to All Review and Authorizations, 7 pages
4. Department of the Army Permit Transfer for SPGP V, 1 page
5. Construction Guidelines in Florida for Minor Piling-Supported Structures 2 pages
6. Project Drawings, 6 pages

CERTIFICATE OF SERVICE
The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

Escambia County, jtkirsche@myescambia.com BDBANE@myescambia.com bdschneider@myescambia.com TRDAY@myescambia.com
David Hunter, Agent, Wetland Sciences, Inc., david.wetlandsciences@gmail.com

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to Section 120.52, F.S., with the designated Department Clerk, receipt of which is hereby acknowledged.

Mandakini Patel — December 15, 2017
Clerk **Date**

62-330.051 Exempt Activities.

The activities meeting the limitations and restrictions below are exempt from permitting. However, if located in, on, or over state-owned submerged lands, they are subject to a separate authorization under Chapters 253 and 258, F.S., and Chapters 18-18, 18-20, and 18-21, F.A.C., as applicable.

(5) Dock, Pier, Boat Ramp and Other Boating-related Work –

(b) Installation of private docks, piers, and recreational docking facilities, and installation of local governmental piers and recreational docking facilities, in accordance with Section 403.813(1)(b), F.S. This includes associated structures such as boat shelters, boat lifts, and roofs, provided:
1. The cumulative square footage of all structures located over wetlands and other surface waters does not exceed the limitations in Section 403.813(1)(b), F.S.;
2. No structure is enclosed on more than three sides with walls and doors;
3. Structures are not used for residential habitation or commercial purposes, or storage of materials other than those associated with water dependent recreational use; and
4. Any dock and associated structure shall be the sole dock as measured along the shoreline for a minimum distance of 65 feet, unless the parcel of land or individual lot as platted is less than 65 feet in length along the shoreline, in which case there may be one exempt dock allowed per parcel or lot.

(12) Construction, Replacement, Restoration, Enhancement, and Repair of Seawall, Riprap, and Other Shoreline Stabilization –

(c) The construction of seawalls or riprap in wetlands or other surface waters between and adjoining existing seawalls or riprap at both ends in accordance with Section 403.813(1)(o), F.S.

403.813 Permits issued at district centers; exceptions.—

(1) A permit is not required under this chapter, chapter 373, chapter 61-691, Laws of Florida, or chapter 25214 or chapter 25270, 1949, Laws of Florida, for activities associated with the following types of projects; however, except as otherwise provided in this subsection, this subsection does not relieve an applicant from any requirement to obtain permission to use or occupy lands owned by the Board of Trustees of the Internal Improvement Trust Fund or a water management district in its governmental or proprietary capacity or from complying with applicable local pollution control programs authorized under this chapter or other requirements of county and municipal governments:

(b) The installation and repair of mooring pilings and dolphins associated with private docking facilities or piers and the installation of private docks, piers and recreational docking facilities, or piers and recreational docking facilities of local governmental entities when the local governmental entity's activities will not take place in any manatee habitat, any of which docks:

1. Has 500 square feet or less of over-water surface area for a dock which is located in an area designated as Outstanding Florida Waters or 1,000 square feet or less of over-water surface area for a dock which is located in an area which is not designated as Outstanding Florida Waters;

2. Is constructed on or held in place by pilings or is a floating dock which is constructed so as not to involve filling or dredging other than that necessary to install the pilings;

3. Shall not substantially impede the flow of water or create a navigational hazard;

4. Is used for recreational, noncommercial activities associated with the mooring or storage of boats and boat paraphernalia; and

5. Is the sole dock constructed pursuant to this exemption as measured along the shoreline for a distance of 65 feet, unless the parcel of land or individual lot as platted is less than 65 feet in length along the shoreline, in which case there may be one exempt dock allowed per parcel or lot

(o) The construction of private seawalls in wetlands or other surface waters where such construction is between and adjoins at both ends existing seawalls; follows a continuous and uniform seawall construction line with the existing seawalls; is no more than 150 feet in length; and does not violate existing water quality standards, impede navigation, or affect flood control. However, in estuaries and lagoons the construction of vertical seawalls is limited to the circumstances and purposes stated in s. 373.414(5)(b)1.-4. This paragraph does not affect the permitting requirements of chapter 161, and department rules must clearly indicate that this exception does not constitute an exception from the permitting requirements of chapter 161.

General Conditions for Federal Authorization for SPGP V

1. The time limit for completing the work authorized ends on July 26, 2021.

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner on the enclosed form and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Further Information:

1. Limits of this authorization.
   a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
   b. This permit does not grant any property rights or exclusive privileges.
   c. This permit does not authorize any injury to the property or rights of others.
   d. This permit does not authorize interference with any existing or proposed Federal projects.

2. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
   a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
   b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
   c. Damages to persons, property, or to other permitted or unpermitted activities or structures

caused by the activity authorized by this permit.

d. Design or Construction deficiencies associated with the permitted work.
e. Damage claims associated with any future modification, suspension, or revocation of this permit.

3. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

4. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.
b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 3 above).
c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

5. Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CER 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form.

7. The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal, relocation or alteration.

Special Conditions Related to All Review and Authorizations
In addition to the conditions specified above, the following Special Conditions apply to all projects reviewed and/or authorized under the SPGP V.

1. The District Engineer reserves the right to require that any request for authorization under this SPGP V be evaluated as an Individual Permit. Conformance with the terms and conditions of the SPGP V does not automatically guarantee Federal authorization.

2. On a case-by-case basis the Corps may impose additional Special Conditions which are deemed necessary to minimize adverse environmental impacts.

3. Failure to comply with all conditions of the Federal authorizations under the SPGP V would constitute a violation of the Federal authorization.

4. No structure or work shall adversely affect or disturb properties listed in the National Register of Historic Places or those eligible for inclusion in the National Register. Prior to the start of work, the Applicant/Permittee or other party on the Applicant's/Permittee's behalf, shall conduct a search of known historical properties by contracting a professional archaeologist, and contacting the Florida Master Site File at 850-245-6440 or SiteFile@dos.state.fl.us. The Applicant/Permittee can also research sites in the National Register Information System (NRIS). Information can be found at http://www.cr.nps.gov/nr/research.

a. If, during the initial ground disturbing activities and construction work, there are archaeological/cultural materials unearthed (which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work in the vicinity and notify the Compliance and Review staff of the State Historic Preservation Office at 850-245-6333 and the Corps Regulatory Project Manager to assess the significance of the discovery and devise appropriate actions, including salvage operations. Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7.

b. In the unlikely event that human remains are identified, they will be treated in accordance with Section 872.05, Florida Statutes; all work in the vicinity shall immediately cease and the local law authority, the State Archaeologist (850-245-6444), and the Corps Regulatory Project Manager shall immediately be notified. Such activity shall not resume unless specifically authorized by the State Archaeologist and the Corps.

5. No work shall be authorized under the SPGP V which proposes the use of prefabricated modules for habitat creation, restoration, or enhancement except as allowed in Special Condition 17 for *Living Shorelines* of the *Shoreline Stabilization* category.

6. The Design and construction of a Project must comply with the following.

a. Where aquatic vegetation is present, adverse impacts to aquatic vegetation from construction of piling-supported structures may be avoided/minimized by adherence to, or employing alternative construction techniques that provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "*Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat*," U.S. Army Corps of Engineers/National Marine Fisheries Service August 2001 (updated June 2008). Unless otherwise specifically approved by the National Marine Fisheries Service, where aquatic vegetation is present, piling-supported structures authorized under the SPGP V must comply with, or provide a higher level of protection than, the criteria contained in the referenced construction guidelines. Mangrove impacts are limited to the removal of mangroves along 4 linear feet of shoreline to accommodate a 4-ft wide access walkway associated with a dock that meets the above guidelines.

b. Additionally, because of concerns about adverse impacts to the endangered Johnson's seagrass (*Halophila johnsonii*) in the lagoon and canal systems on Florida's east coast from Sebastian Inlet (Brevard County) south to and including central Biscayne Bay (Miami-Dade County), the following requirements must be met:

(1) Piling-supported structures must comply with, or provide a higher level of protection than, the criteria contained in the construction guidelines titled "*Key for Construction Conditions for Docks or Other Minor Structures Constructed in or Over Johnson's seagrass (Halophila johnsonii)*," National Marine Fisheries Service/U.S. Army Corps of Engineers – February 2002 (updated October 2002).

(2) Removal of derelict vessels must comply with the practices of Special Condition 19.

(3) All other activities will have no effect on Johnson's seagrass, i.e., no seagrass is present.

c. The presence of seagrass will be determined utilizing the attached "*Submerged Aquatic Vegetation Survey Guidelines*."

7. For projects in waters accessible to sea turtles, Smalltooth sawfish, Gulf sturgeon, or Shortnose sturgeon, the Permittee will utilize the "*Sea Turtle and Smalltooth Sawfish Construction Conditions*" and the following additions:

a. Any collision(s) with and/or injuries to any whale, or sturgeon occurring during the construction of a project, shall be reported immediately to NMFS's Protected Resources Division (PRD) at (727-824-5312).

b. Reports to NMFS's Protected Resources Division (PRD) may be made by email to takereport.nmfsser@noaa.gov.

c. Sea turtle and marine mammal stranding/rescue organizations' contact information is available by region at http://www.nmfs.noaa.gov/pr/health/networks.htm.

d. Smalltooth sawfish encounters shall be reported to http://www.flmnh.ufl.edu/fish/sharks/sawfish/sawfishencounters.html.

e. All work must occur during daylight hours.

8. The Permittee is responsible for obtaining any "take" permits required under the U.S. Fish and Wildlife Service's regulations governing compliance with the Migratory Bird Treaty Act or the Bald and Golden Eagle Protection Act. The Permittee should contact the appropriate local office of the U.S. Fish and Wildlife Service to determine if such "take" permits are required for a particular activity.

9. The Permitee is responsible for compliance with 50 CFR 224.103(c) prohibiting approach within 500 yards of a right whale, with limited exceptions.

10. Turbidity control measures shall be used throughout construction to control erosion and siltation to ensure there are no violations of state or federal water quality standards. Turbidity control measures shall be: (1) for the smallest practicable area; (2) monitored daily to ensure listed species are not entangled or trapped in the project area; (3) shall be removed promptly upon project completion and the return of water quality conditions; (4) and shall not block entry to or exit from designated critical habitat. Siltation barriers shall be made of material in which listed species cannot become entangled (i.e., reinforced impermeable polycarbonate vinyl fabric [PVC]).

a. Turbidity curtains are not required where not practical in dynamic systems such as surf zones and could actually do more harm than good if the curtains become detached (e.g., they could entrap pelagic organisms and become entangled around benthic organisms, such as coral).

b. Turbidity barriers are not required if installation of single piling in deep water since is unlikely to adversely affect water quality.

11. In-water rope or chain must meet the following requirements: Industrial grade metal chains or heavy cables that do not readily loop and tangle; All in-water lines (rope and cable) must be thick and taut and cannot have excess line in the water; Lines can be enclosed in a plastic or rubber sleeve/tube to add rigidity.

12. No work shall occur where hard bottom or any hard or coral including ESA-listed coral species are present within the footprint of the project.

13. No work shall occur that results in removal of mangroves (including prop roots), except:

a. as provided by Special Condition 6.a.; or,

b. for removal of mangroves growing at the foot or from an existing seawall whose removal needed to repair the seawall.

14. No work shall occur that results in impacts to seagrass except as provided by Special Condition 6.

15. (For *Docks, Piers, Associated Facilities, and Other Minor Piling-Supported Structures* and *Boat Ramps and Boat Launch Areas and Structures Associated with Such Ramps or Launch Areas.*)

a. Aids to Navigation and Private Aids to Navigation (e.g. attached to the structures authorized by the SPGP) must be approved by and installed in accordance with U.S. Coast Guard requirements.

b. Temporary structures associated with marine events will be removed and the site restored upon completion of the event.

c. (*For multi-family residential docks (e.g., condos, trailer parks, apartment complexes) designated for fishing or vessel storage, for temporary marine event pile-supported structures involving high speed vessel traffic or fishing, and for commercial or public boat ramps.*) Install educational signs as follows in a visible location to alert boaters of listed species in the area susceptible to vessel strikes or hook-and-line captures. NMFS website (http://sero.nmfs.noaa.gov/protected_resources/section_7/protected_species_educational_signs/index.html) provides sign installation guidance and most current version of the signs.

(1) All commercial and public boat ramps shall install the Save Sea Turtle, Sawfish, and Dolphin sign.

(2) If the Project occurs within the range of Gulf, Atlantic, or Shortnose sturgeon, the Permittee will install and maintain the *Report Sturgeon* sign.

(3) If the Project occurs within 14 miles of North Atlantic Right Whale critical habitat, the Permittee will install and maintain the *Help Protect North Atlantic Right Whales* sign.

d. Project construction will take place from uplands or from floating equipment (e.g., barge); prop or wheel-washing is prohibited.

16. (For *Transient activities*.)

a. Temporary structures shall not block access of species to an area such as preventing movement in or out of a river or channel.

b. (For *Scientific sampling, measurement, and monitoring devices*.) No later than 24 months from initial installation, or upon completion of data acquisition, whichever comes first, the measuring device and any other structure or fills associated with that device (e.g., anchors, buoys, lines) must be removed and the site must be restored to pre-construction elevations.

17. (For *Living Shorelines* of the *Shoreline Stabilization* category.)

a. Only native plant species will be planted.

b. Not more than 500 linear feet in length, not more than 35 ft waterward of the hightide line (note that FAC 62-330 limits to 10 feet of the mean high water line) or result in more than 0.5 ac area between the natural shoreline and the structure.

c. No discharge of earthen fill material, other than earthen material associated with vegetative planting, is not authorized.

d. Construction, maintenance and removal of approved permanent, shore-parallel wave attenuation structures are authorized. Approved permanent wave attenuation materials include oyster breakwaters (described below), clean limestone boulders, and prefabricated structures made of concrete and rebar that are designed in a manner that cannot trap sea turtles, Smalltooth sawfish, or sturgeon. Reef balls that are not open on the bottom, triangle structures with a top opening of at least 3 feet between structures, and reef discs stacked on a pile may be used.

e. (For oyster breakwaters).

(1) Reef materials shall be placed in a manner to ensure that materials (e.g., bagged oyster shell, oyster mats, loose cultch surrounded and contained by a stabilizing feature, reef balls, and reef cradles) will remain stable and prevent movement of materials to surrounding areas.

(2) Materials must be placed in designated locations (i.e., shall not be indiscriminately/randomly dumped) and shall not be placed outside of the total project limits.

18. (For *Subaqueous Utility Lines* of the *Transient Activities* category.)

a. A Frac-out Contingency Plan similar to the attached plan will be developed, submitted with the application and then followed.

b. All subaqueous transmission lines crossing over, under, or in flood control channels/canals in Federal projects (either federally or locally maintained) which are installed with horizontal direction drilling (HDD) shall comply with the following:

(1) The project shall ensure the top of the HDD boring is a minimum of 10 feet beneath the bottom of the channel including a minimum 25 feet outside the channel edges and the estimated total drilling fluid pressure is less than 10 psi.

(2) Construction of directional boring vaults, junction boxes, and/or pads are not allowed within 25 feet of the top of the bank of any federal project.

(3) Projects not in compliance with these criteria shall not be eligible for authorization under SPGP V.

(4) Any activity within a Federal right-of-way shall require the Permittee to enter into a consent-to-easement with the Real Estate Division, U.S. Army Corps of Engineers, Jacksonville or Mobile District, as appropriate, prior to the commencement of any construction activity.

(5) The Permittee shall, upon completion of work, provide an as-built survey showing the horizontal and vertical location (X-Y-Z coordinates in NAD 83 and NAVD 88) of the object below the channel as it enters and exits the design edges of the authorized width of the channel, plus a minimum of 25 feet outside the channel edges.

c. Where the proposed subaqueous utility or transmission line is to be installed in navigable waters of the United States, at least 2 weeks prior to the start of the authorized work, the permittee must notify the National Oceanic and Atmospheric Administration (NOAA) and the Corps in writing that the work is commencing; and, again, upon completion of the work. The permittee shall notify the District Engineer in writing at the letterhead address, attention Regulatory Division; and, the NOAA, either in mailed correspondence to Nautical Data Branch Office of Coast Survey N/CS26, 1315 East-West Highway, Silver Spring, MD 20910-3282 or by electronic mail correspondence, with scans of the requisite documents attached, through osc.ndb@noaa.gov and spgp@usace.army.mil. The postconstruction notification will include "as-built plans," signed and sealed by a registered surveyor/engineer licensed in the State of Florida, that certify the project is constructed as authorized; and must include an accurate depiction of the location and configuration of the completed activity in relation to the mean high water of the navigable water.

19. (For *Removal of Derelict Vessels* of the *Transient Activities* category.)

a. Removal of marine debris shall require visual confirmation (e.g., divers, swimmers, camera) that the item can be removed without causing further damage to aquatic resources.

b. If an item cannot be removed without causing harm to surrounding coral, the item will be disassembled as much as practicable so that it no longer can accidently harm or trap species.

c. Monofilament debris will be carefully cut loose from coral so as not to cause further harm. Under no circumstance will line be pulled through coral since this could cause breakage of coral.

d. Marine debris shall be lifted straight up and not be dragged through seagrass beds, coral, or hard bottom habitats. Debris shall be properly disposed of in appropriate facilities in accordance with applicable federal and state requirements.

20. For concrete piles installed by impact hammer:

a. The piles will be less than or equal to than 24 inches in diameter; and

b. Not more than 10 piles will be installed per day if in open water; or,

c. Not more than 5 piles will be installed per day in a *confined space*. A *confined space* is defined as any area that has a solid object (e.g., shoreline, seawall, jetty) or structure within 150 feet of the pile installation site that would effectively serve as a barrier or otherwise prevent animals from moving past it to exit the area. This does not include objects such as docks or other pile-supported structures that would not stop animal movement or significantly reflect noise.

21. Metal piles will NOT be installed by impact hammer.

22. Projects within the boundary of the NOAA Florida Keys National Marine Sanctuary require prior approval from the Sanctuary.

23. The Permittee shall use only clean fill material. The fill material shall be upland sources and be free of items such as trash, debris, automotive parts, asphalt, construction materials, concrete block with exposed reinforcement bars, and soils contaminated with any toxic substance, in toxic amounts in accordance with Section 307 of the Clean Water Act.

24. No blasting is authorized.

25. For Projects authorized under this SPGP V in navigable waters of the U.S., the Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

26. The SPGP V will be valid for five (5) years from the date of issuance unless suspended or revoked by issuance of a public notice by the District Engineer. The Corps, in conjunction with the Federal resource agencies, will conduct periodic reviews to ensure that continuation of the permit during the five-year authorization period is not contrary to the public interest. If

revocation occurs, all future applications for activities covered by the SPGP V will be evaluated by the Corps.

27. If the SPGP V expires or is revoked prior to completion of the authorized work, authorization of activities which have commenced or are under contract to commence in reliance upon the SPGP V will remain in effect provided the activity is completed within twelve (12) months of the date the SPGP V expired or was revoked.

28. The General Conditions attached hereto are made a part of this SPGP V and must be attached to all authorizations processed under this SPGP V.

Department of the Army Permit Transfer for SPGP V

PERMITEE: _____

PERMIT NUMBER: _____ DATE: _____

ADDRESS/LOCATION OF PROJECT:

_____

_____

(Subdivision) (Lot) (Block)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Branch, Post Office Box 4970, Jacksonville, FL 32232-0019.

_____ _____

(Transferee Signature) (Date)

_____

(Name Printed)

_____

(Street address)

_____

(Mailing address)

_____

(City, State, Zip Code)

Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat
U.S. Army Corps of Engineers/National Marine Fisheries Service
August 2001

Submerged Aquatic Vegetation:

1. Avoidance. The piling-supported structure shall be aligned so as to minimize the size of the footprint over SAV beds.

2. The height of piling-supported structure shall be a minimum of 5 feet above MHW/OHW as measured from the top surface of the decking.

3. The width of the piling-supported structure is limited to a maximum of 4 feet. A turnaround area is allowed for piling-supported structures greater than 200 feet in length. The turnaround is limited to a section of the piling-supported structure no more than 10 feet in length and no more than 6 feet in width. The turnaround shall be located at the midpoint of the piling-supported structure.

4. Over-SAV bed portions of the piling-supported structure shall be oriented in a north-south orientation to the maximum extent that is practicable.

5. a. If possible, terminal platforms shall be placed in deep water, waterward of SAV beds or in an area devoid of SAV beds.

b. If a terminal platform is placed over SAV areas and constructed of grated decking, the total size of the platform shall be limited to 160 square feet. The grated deck material shall conform to the specifications stipulated below. The configuration of the platform shall be a maximum of 8 feet by 20 feet. A minimum of 5 feet by 20 feet shall conform to the 5-foot height requirement; a 3 feet by 20 feet section may be placed 3 feet above MHW to facilitate boat access. The long axis of the platform should be aligned in a north-south direction to the maximum extent that is practicable.

c. If the terminal platform is placed over SAV areas and constructed of planks, the total size of the platform shall be limited to 120 square feet. The configuration of the platform shall be a maximum of 6 feet by 20 feet of which a minimum 4-foot wide by 20-foot long section shall conform to the 5-foot height requirement. A section may be placed 3 feet above MHW to facilitate boat access. The 3 feet above MHW section shall be cantilevered. The long axis of the platform should be aligned in a north-south direction to the maximum extent that is practicable. If the 3feet above MHW section is constructed with grating material, it may be 3 feet wide.

6. One uncovered boat lift area is allowed. A narrow catwalk (2 feet wide if planks are used, 3 feet wide if grating is used) may be added to facilitate boat maintenance along the outboard side of the boat lift and a 4-foot wide walkway may be added along the stern end of the boat lift, provided all such walkways are elevated 5 feet above MHW. The catwalk shall be cantilevered from the outboard mooring pilings (spaced no closer than 10 feet apart).

7. Pilings shall be installed in a manner which will not result in the formation of sedimentary deposits("donuts" or "halos") around the newly installed pilings. Pile driving is the preferred method of installation, but jetting with a low pressure pump may be used.

8. The spacing of pilings through SAV beds shall be a minimum of 10 feet on center.

9. The gaps between deckboards shall be a minimum of ½ inch.

Marsh

Grid Specifications and Suppliers Section modified in October 2002 to add an additional vendor of materials.
February 2003 - Manufacturer name changed from ChemGrate to FiberGrate
May 2003 - The terms dock and pier were removed and replaced by the term piling-supported structure, to clarify our intent.
March 2008 - Added requirement for 43% open space in grids, added additional manufacturer of grating. -

1. The piling-supported structure shall be aligned so as to have the smallest over-marsh footprint as practicable.

2. The over-marsh portion of the piling-supported shall be elevated to at least 4 feet above the marsh floor.

3. The width of the piling-supported is limited to a maximum of 4 feet. Any exceptions to the width must be accompanied by an equal increase in height requirement.

Mangroves.

1. The width of the piling-supported structure is limited to a maximum of 4 feet.

2. Mangrove clearing is restricted to the width of the piling-supported structure.

3. The location and alignment of the piling-supported structure should be through the narrowest area of the mangrove fringe.

Grid Specifications and Suppliers

The following information does not constitute a U.S. Army Corps of Engineers endorsement or advertisement for any particular provider and is provided only as an example for those interested in obtaining these materials for piling-supported structure construction. Light-transmitting materials are made of various materials shaped in the form of grids, grates, lattices, etc., to allow the passage of light through the open spaces. **All light-transmitting materials used in construction for minor piling-supported structures shall have a minimum of forty-three (43) percent open space.**

A type of fiberglass grate panel is manufactured by SeaSafe (Lafayette, LA; phone: 1-800-326-8842) and FiberGrate (1-800-527-4043). A type of plastic grating is manufactured by ThruFlow Interlocking Panels (1-888-478-3569). Plastic grate panels are also distributed by Southern Pine Lumber Company (Stuart, FL; 772-692-2300). Panels are available in a variety of sizes and thicknesses. For safety, the grate should contain an anti-slip texture which is integrally molded into the top surface. The manufacturer or local distributor should be consulted to ensure that the load-bearing capacity of the selected product is sufficient to support the intended purpose. Contact the manufacturer(s) for product specifications and a list of regional distributors.

Grid Specifications and Suppliers Section modified in October 2002 to add an additional vendor of materials.
February 2003 - Manufacturer name changed from ChemGrate to FiberGrate
May 2003 - The terms dock and pier were removed and replaced by the term piling-supported structure, to clarify our intent.
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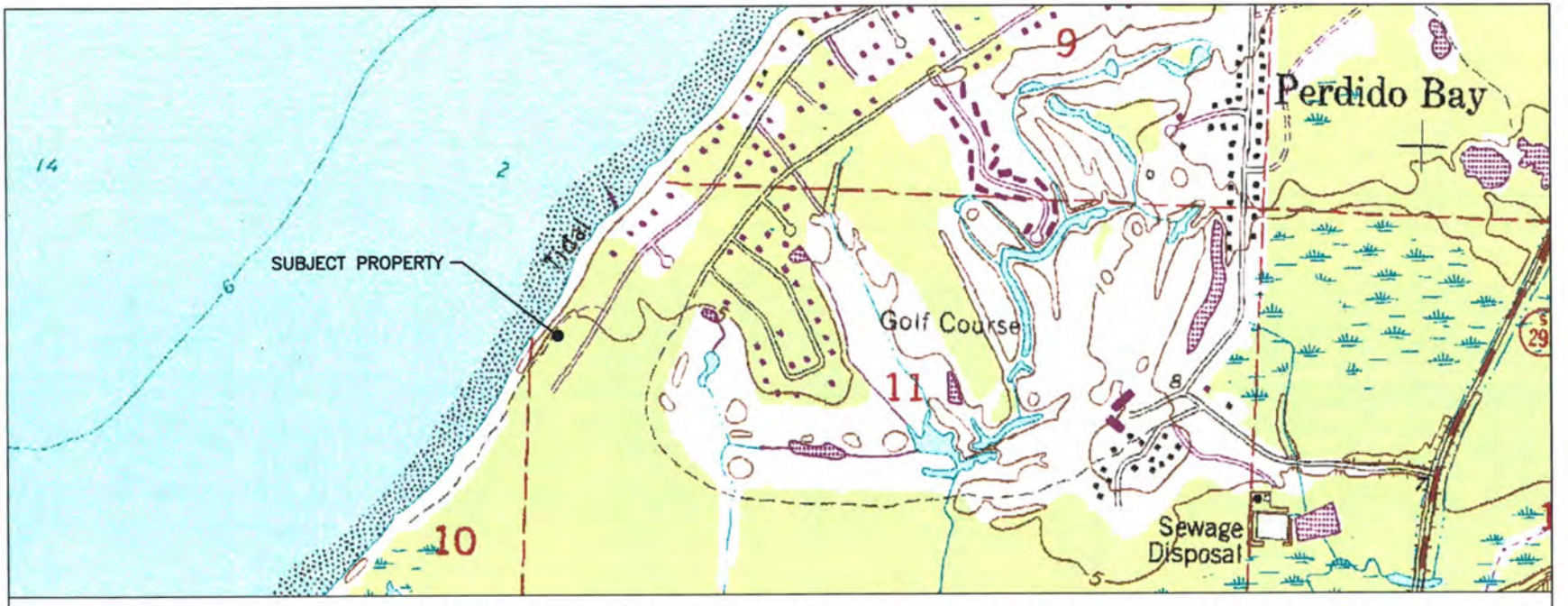


DIRECTIONS TO THE SITE FROM DOWNTOWN PENSACOLA: START OUT GOING WEST ON GARDEN STREET/US-98. TURN LEFT ONTO BARRANCAS AVE/FL-292 AND FOLLOW FOR 9.5 MILES. TURN RIGHT ONTO DOUG FORD DR. TURN RIGHT ONTO SHOSHONE DR. TURN LEFT ONTO CHOCTAW AVE. TURN RIGHT ONTO NAVAHO DR. TURN LEFT ONTO PALE MOON DR. SUBJECT PROPERTY IS LOCATED ON THE RIGHT HAND SIDE OF THE ROAD WITH AN APPROXIMATELY .5 MILES DOWN. PLEASE CALL 850-453-4700 WITH ANY QUESTIONS.

SUBJECT PROPERTY

PARCEL ID#
11-3S-32-3000-000-001
PROPERTY OWNER
SCOTT & DONNA MINDREBO
2927 COVEBROOK DR
PEARLAND, TX 77584

PROJECT LOCATION

5200 BLK PALE MOON DR
PENSACOLA, FL 32507
LAT: 30.329264°
LONG: -87.436444°

INDEX OF SHEETS

SHEET NO.	DESCRIPTION
1	SITE LOCATION MAP
2	EXISTING SITE CONDITIONS
3	PLAN VIEW DEPICTED ONTO AERIAL
4	PLAN VIEW
5	DOCK PROFILE (TYPICAL)
6	DOCK DETAILS (TYPICAL)

DEPARTMENT OF ENVIRONMENTAL PROTECTION
1/6
0359395-001-002-EE
EXEMPT
DS
STATE OF FLORIDA

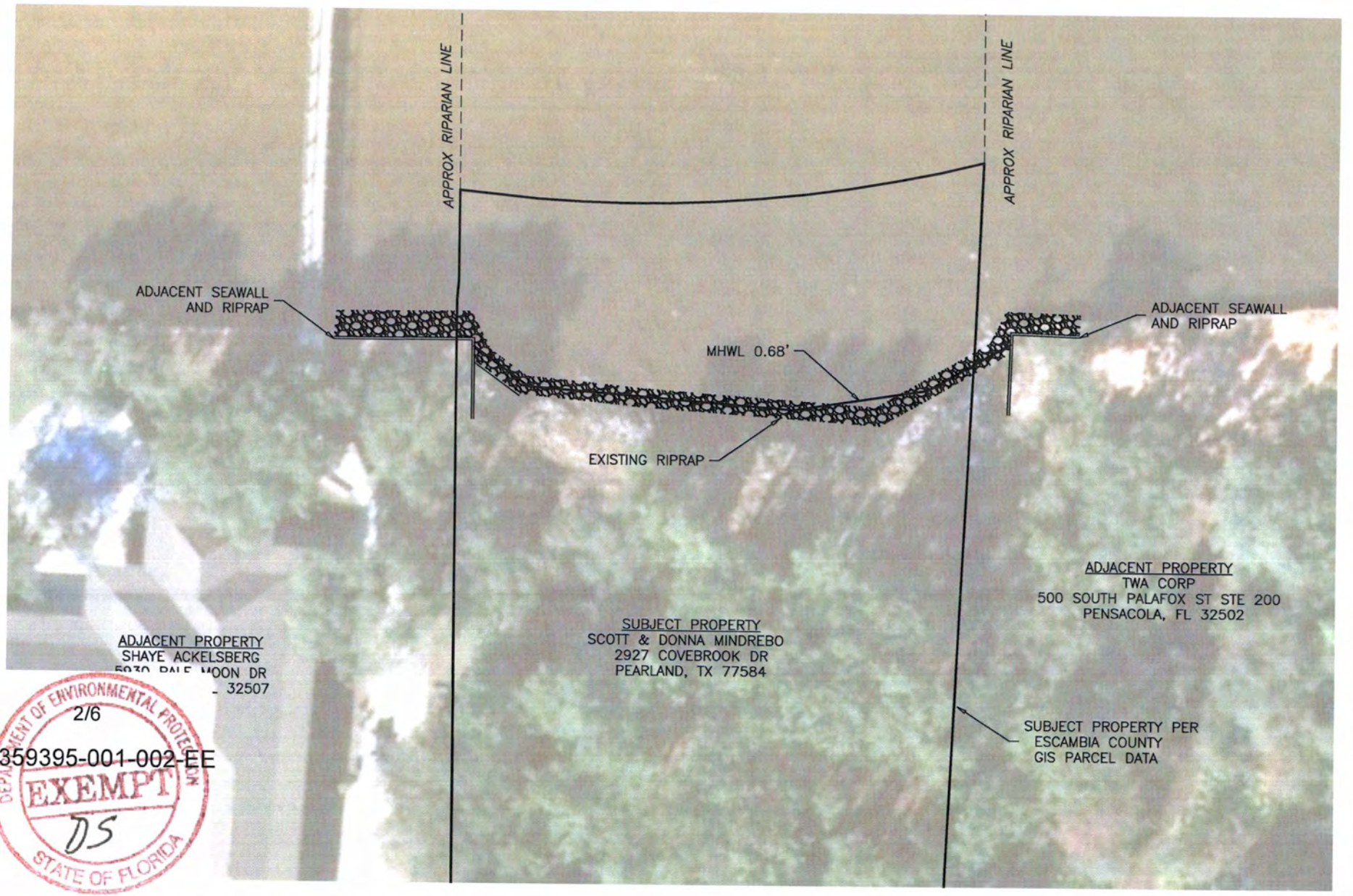
WETLAND SCIENCES INCORPORATED
ENVIRONMENTAL CONSULTANTS
3308 GULF BEACH HIGHWAY
PENSACOLA, FLORIDA 32507
TEL: 850.453.4700
KEITH@WETLANDSCIENCES.COM

PROJECT NAME: DUTTON PALE MOON DR	
SITE LOCATION MAP	
PROJECT NO.: 2017-687	
DRAWN BY: DDH	DATE: 12/04/2017
SHEET: 1 OF 6	

N

1200 0 600 1200

SCALE: 1"=1200Feet



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DEPARTMENT OF ENVIRONMENTAL PROTECTION
EXEMPT
DS
STATE OF FLORIDA

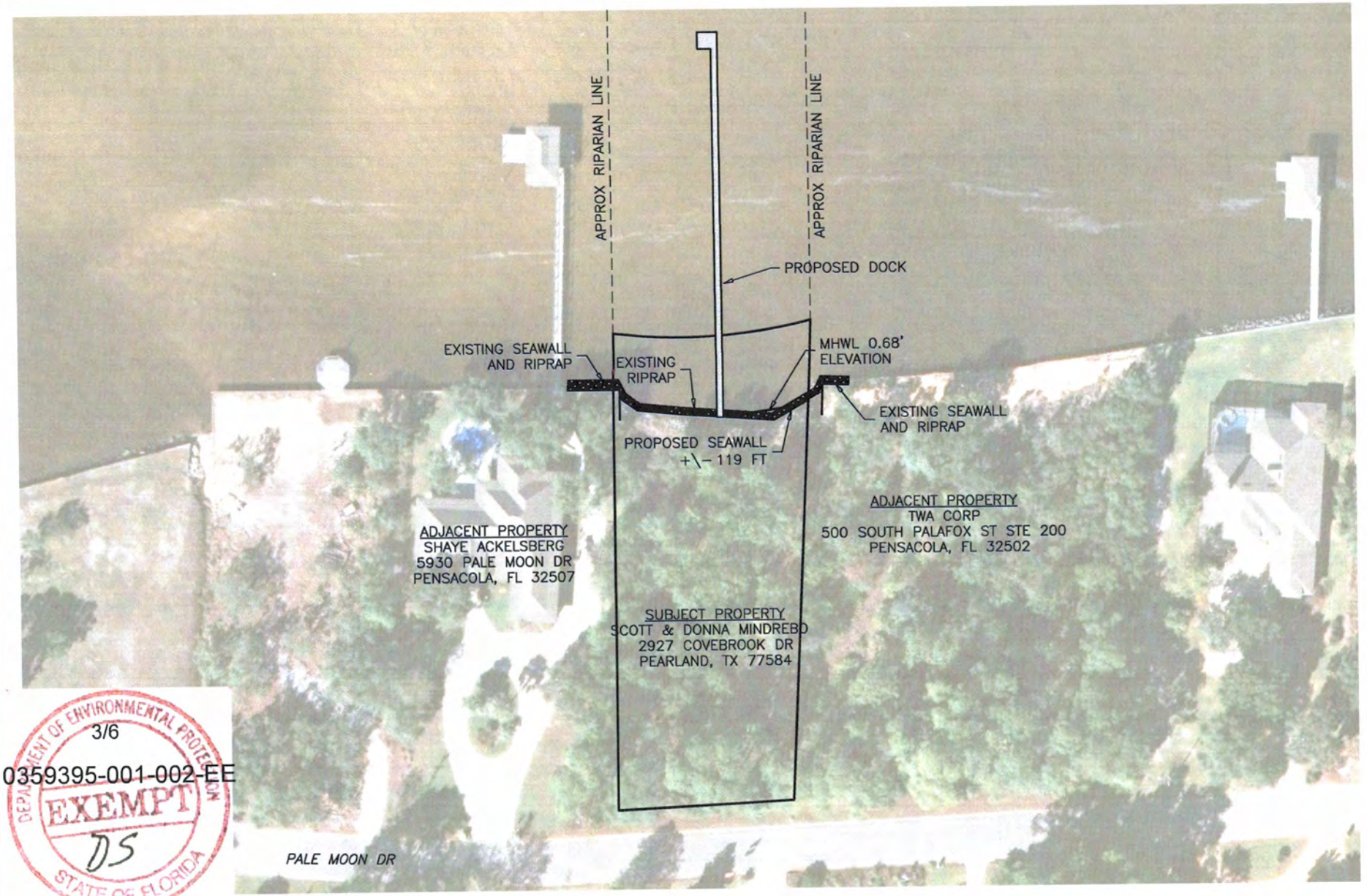
WETLAND SCIENCES INCORPORATED
ENVIRONMENTAL CONSULTANTS
3308 GULF BEACH HIGHWAY
PENSACOLA, FLORIDA 32507
TEL: 850.453.4700
KEITH@WETLANDSCIENCES.COM

PROJECT NAME:	DUTTON PALE MOON DR
	EXISTING SITE CONDITIONS
PROJECT NO.:	2017-687
DRAWN BY: DDH	DATE: 12/04/2017
SHEET:	2 OF 6

N

30 0 15 30

SCALE: 1"= 30 Feet



DEPARTMENT OF ENVIRONMENTAL PROTECTION
3/6
0359395-001-002-EE
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TEL: 850.453.4700
KEITH@WETLANDSCIENCES.COM

PROJECT NAME: DUTTON PALE MOON DR	
PLAN VIEW DEPICTED ONTO AERIAL	
PROJECT NO.: 2017-687	
DRAWN BY: DDH	DATE: 12/04/2017
SHEET: 3 OF 6	

N

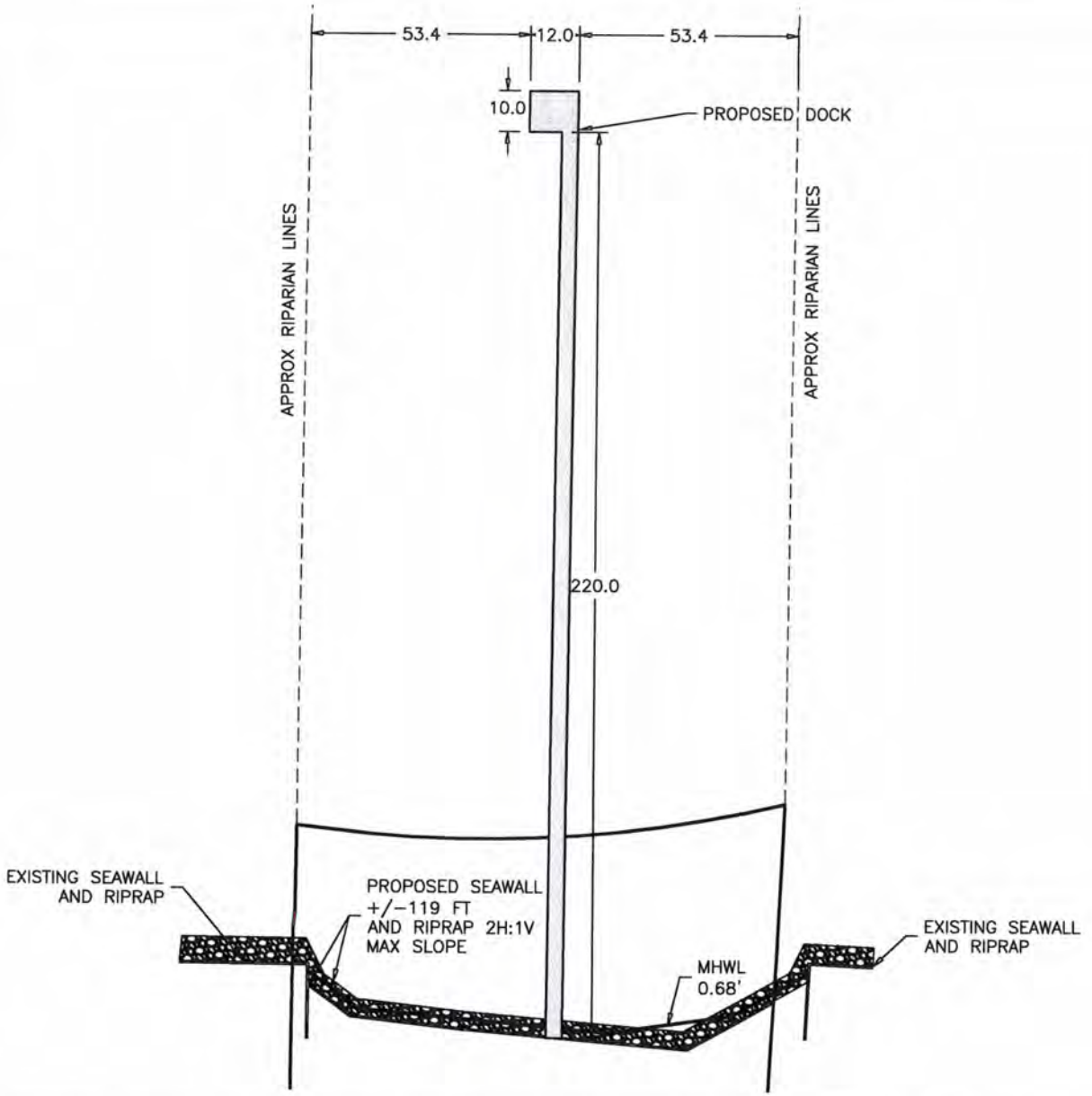
80 0 40 80

SCALE: 1"= 80 Feet

DOCK AREA CALCULATIONS

220 X 4 Access Pier = 880 SQ FT
10 X 12 Platform = 120 SQ FT

TOTAL= 1000 SQ FT



DEPARTMENT OF ENVIRONMENTAL PROTECTION
4/6
0359395-001-002-EE
EXEMPT
DS
STATE OF FLORIDA

WETLAND SCIENCES INCORPORATED

ENVIRONMENTAL CONSULTANTS
3308 GULF BEACH HIGHWAY
PENSACOLA, FLORIDA 32507
TEL: 850.453.4700
KEITH@WETLANDSCIENCES.COM

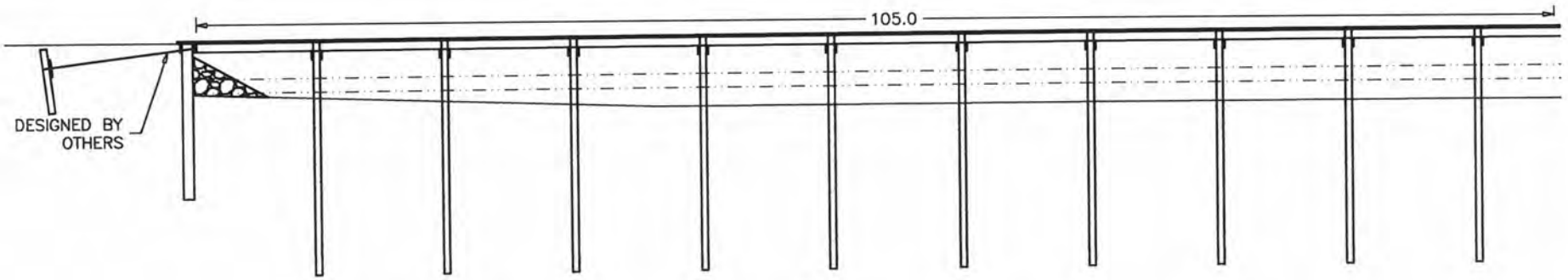
PROJECT NAME: DUTTON PALE MOON DR	
PLAN VIEW	
PROJECT NO.: 2017-687	
DRAWN BY: DDH	DATE: 12/04/2017
SHEET: 4 OF 6	

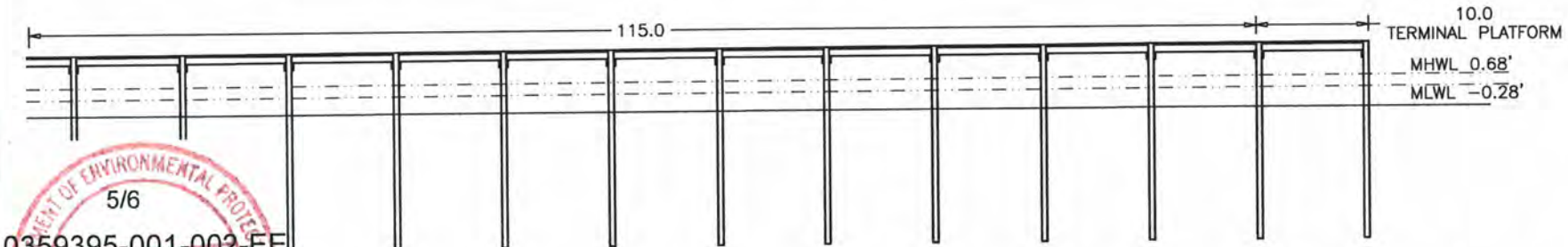
N

20 0 10 20

SCALE: 1"= 20 Feet

SCALE: 1"= 12 Feet



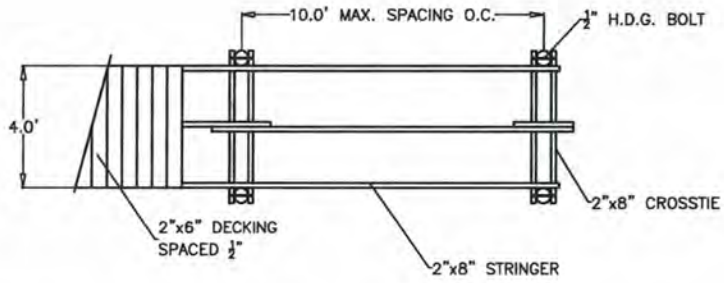


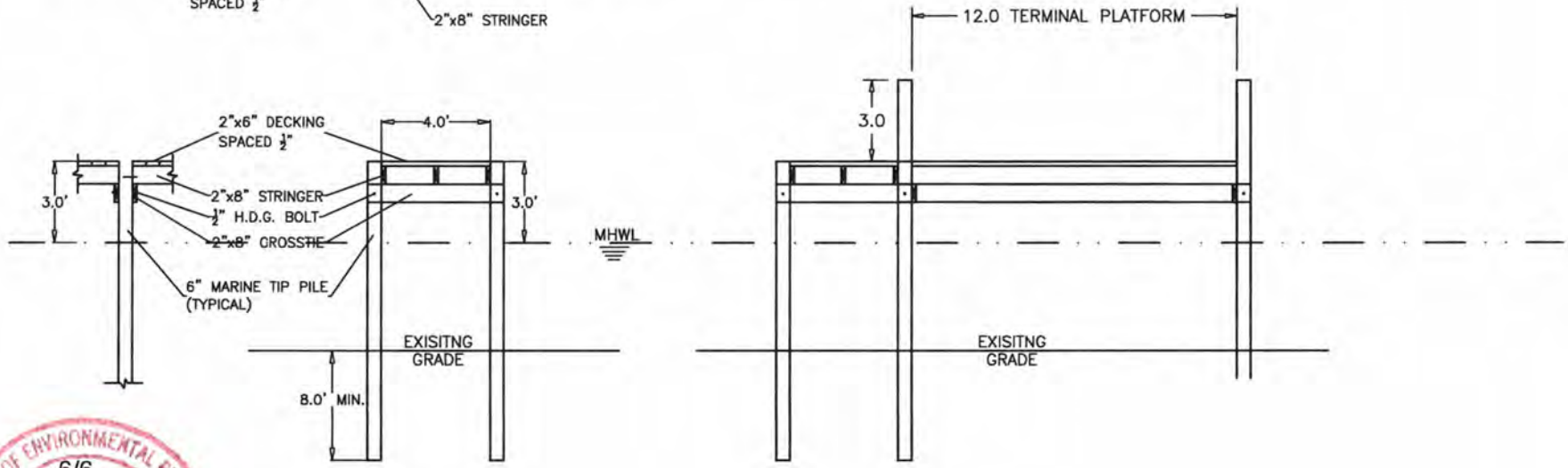
SCALE: 1"= 15 Feet

DEPARTMENT OF ENVIRONMENTAL PROTECTION
5/6
0359395-001-002-EE
EXEMPT
DS
STATE OF FLORIDA

WETLAND SCIENCES INCORPORATED
ENVIRONMENTAL CONSULTANTS
3308 GULF BEACH HIGHWAY
PENSACOLA, FLORIDA 32507
TEL: 850.453.4700
KEITH@WETLANDSCIENCES.COM

PROJECT NAME: DUTTON PALE MOON DR	
PROFILE	
PROJECT NO.: 2017-687	
DRAWN BY: DDH	DATE: 12/04/2017
SHEET: 5 OF 6	





6/6

0359395-001-002-EE

EXEMPT

DS

DEPARTMENT OF ENVIRONMENTAL PROTECTION

STATE OF FLORIDA

WETLAND SCIENCES INCORPORATED

ENVIRONMENTAL CONSULTANTS

3308 GULF BEACH HIGHWAY
PENSACOLA, FLORIDA 32507
TEL: 850.453.4700
KEITH@WETLANDSCIENCES.COM

PROJECT NAME:	DUTTON PALE MOON DR
	DOCK DETAILS
PROJECT NO.:	2017-687
DRAWN BY: DDH	DATE: 12/04/2017
SHEET:	6 OF 6

6 0 3 6

SCALE: 1"= 6 Feet

Stormwater Comments **Roza Sestnov @ 850-595-3411**

5312 Pale Moon Drive

1. SWMP: please provide a negative impact statement, include a brief summary of impacts to adjacent properties, receiving drainage system, and area-wide drainage systems for post development conditions. The stormwater design must provide reasonable assurance to protect adjacent properties.
2. It appears that a conveyance swale along the north property line is proposed outside of the lot boundaries. Please move this swale into the lot boundary, to the south from the proposed retaining wall.
3. Please indicate proposed FFE, based on the BFE Certification.
4. Provide more detailed grading of the front yard. Ensure there will be no runoff from this portion of the lot entering the south swale. Add additional spot elevations.
5. Please clarify if the roof will have gutter/downspout system. If so, accommodate it into your design.
6. Specify points of discharge on south and north conveyance swales near open water. Demonstrate no erosion at discharge points.
7. Please provide benchmark information that appears to be missing on two benchmarks indicated on the plan.
8. Private Drainage Swale Detail:
   a) Please remove word “Easement” from labeling, it is not applicable.
   b) A note below indicates that maximum depth is 1’ and slopes shall be 5:1. But proposed swale has a maximum depth of 0.6’ and side slopes of 2.5:1. Please revise. Suggest keeping 1’ maximum depth to achieve greater freeboard in the swale.
9. Please remove notes ## 7 & 11 from “Homebuilder Lot Grading & Erosion Control Notes”. This requirement is no longer current.
10. Please note that retaining wall higher than 2 feet shall be permitted thru Building Inspection Department. Add a note to the drawing, see comment #10f.
11. Wetland Assessment Report was submitted as a part of the stormwater permit package. It appears that this letter is not for the subject site, based on the property referenced number. Please verify and provide wetland assessment report for the subject parcel. Coordinate this issue with Brad Bane.
12. Please provide the following notes on the plan:
    a) "The project engineer (engineer of record) shall provide to Escambia County "As-Built" record drawings for verification and approval by Escambia County one week prior to requesting a final inspection and certificate of occupancy, or provide "As-Built" certification that the project construction adheres to the permitted plans and specifications. The "As-Built" certification or the "As-Built" record drawings must be signed, sealed and dated by a registered Florida Professional Engineer".
    b) "All aspects of the stormwater/drainage components and/or transportation components shall be completed prior to issuance of a final certificate of occupancy."
    c) "No deviations or revisions from these plans by the contractor shall be allowed without prior approval from both the design engineer and the Escambia County. Any deviations may result in delays in obtaining a certificate of occupancy."
    d) "The contractor shall install prior to the start of construction and maintain during construction all sediment control measures as required to retain all sediments on the site. Improper sediment control measures may result in Code Enforcement Violation."
    e) "The owner or his agent shall arrange/schedule with the County a final inspection of the development upon completion and any intermediate inspections at (850) 595-3472. As-built certification is required prior to request for final inspection/approval."

f) “Contractor shall obtain Building Inspection Department permit(s) for any retaining wall higher than 2 feet.”
g) "Notify Sunshine utilities 48 hours in advance prior to digging within R/W; 1-800-432-4770."
h) “Any damage to existing roads during construction will be repaired by the developer prior to final “as-built” sign off from the county.”

Escambia County Development Services Department
3363 West Park Place
Pensacola, FL 32505 (850)-595-3475

STORMWATER MANAGEMENT PERMIT

Activities Covered Under Permit: Activities such as converting agricultural land to non-agricultural uses; changing the use of land causing a change in natural flow patterns of predevelopment conditions; altering any ditches, dikes, terraces, berms, swales, or other stormwater management facility; filling, excavating, grading, and changing the natural topography are covered under this permit, provided such stormwater management activities do not result in adverse impacts to adjoining properties, waterbodies, watercourses, wetlands, adjacent roadways or drainage systems, etc. Construction of infrastructure or addition of impervious area is **not** covered under this permit.

PERMIT # 1803956P DATE ISSUED: LM _____ PERMIT EXPIRES: _____
(1-year expiration unless specified)

☐ DRAINAGE ALTERATION ☐ POND MODIFICATION

☐ MAINTENANCE REHABILITATION ☐ SPECIAL CONDITION

☐ Artificial Lakes/Ponds (Volume between 1,613 yd^3 (1 acre foot) and 80,000 yd^3 (50 acre feet))

OWNER/APPLICANT: Scott & Debra Mindrebo **DATE:** 3/16/2018

OWNERS ADDRESS: 5312 Pale Moon Drive, Pensacola, FL 32507 **PHONE #:** 713-882-7773

ENGINEER OF RECORD: Gerald W. McGuire, P.E. **PHONE #:** 850-995-7323

PROJECT NAME: 5312 Pale Moon Drive Stormwater Mgmt. Permit **OTHER PERMITS#:** N/A (if applicable)

SITE ADDRESS 5312 Pale Moon Drive, Pensacola, FL 32507 **ACREAGE:** 0.75

SITE PROPERTY REFERENCE #: Section 11 Township 3S Range 32 Subd 3000 Lot 000 Block 001

Provide: ___ Site Plan ___ Vicinity Map X Stormwater Management Plan ___ Narrative

DESCRIBE ACTIVITIES PROPOSED (for land shown on attached site plan): Stormwater Management Plan for single family home.

REVIEW FEES: $216.75 (fee includes $5 technical fee) **INSPECTION FEES:** (office use only) _____

☐ **APPROVED** ☐ **DENIED** _____ **DATE:** _____
Drainage Engineer

☐ **APPROVED** ☐ **DENIED** _____ **DATE:** _____
Joy D. Blackmon, P.E.; County Engineer

☐ Permit Condition: ☐ Reason for Denial: _____

Responsibility of Owner/Applicant: As necessary the owner/applicant shall incorporate measures to prevent erosion, sedimentation, and/or flooding which may result from stormwater management activities. Silt fences, temporary sediment traps, temporary holding ponds, stabilization of disturbed areas with grass may be required to control erosion, sedimentation and/or flooding. The undersigned is fully aware of these responsibilities and will comply with these requirements.

SIGNATURE OF OWNER/APPLICANT X _____ **DATE:** 3/16/18

When completed, call Roza Sestnov (850) 595-3411 to schedule inspection.

Disclaimer: Escambia County shall not be held responsible for any losses or damages in the event that activities covered under this permit negatively impact adjacent properties, waterbodies, watercourses, wetlands, adjacent roadways or drainage systems, etc.

Stormwater Management Plan
For
5312 Pale Moon Drive
For
Escambia County, Florida

JMA # - 2018.5312PM.00

Prepared By:

JMA
Engineering Services, Inc.
• Civil Engineering • Planning •

P.O. Box 4348
Milton, Florida 32572-4348

Phone: (850) 995-7323
Fax: (850) 995-7236

E-mail: jma@mcguire-assoc.com

Engineering Business # 00028905

Certification Page

5312 Pale Moon Drive

JMA # - 2018.5312PM.00

Gerald W. McGuire, P.E. #39572 3/26/2018 6 pgs

5312 Pale Moon Drive

Stormwater Management Plan
March 2018

Project Scope & Existing Conditions

The 0.72 acre site is an undeveloped lot in the Perdido Bay subdivision located at 5312 Pale Moon Drive. The parcel is bounded on the south by an existing residence, to the north by a vacant, the right of way of Pale Moon Drive on the east, and Perdido Bay to the west. Natural topography for the site prior to home construction gently sloped from the east at an elevation of 5+' at Pale Moon Drive gently to the west into Perdido Bay. The mean high water elevation at this point in Perdido Bay is 0.68' (NAVD88).

Several years back, the lot was purchased for the construction of a single family home with driveways, carport and a pool/lanai. Prior to this report, the lot has been filled to roughly an elevation of 7' to elevate the house slab above the flood plain. The lot fill is placed to grade most of the front part of the lot to Pale Moon Drive, with the rear of the lot graded toward Perdido Bay. Side lot drainage will collected in a swale 0.6' deep on the south side, and along an existing landscape wall that will act as a curb type swale along the north side of the lot.

Permits have been pulled from Escambia County for landscaping 3' high timber landscape wall along the north boundary of the lot, a seawall located 5' landward of the established mean high water along Perdido Bay, and a Land and Tree Permit (Permit No. 1802404PLM) to clear trees and fill the lot. Wetland Sciences, Inc. has performed an onsite investigation for the presence of wetlands and stated there are none (see attached letter).

PROPOSED WORK

The owner proposes to construct a new 6,250 SF home on the lot with a 1,300 SF pool/lanai area, and 2,240 SF driveway and other concrete work. The balance of the lot will either be sodded or along the shoreline left in its natural state.

SURROUNDING PROPERTY IMPACTS

The lot to the south drains approximately 50% of its runoff to the north and floods on this lot located at 5312 Pale Moon Drive. So as not to block this runoff, a swale is proposed along the property line between the lots to collect the runoff from the lot to the south, plus the runoff from the new home construction. This swale will be totally on 5312 Pale Moon and will collect water from the contributing area as seen on the attached aerial:

AERIAL OF BASINS (Existing Lot to South and 5312 Pale Moon Drive Lot)

From the above, we can see the following areas contributing to the swale's flow:

Contributing Lot area to south	14,558.46 SF
Contributing Lot for this lot	10,431.81 SF
Total Area Contributing	**24,990.27 SF = 0.57 Acres**

The weighted Rational Coefficient calculated for pre-development versus post-development conditions is as follows:

Pervious C	0.25
Impervious C	0.90

Composite c Calculations

Pre-Development

c-pre	0.25	
Onsite area	0.75	acres
Offsite	0.69	acres
Total Basin	1.44	

Post Development Prior to Home Construction

Impervious Area =		SF	Acres
	Building	0.00	0.00
	Asphalt	0.00	0.00
	Conc. Curb/walks	0.00	0.00
	Offsite	11,950.78	0.27
		11,951	0.27
c-per.	0.25	1.17	
c-imp.	0.9	0.27	
Cpost			
=		0.37	

Cpost prior to additions = 0.37

Post Development After Home Construction

Impervious Area =		SF	Acres
	Building	6,251.00	0.14
	Pool/Lanai	1,300.00	0.03
	Concrete Drives	2,240.00	0.05
	Offsite	11,950.78	0.27
		21,741.78	0.50
c-per.	0.25	0.94	
c-imp.	0.9	0.50	
Cpost =			
=		0.47	

Cpost after additions = 0.47

Based on the Cpost, contributing acreage and a 100-year storm, we see the following:

Calculate Area Contributing to Swale Along South Boundary

	SF	Acres
OnSite	10431.8	0.24
OffSite	14558.5	0.33
Total Area	24990.3	0.57

Rainfall Intensity 9 inches/hour

Q = c*i*A 2.41 cfs

SWALE DESIGN:

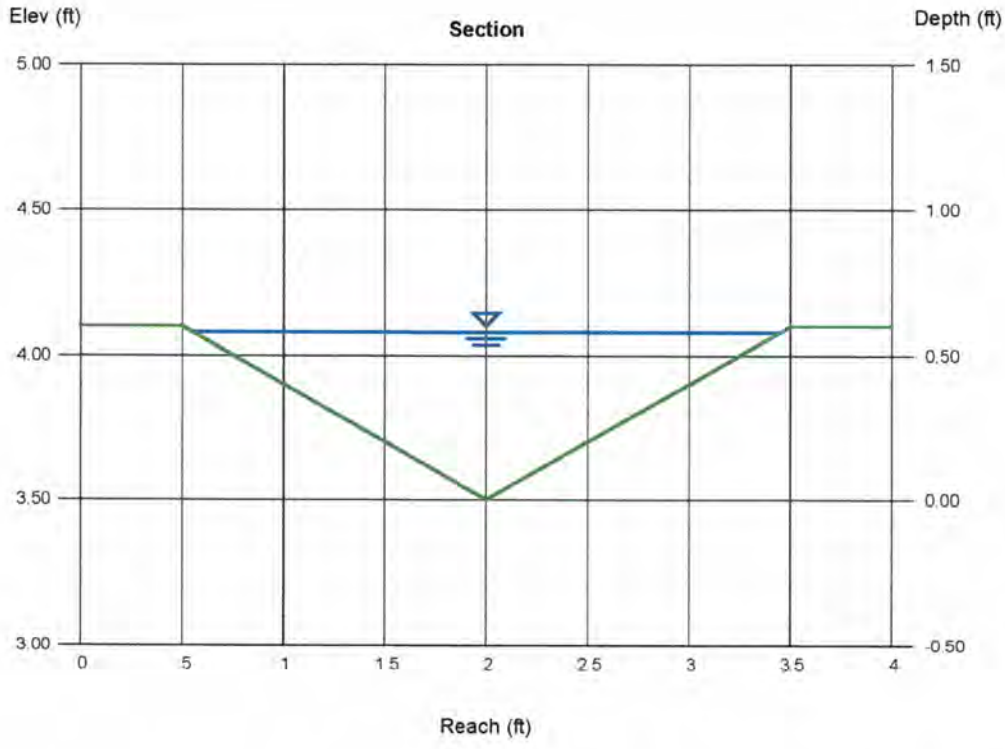
The runoff collected in the proposed swale along the boundary between the lots will be 0.6' deep at its maximum depth and will carry the runoff generated by the contributing acreage from both lots. See attached swale calculations for the swale functioning.

Channel Report

Hydraflow Express Extension for Autodesk® AutoCAD® Civil 3D® by Autodesk, Inc. Monday, Mar 26 2018

<Name>

Triangular		**Highlighted**	
Side Slopes (z:1)	= 2.50, 2.50	Depth (ft)	= 0.58
Total Depth (ft)	= 0.60	Q (cfs)	= 2.410
		Area (sqft)	= 0.84
Invert Elev (ft)	= 3.50	Velocity (ft/s)	= 2.87
Slope (%)	= 0.50	Wetted Perim (ft)	= 3.12
N-Value	= 0.015	Crit Depth, Yc (ft)	= 0.57
		Top Width (ft)	= 2.90
Calculations		EGL (ft)	= 0.71
Compute by:	Known Q		
Known Q (cfs)	= 2.41		



Based on the above, the inclusion of the swale along the boundary with the lot to the south will prevent runoff from leaving our site and impacting the southerly lot, as well as collect runoff from the south lot to 5312 Pale Moon without blocking the flows.

Stormwater Management Plan
For
5312 Pale Moon Drive
For
Escambia County, Florida

JMA # - 2018.5312PM.00

Prepared By:

JMA
Engineering Services, Inc.
• Civil Engineering • Planning •

P.O. Box 4348
Milton, Florida 32572-4348

Phone: (850) 995-7323
Fax: (850) 995-7236

E-mail: jma@mcguire-assoc.com

Engineering Business # 00028905

Certification Page

5312 Pale Moon Drive

JMA # - 2018.5312PM.00

4/5/2018

Gerald W. McGuire, P.E. #39572

5312 Pale Moon Drive

Stormwater Management Plan
March 2018 Rev.

Project Scope & Existing Conditions

The 0.72 acre site is an undeveloped lot in the Perdido Bay subdivision located at 5312 Pale Moon Drive. The parcel is bounded on the south by an existing residence, to the north by a vacant lot, the right of way of Pale Moon Drive on the east, and Perdido Bay to the west. Natural topography for the site prior to home construction gently sloped from the east at an elevation of 5+' at Pale Moon Drive gently to the west into Perdido Bay. The mean high water elevation at this point in Perdido Bay is 0.87' (NAVD88).

Several years back, the lot was purchased for the construction of a single family home with driveways, carport and a pool/lanai. Prior to this report, the lot has been filled to roughly an elevation of 7' to elevate the house slab above the flood plain. The lot fill is placed to grade most of the front part of the lot to Pale Moon Drive, with the rear of the lot graded toward Perdido Bay and stops approximately 50' back from the permitted seawall ().

Permits have been pulled from Escambia County or the State WMD for the following:

- Land and Tree Permit (Permit No. 1802404PLM) to clear trees and fill the lot;
- ERP Permit No. 0359395-001-002-EE for a seawall located landward of the established mean high water along Perdido Bay (permitted by Wetland Sciences, Inc.); Please note that Wetland Sciences has also furnished a letter stating there were no wetlands on the lot impacted by the existing fill (see attached letter and ERP Permit).
- A permit for the wall along the northern boundary of the lot is in process through the Escambia County Building Inspections Department.

PROPOSED WORK

The owner proposes to construct a new 6,250 SF home on the lot with a 1,300 SF pool/lanai area, and 2,240 SF driveway and other concrete work. The balance of the lot will either be sodded or along the shoreline and to the east of the seawall left in its natural state.

Side lot drainage will collected in a swale 0.5' to 1' deep along the southerly 5' wide strip the south side, and along an existing landscape wall that will prevent all flows to the north lot. The existing landscape wall is being permitted through Escambia County Building Inspections and has a top elevation of 7'. This wall prevents any water from leaving the site and flowing onto the lot to the north. The proposed swale along the

south boundary will collect and convey runoff from both this lot and the flows from the lot to the south.

SURROUNDING PROPERTY IMPACTS

The lot to the south drains approximately 50% of its runoff on to 5312 Pale Moon Drive. So as not to block this runoff and create an impact on the lot to the south, a swale is proposed along the property line between the lots that will collect the runoff from both lots and convey it westerly toward the Bay. This swale will be totally on 5312 Pale Moon and will collect water from the contributing area as seen on the attached aerial:

AERIAL OF BASINS (Existing Lot to South and 5312 Pale Moon Drive Lot)

As was stated earlier in this report, the landscape timber wall along the north boundary of 5312 Pale Moon Drive will prevent any runoff to discharge to the north. Therefore, this project will not negatively impact any surrounding lots.

Swale Sizing Along Southern Boundary of Lot:

From the above, we can see the following areas contributing to the swale's flow:

Contributing Lot area to south	14,558.46 SF
Contributing Lot for this lot	10,431.81 SF
Total Area Contributing	**24,990.27 SF = 0.57 Acres**

The weighted Rational Coefficient calculated for pre-development versus post-development conditions is as follows:

Pervious C	0.25
Impervious C	0.90

Composite c Calculations

Pre-Development

c-pre	0.25
Onsite area	0.75 acres
Offsite	0.69 acres
Total Basin	1.44

Post Development Prior to Home Construction

Impervious Area =			SF	Acres
	Building		0.00	0.00
	Asphalt		0.00	0.00
	Conc. Curb/walks		0.00	0.00
	Offsite		11,950.78	0.27
			11,951	0.27
c-per.	0.25	1.17		
c-imp.	0.9	0.27		
Cpost =		0.37		

Cpost prior to additions = 0.37

Post Development After Home Construction

Impervious Area =			SF	Acres
	Building		6,251.00	0.14
	Pool/Lanai		1,300.00	0.03
	Concrete Drives		2,240.00	0.05
	Offsite		11,950.78	0.27
			21,741.78	0.50
c-per.	0.25	0.94		
c-imp.	0.9	0.50		
Cpost =		0.47		

Cpost after additions = 0.47

Based on the Cpost, contributing acreage and a 100-year storm, we see the following:

Calculate Area Contributing to Swale Along South Boundary

	SF	Acres
OnSite	10431.8	0.24
OffSite	14558.5	0.33
Total Area	24990.3	0.57

Rainfall Intensity 9 inches/hour

Q = c*i*A 2.41 cfs

SWALE DESIGN:

The runoff collected in the proposed swale along the boundary between the lots will be 0.6' deep at its maximum depth and will carry the runoff generated by the contributing acreage from both lots. See attached swale calculations for the swale functioning.

Channel Report

Hydraflow Express Extension for Autodesk® AutoCAD® Civil 3D® by Autodesk, Inc. Friday, Apr 6 2018

<Name>

Triangular

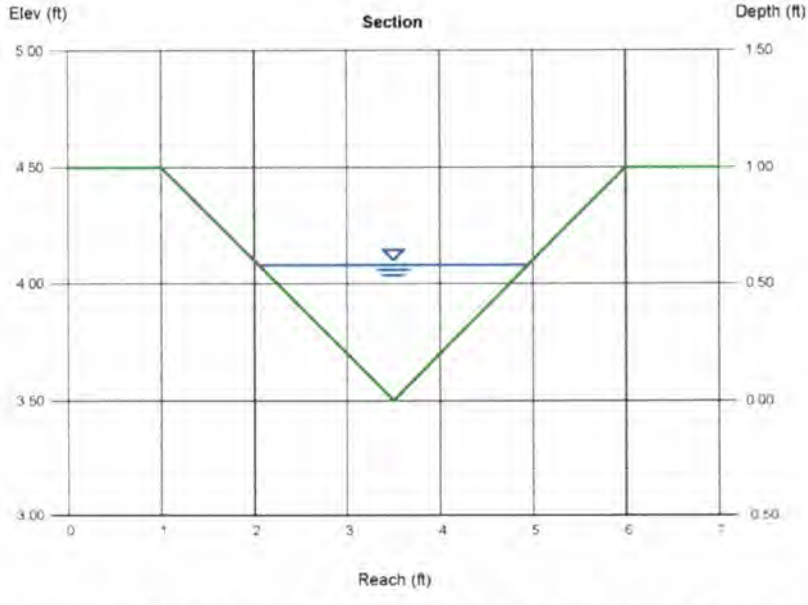
Side Slopes (z:1)	= 2.50, 2.50
Total Depth (ft)	= 1.00
Invert Elev (ft)	= 3.50
Slope (%)	= 0.50
N-Value	= 0.015

Calculations

Compute by	Known Q
Known Q (cfs)	= 2.41

Highlighted

Depth (ft)	= 0.58
Q (cfs)	= 2.410
Area (sqft)	= 0.84
Velocity (ft/s)	= 2.87
Wetted Perim (ft)	= 3.12
Crit Depth, Yc (ft)	= 0.57
Top Width (ft)	= 2.90
EGL (ft)	= 0.71



Based on the above, the inclusion of the swale along the boundary with the lot to the south will prevent runoff from leaving our site and impacting the southerly lot, as well as collect runoff from the south lot to 5312 Pale Moon without blocking the flows.

Soil Map—Escambia County, Florida
(Web Soil Survey)

Map Scale: 1:1,850 if printed on A landscape (11" x 8.5") sheet.

N

Meters
0 25 50 100 150

Feet
0 50 100 200 300

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 16N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Escambia County, Florida
Survey Area Data: Version 16, Nov 21, 2017

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Dec 31, 2009—Mar 7, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
4	Pickney sand	0.8	5.9%
9	Leon sand, 0 to 2 percent slopes	2.2	16.2%
11	Hurricane sand, 0 to 5 percent slopes	4.4	32.4%
19	Foxworth sand, 0 to 5 percent slopes	3.5	25.3%
100	Waters of the Gulf of Mexico	2.8	20.3%
Totals for Area of Interest		**13.7**	**100.0%**

Escambia County, Florida

19—Foxworth sand, 0 to 5 percent slopes

Map Unit Setting

National map unit symbol: 2ttkk
Elevation: 20 to 250 feet
Mean annual precipitation: 59 to 68 inches
Mean annual air temperature: 63 to 72 degrees F
Frost-free period: 209 to 295 days
Farmland classification: Not prime farmland

Map Unit Composition

Foxworth and similar soils: 95 percent
Minor components: 5 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Foxworth

Setting

Landform: Ridges on marine terraces
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Interfluve
Down-slope shape: Convex
Across-slope shape: Linear
Parent material: Eolian or sandy marine deposits

Typical profile

A - 0 to 6 inches: sand
C - 6 to 67 inches: sand
Cg - 67 to 80 inches: sand

Properties and qualities

Slope: 0 to 5 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Moderately well drained
Runoff class: Negligible
Capacity of the most limiting layer to transmit water (Ksat): High to very high (5.95 to 19.98 in/hr)
Depth to water table: About 42 to 72 inches
Frequency of flooding: None
Frequency of ponding: None
Salinity, maximum in profile: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Sodium adsorption ratio, maximum in profile: 4.0
Available water storage in profile: Low (about 4.8 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 3s
Hydrologic Soil Group: A

Ecological site: Longleaf Pine-Turkey Oak Hills (R133AY002FL)
Forage suitability group: Sandy soils on rises, knolls, and ridges of mesic uplands (G133AA121FL)
Hydric soil rating: No

Minor Components

Lakeland

Percent of map unit: 4 percent
Landform: Hills on marine terraces
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Interfluve
Down-slope shape: Convex
Across-slope shape: Linear
Other vegetative classification: Longleaf Pine-Turkey Oak Hills (R133AY002FL)
Hydric soil rating: No

Chipley

Percent of map unit: 1 percent
Landform: Ridges on marine terraces
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Interfluve
Down-slope shape: Convex
Across-slope shape: Linear
Hydric soil rating: No

Data Source Information

Soil Survey Area: Escambia County, Florida
Survey Area Data: Version 16, Nov 21, 2017

Escambia County Development Services Department
3363 West Park Place
Pensacola, FL 32505 (850)-595-3475

ENTERED ON

STORMWATER MANAGEMENT PERMIT

Activities Covered Under Permit: Activities such as converting agricultural land to non-agricultural uses; changing the use of land causing a change in natural flow patterns of predevelopment conditions; altering any ditches, dikes, terraces, berms, swales, or other stormwater management facility; filling, excavating, grading, and changing the natura topography are covered under this permit, provided such stormwater management activities do not result in adverse impacts to adjoining properties, waterbodies, watercourses, wetlands, adjacent roadways or drainage systems, etc. Construction of infrastructure or addition of impervious area is **not** covered under this permit.

PERMIT # 1803956P LM DATE ISSUED: _____ PERMIT EXPIRES: _____
(1-year expiration unless specified)

- [x] DRAINAGE ALTERATION
- [ ] POND MODIFICATION
- [ ] MAINTENANCE REHABILITATION
- [ ] SPECIAL CONDITION
- [ ] Artificial Lakes/Ponds (Volume between 1,613 yd^3 (1 acre foot) and 80,000 yd^3 (50 acre feet))

OWNER/APPLICANT: Scott & Debra Mindrebo **DATE:** 3/16/2018

OWNERS ADDRESS: 5312 Pale Moon Drive, Pensacola, FL 32507 **PHONE #:** 713-882-7773

ENGINEER OF RECORD: Gerald W. McGuire, P.E. **PHONE #:** 850-995-7323

PROJECT NAME: 5312 Pale Moon Drive Stormwater Mgmt. Permit **OTHER PERMITS#:** N/A (if applicable)

SITE ADDRESS 5312 Pale Moon Drive, Pensacola, FL 32507 **ACREAGE:** 0.75

SITE PROPERTY REFERENCE #: Section 11 Township 3S Range 32 Subd 3000 Lot 000 Block 001

Provide: ___ Site Plan ___ Vicinity Map X Stormwater Management Plan ___ Narrative

DESCRIBE ACTIVITIES PROPOSED (for land shown on attached site plan): Stormwater Management Plan for single family home.

REVIEW FEES: $216.75 (fee includes $5 technical fee) **INSPECTION FEES:** (office use only) _____

[x] **APPROVED** [ ] **DENIED** Roza Sestnov **DATE:** 4/6/18
Drainage Engineer

[x] **APPROVED** [ ] **DENIED** FOR JOY JONES **DATE:** 4.9.18
Joy D. Blackmon, P.E., County Engineer

[x] Permit Condition: [ ] Reason for Denial: Joy Jones 1) Previously installed retaining wall is not a part of the stormwater permit. 2) Penetration in previously installed seawall shall be coordinated with building Inspection Dpt. prior to construction

Responsibility of Owner/Applicant: As necessary the owner/applicant shall incorporate measures to prevent erosion, sedimentation, and/or flooding which may result from stormwater management activities. Silt fences, temporary sediment traps, temporary holding ponds, stabilization of disturbed areas with grass may be required to control erosion, sedimentation and/or flooding. The undersigned is fully aware of these responsibilities and will comply with these requirements.

SIGNATURE OF OWNER/APPLICANT X _____ **DATE:** 3/26/18

When completed, call Roza Sestnov (850) 595-3411 to schedule inspection.

Disclaimer: Escambia County shall not be held responsible for any losses or damages in the event that activities covered under this permit negatively impact adjacent properties, waterbodies, watercourses, wetlands, adjacent roadways or drainage systems, etc.

JMA
Engineering Services, Inc.
• Civil Engineering • Planning •

REC'D MAR 2 5 2018

March 26, 2018

Ms. Christina Smith
Escambia County Development Review
1090 W. Leonard Street
Pensacola, Florida 32503

RE: 5312 Pale Moon Drive
Stormwater Management Permit Submittal
JMA Project No. 2018.5312PM.00

Dear Christina:

Attached are the following items for the Stormwater Management Permit submittal:

1. One set of signed and sealed site plan for the stormwater improvements.
2. One signed and sealed copy of the Stormwater Management Permit plan with calculations.
3. One copy of miscellaneous supporting information.
4. One check in the amount of $216.75 for the review fees.
5. Once copy of all the above items on disc.

Should you require additional information, feel free to contact me.

Sincerely,
JMA ENGINEERING SERVICES, INC.

Jerry W. McGuire, P.E.
President

Attachments

Cc: Donna Mindebro, Homeowner (w/att.)
Rick Faciane, Classic Homes (w/att.)

P.O. Box 4348 • Milton, FL • 32572-4348
2726 Wallace Lake Road • Pace, FL • 32571
PHONE 850.995.7323 • FAX 850.995.7236 • e-MAIL jma@mcguire-assoc.com

JMA
Engineering Services, Inc.
• Civil Engineering • Planning •

April 10, 2018

Ms. Christina Smith
Escambia County Development Review
1090 W. Leonard Street
Pensacola, Florida 32503

RE: 5312 Pale Moon Drive
Stormwater Management Permit Submittal/Site Plan
JMA Project No. 2018.5312PM.00

Dear Christina:

Attached are the following items for the Stormwater Management Permit/Site Plan submittal:

1. Two sets of signed and sealed site plan for the stormwater improvements. One copy is for Roza Sestnov, P.E. and one is for Terry Williams.
2. One copy of all the above items on disc.

Should you require additional information, feel free to contact me.

Sincerely,

JMA ENGINEERING SERVICES, INC.

Jerry W. McGuire, P.E.
President

Attachments

Cc: Donna Mindebro, Homeowner (w/att.)
Rick Faciane, Classic Homes (w/att.)

P.O. Box 4348 • Milton, FL • 32572-4348
2726 Wallace Lake Road • Pace, FL • 32571
PHONE 850.995.7323 • FAX 850.995.7236 • e-MAIL jma@mcguire-assoc.com

WETLAND SCIENCES
INCORPORATED

April 24, 2017

Fred Thompson
Northwest Florida Land Surveying
7142 Belgium Circle
Pensacola, FL 32526

Re: Wetland Assessment Report
5200 Block Pale Moon Drive
WSI Project # 2017-282

Dear Mr. Thompson,

As requested, Wetland Sciences, Inc. has completed a flagged wetland determination on Lot 23 Block 2 Perdido Bay Country Club Estates located on ~~Block 5200~~ Pale Moon Drive in Pensacola, Florida. Escambia County Property Appraiser identifies the subject property with the following identification number #09-3S-32-1000-023-002. During this assessment, Wetland Sciences, Inc. did not identify any wetlands within the subject property that would fall within the regulatory jurisdiction of the US Army Corps of Engineers (Corps) under 33 CFR 320-330, the Florida Department of Environmental Protection under 62-340, Florida Administrative Code, or Escambia County per the land development code.

Please be advised, the information presented within this report represents the professional opinion of the scientist that performed the work and is intended to furnish the client with a rough approximation of the status of wetland resources on the site under consideration.

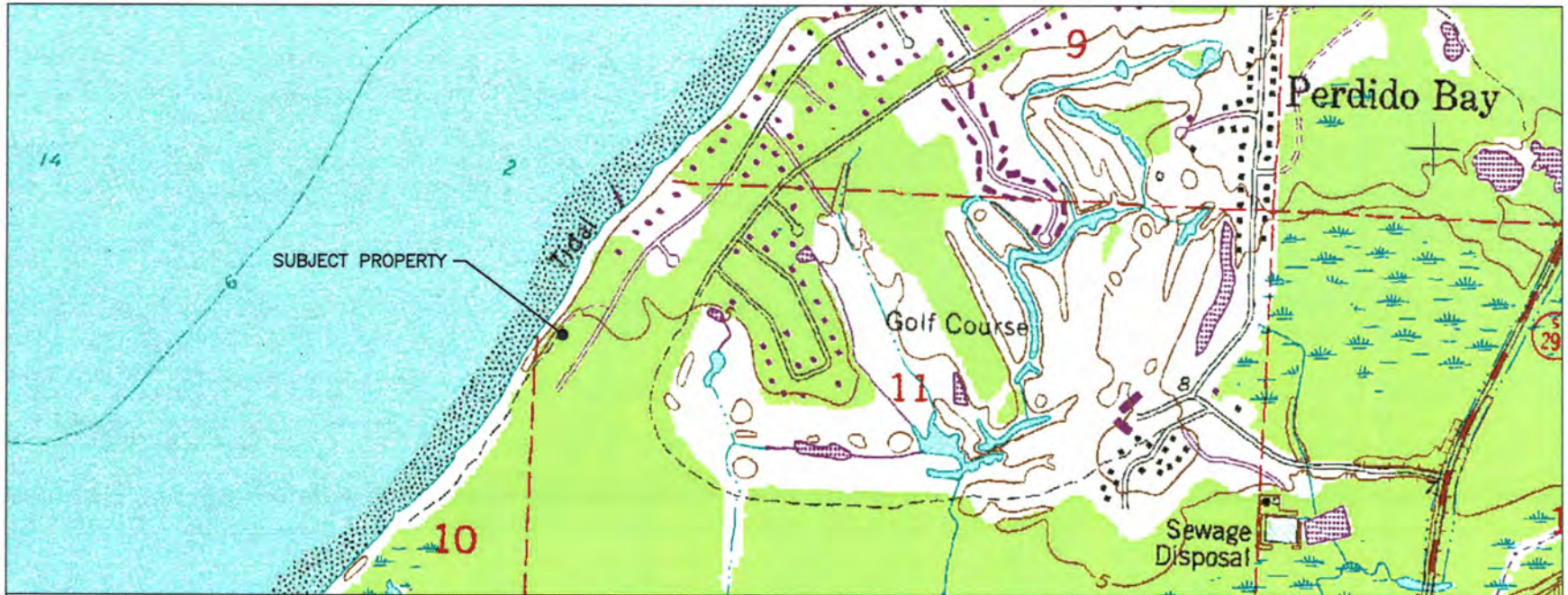
Finally, I have included a statement of our firm for services rendered and expenses incurred associated with this effort. If you find this statement in order, please place it in line for payment. If you have any questions, please do not hesitate to contact me or my partner, Craig Martin, at (850) 453-4700.

If you have any questions, please do not hesitate to me at (850) 453-4700.
Respectfully,

WETLAND SCIENCES, INC.

Craig Martin
Environmental Scientist

Enclosures: As indicated



DIRECTIONS TO THE SITE FROM DOWNTOWN PENSACOLA: START OUT GOING WEST ON GARDEN STREET/US-98. TURN LEFT ONTO BARRANCAS AVE/FL-292 AND FOLLOW FOR 9.5 MILES. TURN RIGHT ONTO DOUG FORD DR. TURN RIGHT ONTO SHOSHONE DR. TURN LEFT ONTO CHOCTAW AVE. TURN RIGHT ONTO NAVAHO DR. TURN LEFT ONTO PALE MOON DR. SUBJECT PROPERTY IS LOCATED ON THE RIGHT HAND SIDE OF THE ROAD WITH AN APPROXIMATELY .5 MILES DOWN. PLEASE CALL 850-453-4700 WITH ANY QUESTIONS.

SUBJECT PROPERTY

PARCEL ID#
11-3S-32-3000-000-001
PROPERTY OWNER
SCOTT & DONNA MINDREBO
2927 COVEBROOK DR
PEARLAND, TX 77584

PROJECT LOCATION

5200 BLK PALE MOON DR
PENSACOLA, FL 32507
LAT: 30.329264°
LONG: -87.436444°

INDEX OF SHEETS

SHEET NO.	DESCRIPTION
1	SITE LOCATION MAP
2	EXISTING SITE CONDITIONS
3	PLAN VIEW DEPICTED ONTO AERIAL
4	PLAN VIEW
5	DOCK PROFILE (TYPICAL)
6	DOCK DETAILS (TYPICAL)

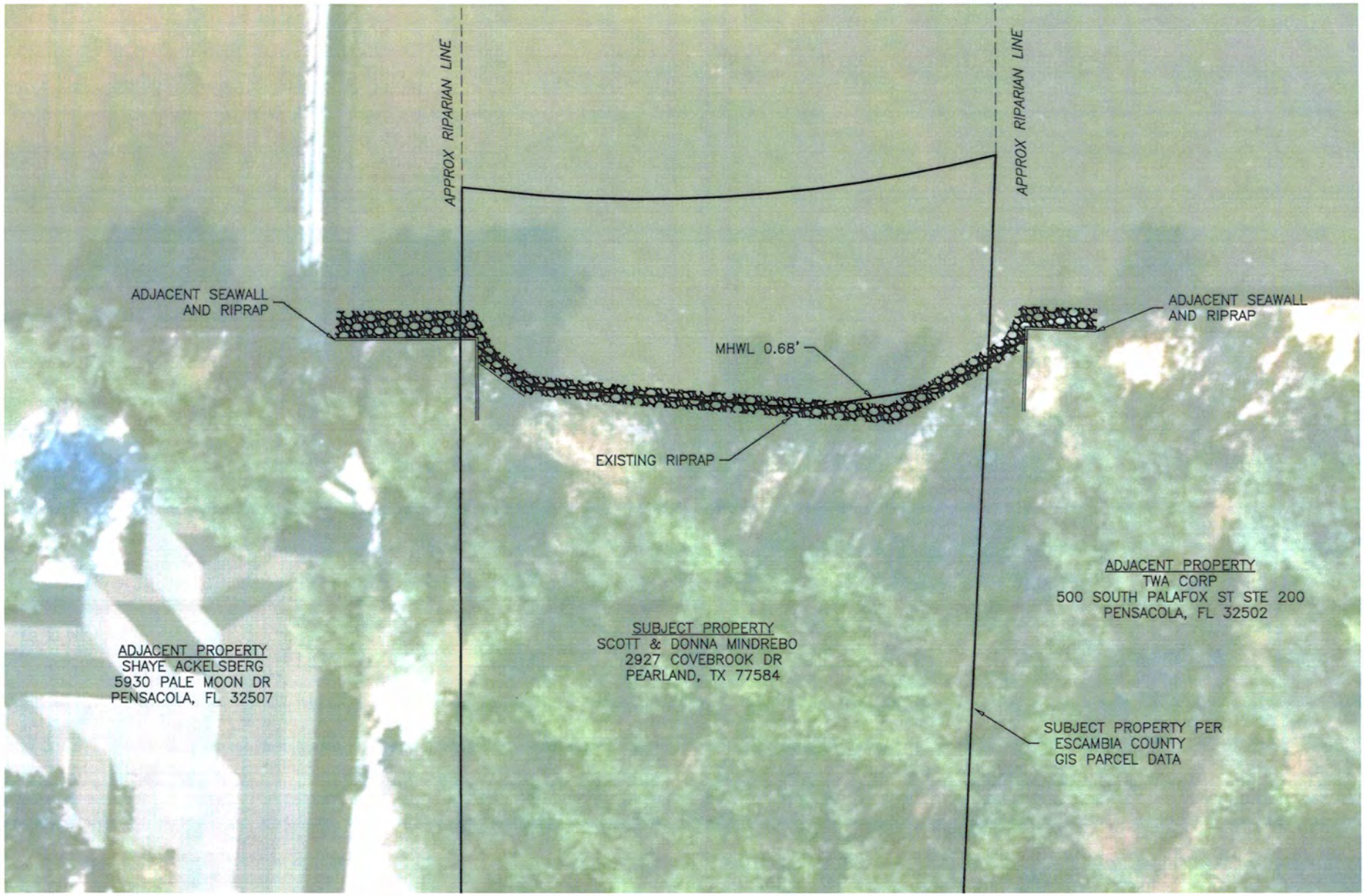
WETLAND SCIENCES INCORPORATED
ENVIRONMENTAL CONSULTANTS
3308 GULF BEACH HIGHWAY
PENSACOLA, FLORIDA 32507
TEL: 850.453.4700
KEITH@WETLANDSCIENCES.COM

PROJECT NAME: DUTTON PALE MOON DR	
SITE LOCATION MAP	
PROJECT NO.: 2017-687	
DRAWN BY: DDH	DATE: 12/04/2017
SHEET: 1 OF 6	

N

1200 0 600 1200

SCALE: 1"=1200Feet



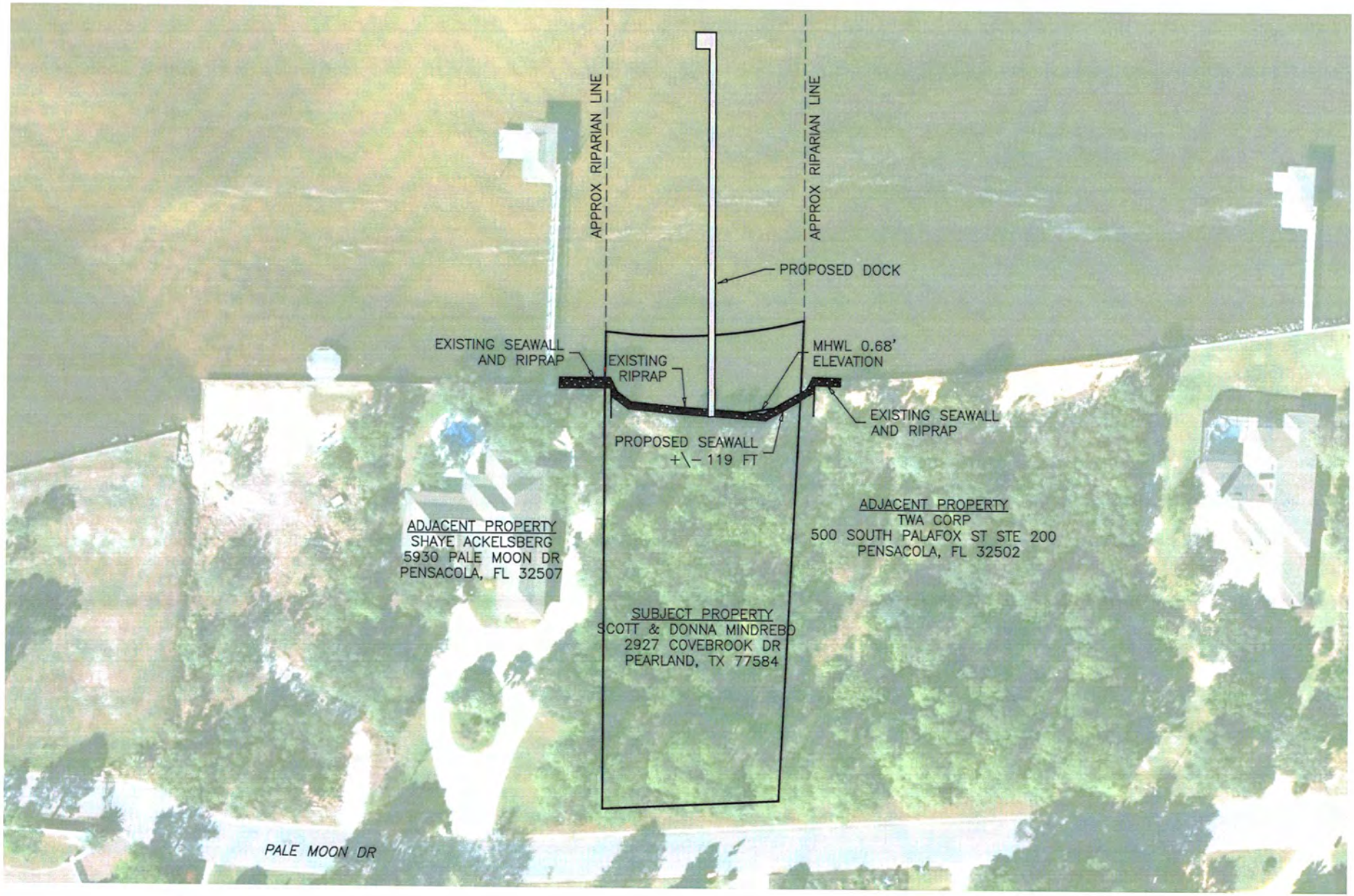
WETLAND SCIENCES INCORPORATED
ENVIRONMENTAL CONSULTANTS
3308 GULF BEACH HIGHWAY
PENSACOLA, FLORIDA 32507
TEL: 850.453.4700
KEITH@WETLANDSCIENCES.COM

PROJECT NAME: DUTTON PALE MOON DR	
EXISTING SITE CONDITIONS	
PROJECT NO.: 2017-687	
DRAWN BY: DDH	DATE: 12/04/2017
SHEET: 2 OF 6	

N

30 0 15 30

SCALE: 1"= 30 Feet



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3308 GULF BEACH HIGHWAY
PENSACOLA, FLORIDA 32507
TEL: 850.453.4700
KEITH@WETLANDSCIENCES.COM

PROJECT NAME: DUTTON PALE MOON DR	
PLAN VIEW DEPICTED ONTO AERIAL	
PROJECT NO.: 2017-687	
DRAWN BY: DDH	DATE: 12/04/2017
SHEET: 3 OF 6	

N

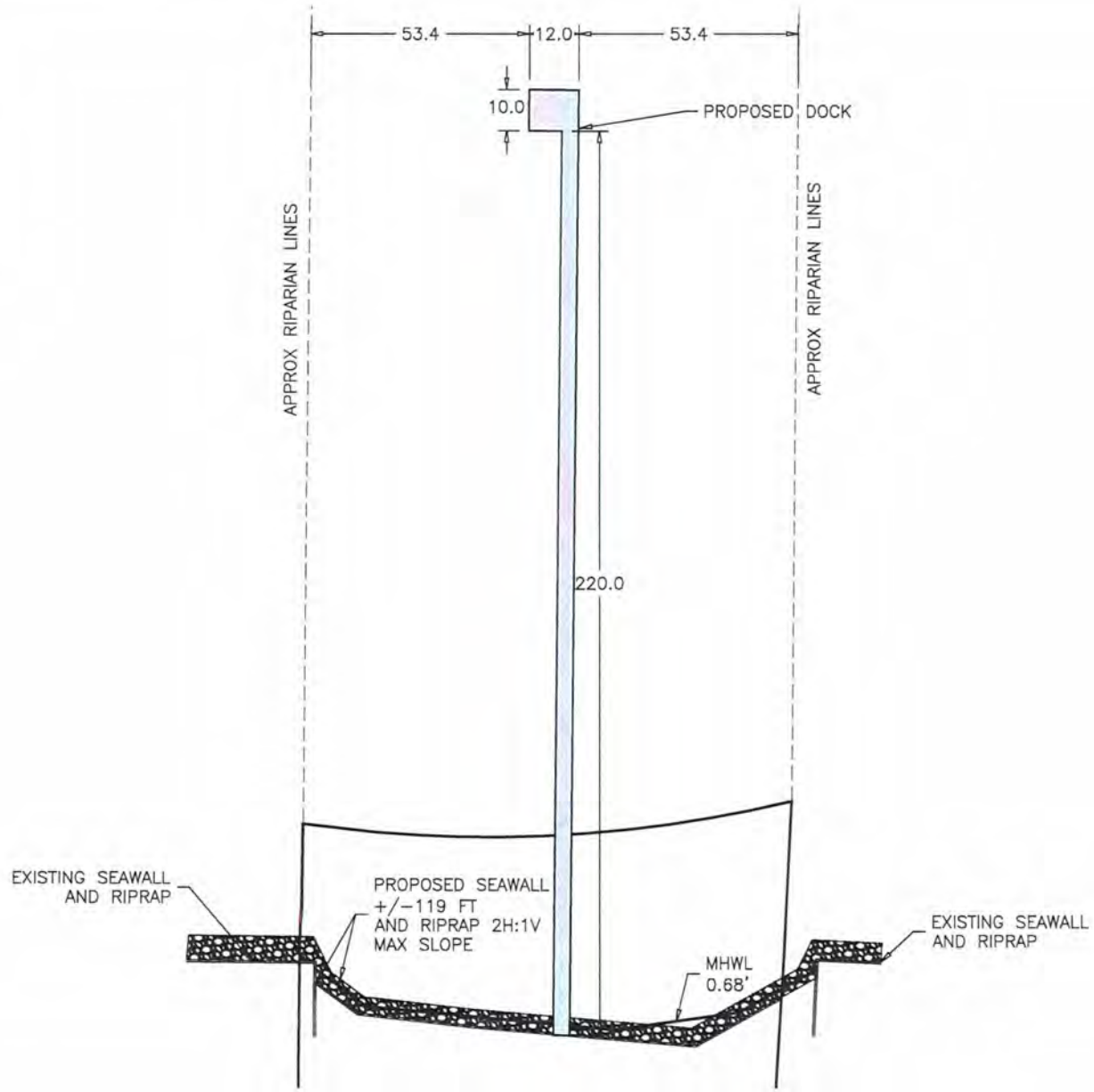
80 0 40 80

SCALE: 1"= 80 Feet

DOCK AREA CALCULATIONS

220 X 4 Access Pier = 880 SQ FT
10 X 12 Platform = 120 SQ FT

TOTAL= 1000 SQ FT



WETLAND SCIENCES INCORPORATED

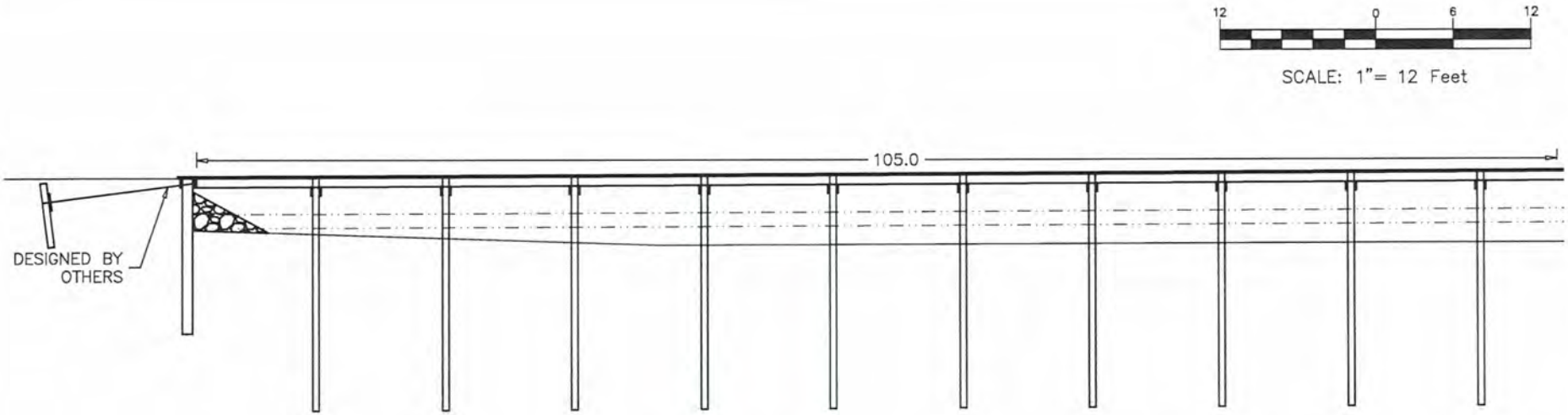
ENVIRONMENTAL CONSULTANTS
3308 GULF BEACH HIGHWAY
PENSACOLA, FLORIDA 32507
TEL: 850.453.4700
KEITH@WETLANDSCIENCES.COM

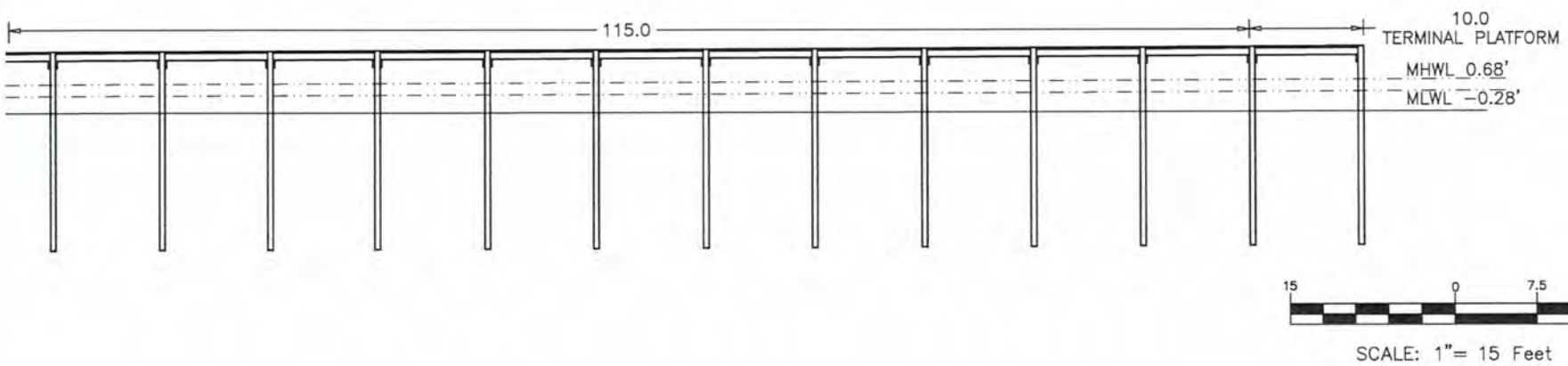
PROJECT NAME: DUTTON PALE MOON DR	
PLAN VIEW	
PROJECT NO.: 2017-687	
DRAWN BY: DDH	DATE: 12/04/2017
SHEET: 4 OF 6	

N

20 0 10 20

SCALE: 1"= 20 Feet

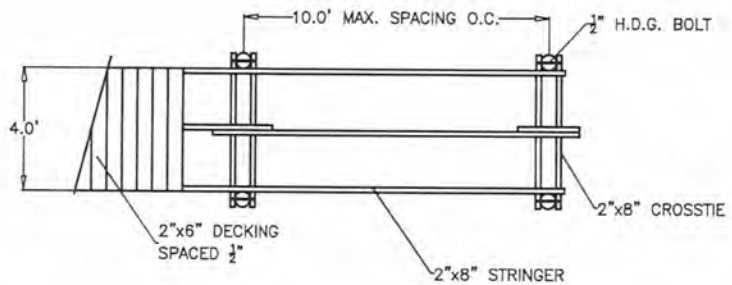


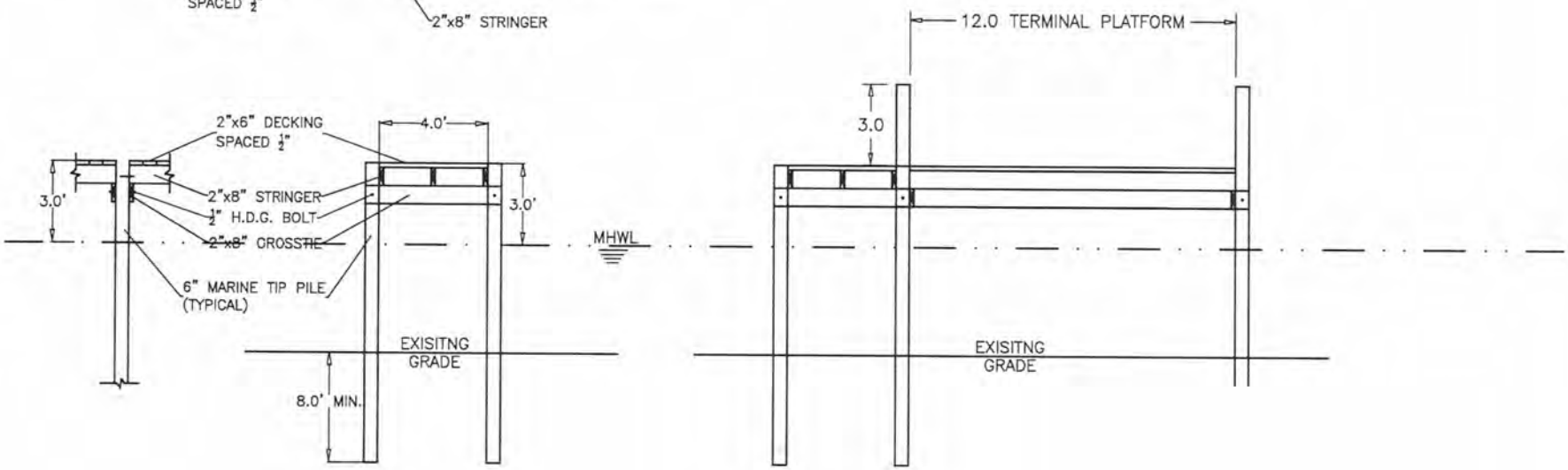


WETLAND SCIENCES INCORPORATED

ENVIRONMENTAL CONSULTANTS
3308 GULF BEACH HIGHWAY
PENSACOLA, FLORIDA 32507
TEL: 850.453.4700
KEITH@WETLANDSCIENCES.COM

PROJECT NAME: DUTTON PALE MOON DR	
PROFILE	
PROJECT NO.: 2017-687	
DRAWN BY: DDH	DATE: 12/04/2017
SHEET: 5 OF 6	





WETLAND SCIENCES INCORPORATED

ENVIRONMENTAL CONSULTANTS
3308 GULF BEACH HIGHWAY
PENSACOLA, FLORIDA 32507
TEL: 850.453.4700
KEITH@WETLANDSCIENCES.COM

PROJECT NAME: DUTTON PALE MOON DR	
DOCK DETAILS	
PROJECT NO.: 2017-687	
DRAWN BY: DDH	DATE: 12/04/2017
SHEET: 6 OF 6	

6 0 3 6

SCALE: 1"= 6 Feet

Escambia County
Planning and Zoning Payment Receipt

5/21/2018

1803956PLM — Ref: 3170944

5312 PALE MOON DR
PENSACOLA FL 32507

Paid By:
N/A

,

Payment Description:
JMA Engineering Services, INC

Payments

Payment ID	Receieved Date	Payment Type	Reference Num	Fee	Amount
2105014	**3/27/2018**	**Check**	**1637**	DSD Construction Technology Fee	$5.00
				Stormwater Management Permit	$211.75
				Tree Permit (enter fee)	$0.75
					$217.50
Total					**$217.50**

THIS IS NOT A PERMIT. This receipt does not authorize you to begin construction on your project.

From: Roza I. Sestnov
To: "Jerry"s JMA"
Cc: Horace L Jones; Terry D Williams; Christina L. Smith
Subject: RE: 5312 Pale Moon Drive
Date: Tuesday, April 10, 2018 12:45:00 PM
Attachments: SW Permit.pdf

Jerry,

Please find attached approved Stormwater Management Permit. Please ensure that as-built certification shall be submitted to DRC upon completion. Also, please read “special conditions” of the permit and make sure that the builder followed the instructions indicated in special condition #2.

Please let me know if you have any questions.

Regards,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Jerry's JMA [mailto:jerry@mcguire-assoc.com]
Sent: Tuesday, April 10, 2018 7:21 AM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: RE: 5312 Pale Moon Drive

Roza,

I will get copies made and dropped off today. I turned on the existing spot elevations.

Jerry

From: Roza I. Sestnov [mailto:risestnov@myescambia.com]
Sent: Monday, April 09, 2018 10:50 AM
To: jerry@mcguire-assoc.com
Cc: Horace L Jones; Colby S. Brown; Terry D Williams
Subject: 5312 Pale Moon Drive

Jerry,

I was trying to contact you today, but understand that you are on Jury Duty. I noticed today that final

submitted drawing is missing the information that was provided on originally submitted copy: spot elevations, specifically on adjacent to the south property, and the hatched area that was included in your south swale calculations. Please note that it is a very important information and needs to be on the final approved drawing. Please provide revised copy as soon as possible.

Thank you,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.

Karla N Moreno

From: Horace L Jones
Sent: Thursday, January 11, 2018 1:54 PM
To: Bradley D Bane; Terry D Williams; Timothy R. Day
Cc: Allen Hampton; Andrew D. Holmer; Ron J. Corbin
Subject: RE: land disturbance adjacent to 5330 Pale Moon

Andrew,
Please get all the facts. The owners of the site may need to come and speak with us to determine their intent for the parcel. Is a home being proposed? Where is the structure permit??. If not LDP should be required.

From: Bradley D Bane
Sent: Thursday, January 11, 2018 1:45 PM
To: Terry D Williams <TDWILLIA@myescambia.com>; Timothy R. Day <TRDAY@myescambia.com>
Cc: Horace L Jones <HLJONES@myescambia.com>; Allen Hampton <EAHAMPTON@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>
Subject: Re: land disturbance adjacent to 5330 Pale Moon

I received a call on the same so I looked into it but could not find permits of any type in the system. I asked Allen this morning if he was in the neighborhood to please swing by and check it out. Per his photos this afternoon, the site has been completely cleared up to what appears to be 10-15' from the water's edge, fill placed over the entire lot, and some sort of retaining wall installed along the NE p/l. Minimal erosion controls were up with some migration of fill near neighbor(s) where it was not installed, &/or failed.

Allen, could you please forward the pictures when you have a sec?

Thanks,

Brad

Bradley D. Bane, Environmental Analyst
Escambia County Development Services Department
Environmental Services- Review, DRC & Permitting
3363 West Park Place
Pensacola, FL 32505
(850) 595-4572 Office
(850) 595-3557 Fax
bdbane@co.escambia.fl.us

Please consider the Environment before printing this e-mail. Reduce, reuse, recycle.
Think Green.

From: Terry D Williams
Sent: Thursday, January 11, 2018 1:29 PM
To: Timothy R. Day
Cc: Horace L Jones; franogden@gmail.com; Bradley D Bane; Allen Hampton
Subject: Re: land disturbance adjacent to 5330 Pale Moon

Tim

No permit issued as of this date.

From: Timothy R. Day
Sent: Wednesday, January 10, 2018 4:23 PM
To: Terry D Williams
Cc: Horace L Jones; franogden@gmail.com
Subject: land disturbance adjacent to 5330 Pale Moon

Please let me know if there is a permit for 5200 blk of Pale Moon Drive PRN 11-3S-32-3000-000-001. There is a concern of unpermitted land disturbance/fill on the lot.

Any help would be appreciated – need to know if I need to send out Code...

Thanks

Tim

Timothy Day
Branch Director
Natural Resources Management Department
Escambia County Board of County Commissioiners
221 Palafox Place
Pensacola, FL 32502

trday@myescambia.com
(850) 595-1144 (w)
(850) 554-3073 (c)

Karla N Moreno

From: Horace L Jones
Sent: Tuesday, February 20, 2018 1:19 PM
To: Tim Tolbert
Cc: Andrew D. Holmer; Timothy R. Day; Alison A. Rogers; Angela D. Crawley
Subject: FW: Retroactive permitted clear cutting and over filling of the lot north of 5330 Pale Moon Dr.

Tim Tolbert

I do know that Andrew and Tim Day is aware of the issue. They should be able to provide an update on this matter

---

From: Tim Tolbert
Sent: Tuesday, February 20, 2018 1:15 PM
To: Fran Ogden <franogdenrd@gmail.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Horace L Jones <HLJONES@myescambia.com>; Angela D. Crawley <adcrawle@myescambia.com>
Subject: RE: Retroactive permitted clear cutting and over filling of the lot north of 5330 Pale Moon Dr.

Mrs. Ogden my apologies for the delayed response. I was off yesterday and trying to catch-up with tasks and messages. Did Tim Day with Development Services address this issue in a different email string? A Building Permit for construction will not be issued until drawings are submitted for Building Code review and compliance. Also approval by Development Services is required before the aforementioned permit can be issued. Items mention in your email are regulated by Development Services and therefore will require their approval before a building permit can be issued. You had mentioned Rick Faciane with Classic Homes would be the home builder. In my experience Mr. Faciane is an exceptional builder that normally meets or exceeds all applicable requirements.

I'm happy to try and answer any other questions you may have.

Thank You,

Tim Tolbert, Building Official
Director of Building Services
Escambia County
3363 West Park Place
Pensacola, Florida 32505-5250
jttolbert@myescambia.com
Office (850) 595-3550
Cell (850) 554-4059

From: Fran Ogden [mailto:franogdenrd@gmail.com]
Sent: Monday, February 19, 2018 12:25 PM
To: Tim Tolbert <JTTOLBERT@myescambia.com>
Subject: Retroactive permitted clear cutting and over filling of the lot north of 5330 Pale Moon Dr.

Dear Mr. Tolbert.

In November, my neighbor, the Mendriebos, began clear-cutting and bringing in over 150 loads of dirt onto the property adjacent to my home. I was out of town during this work and upon returning, I contacted the owner, Donna Mendriebo. She assured me that it was permitted and that in fact, the county was the one who required it. I asked her

for the rain mitigation plan and she directed me to her builder, Rick from Classic homes. He told me that there was a plan but it would not be available until he filed his permit and it would be available the following week. Six weeks passed yet no engineering plan was offered.

On January 10, I called the building dept and spoke with Mr. Tim Day. The very next day the county was out and had placed a NOV in the yard. I was expecting that the county would make them remove the unpermitted dirt to protect my property since no effort has been made by the owner to prevent flooding from the displaced rain which will run downhill into my home. Instead, I discovered that the permits were issued retroactively with no more than a requirement for a silt fence to be erected. Woefully inadequate protection for a super storm like we had in April 2014. And not much motivation for them to follow the law moving forward.

Why did the county not demand rain mitigation immediately? The dirt should be removed until such measures are in place. It was brought in illegally because they knew that it would not pass permitting and now that it is done, the county is allowing it to stand with a mere $800.00 fine and no removal of the offending illegally trucked in dirt. I am shocked that the county is not making them take the dirt out until proper remediation of the rainwater flow is in place. I have informed Ms Alison Rogers, I will hold the county liable for not protecting me.

I hear that they are going to fill that lot with a 5000 sq ft home and a 5 garage. Where will the water go then? I believe that the lot is on wetlands and that a building of this size is not allowed. PLEASE LOOK CLOSELY AT THESE PERMITS THEY ARE REQUESTING. THE MINDREBOS HAVE DEMONSTRATED A WILLINGNESS TO LIE TO ME AND THE COUNTY. They told me that they thought the bulldozing company had pulled permits and then changed the story to say it was Rick that was going to do it and in the end - none were requested and they did whatever they wanted all the while telling me the county required it and knew it was happening.

Mr. Brad Banes has said he did not know of wetlands to be there, but it is a fact, that there are wetlands in the area. There is no margin of error in allowing too much barrier to absorption to be built. In fact, just 200 feet away, Pale Moon Estates were forced to build on pilings to accommodate the square footage desired and not pave over too much land. Do we even know what kind of soil was brought in? If it is packed red clay I suppose it will be even less absorbent and there is no place for the water to go except in my home.

(FYI the dozer company was J and W. If they told her they pulled permits then there is fraud there. But since I saw her this morning with J and W dozing, I think they are complicit in the deception)

Awaiting your response,
Sincerely,
Fran Ogden

--
Fran Ogden
850-737-3436

Karla N Moreno

From: Horace L Jones
Sent: Sunday, February 25, 2018 6:56 PM
To: Tim Tolbert
Cc: Jennifer A. Hampton; Timothy R. Day; Andrew D. Holmer
Subject: Re: Retroactive permitted clear cutting and over filling of the lot north of 5330 Pale Moon Dr.

Thanks Tim

Has the plans been for submitted and reviewed for the Proposed Home construction?

Tim and Drew

Where are we with the issue. I do know that the Land distr urban earth been issued.

The site plan must have enough safeguards in place not to have stormwater impacting the lots.

I

Sent from my iPhone

On Feb 25, 2018, at 7:45 AM, Tim Tolbert <JTTOLBERT@myescambia.com> wrote:

> Mrs. Ogden thank you for your email. The questions you raise are outside of my responsibility and expertise. Please understand that we at Escambia County Building Inspections enforce the Florida Building Code and related Florida statutes. Those regulations focus solely on projecting the structure being built. Development Services possesses some limited enforcement powers in the areas of your concern but my understanding is those concerns have already been addressed. I am copying Horace Jones Director of Development Services in hopes of correcting any misinformation or misunderstanding I may have.
>
> Thank you,
>
> Tim Tolbert, Building Official
> Director of Building Services
> Escambia County
> 3363 West Park Place
> Pensacola, Florida 32505-5250
> jttolbert@myescambia.com
> Office (850) 595-3550
> Cell (850) 554-4059
>
> On Feb 24, 2018, at 10:49 AM, Fran Ogden <franogdenrd@gmail.com> wrote:
>
> > Dear Mr. Tolbert,

Concerning the overfilled lot next door and plans to build on most it, I am extremely fearful and anxious about the potentially increased flooding.

Please tell me where I can review the submitted wetland mitigation plan for the Mindrebo's lot. Have they provided proof that wetlands were not covered up? Have core samples been made available that verify this claim? It would have to be determined forensically now that it is covered in 3 ft of dirt. Is it legal to cut down native oaks that are well established? Can we protect the 3 or4 remaining trees on this lot? Mrs. Mindrebo has said that she will have to remove the two remaining magnolias to make room for a swale. Is there a regulation against the further deforestation of this land?

Please help me understand how this can be legal. If you have the authority to make them remove the dirt until a flood plan can be developed and implemented, please use it to do so. The blatant disregard for the land disturbance permitting process should not be cover for overbuilding on potentially fragile land.

Thank-you,
Fran Ogden

On Tue, Feb 20, 2018 at 1:56 PM, Fran Ogden <franogdenrd@gmail.com> wrote:

> Mr. Tolbert,
>
> The 3 foot of unpermitted dirt is on the lot right now with no floodwater plan in place. Apparently, the cart came before the horse. This dirt is an obvious danger and was not filled according to any engineering plan because no engineering plan was made, It was all brought onto the property illegally.
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> Sincerely,
> Fran Ogden

On Tue, Feb 20, 2018 at 1:14 PM, Tim Tolbert <JTTOLBERT@myescambia.com> wrote:

> Mrs. Ogden my apologies for the delayed response. I was off yesterday and trying to catch-up with tasks and messages. Did Tim Day with Development Services address this issue in a different email string? A Building Permit for construction will not be issued until drawings are submitted for Building Code review and compliance. Also approval by Development Services is required before the aforementioned permit can be issued. Items mention in your email are regulated by Development Services and therefore will require their approval before a building permit can be issued. You had mentioned Rick Faciane with Classic Homes would be the home builder. In my experience Mr. Faciane is an exceptional builder that normally meets or exceeds all applicable requirements.
>
> I'm happy to try and answer any other questions you may have.

Thank You,

Tim Tolbert, Building Official

Director of Building Services

Escambia County

3363 West Park Place

Pensacola, Florida 32505-5250

jttolbert@myescambia.com

Office (850) 595-3550

Cell (850) 554-4059

From: Fran Ogden [mailto:franogdenrd@gmail.com]
Sent: Monday, February 19, 2018 12:25 PM
To: Tim Tolbert <JTTOLBERT@myescambia.com>
Subject: Retroactive permitted clear cutting and over filling of the lot north of 5330 Pale Moon Dr.

Dear Mr. Tolbert.

In November, my neighbor, the Mendriebos, began clear-cutting and bringing in over 150 loads of dirt onto the property adjacent to my home. I was out of town during this work and upon returning, I contacted the owner, Donna Mendriebo. She assured me that it was permitted and that in fact, the county was the one who required it. I asked her for the rain mitigation plan and she directed me to her builder, Rick from Classic homes. He told me that there was a plan but it would not be available until he filed his permit and it would be available the following week. Six weeks passed yet no engineering plan was offered.

On January 10, I called the building dept and spoke with Mr. Tim Day. The very next day the county was out and had placed a NOV in the yard. I was expecting that the county would make them remove the unpermitted dirt to protect my property since no effort has been made by the owner to prevent flooding from the displaced rain which will run downhill into my home. Instead, I discovered that the permits were

issued retroactively with no more than a requirement for a silt fence to be erected. Woefully inadequate protection for a super storm like we had in April 2014. And not much motivation for them to follow the law moving forward.

Why did the county not demand rain mitigation immediately? The dirt should be removed until such measures are in place. It was brought in illegally because they knew that it would not pass permitting and now that it is done, the county is allowing it to stand with a mere $800.00 fine and no removal of the offending illegally trucked in dirt. I am shocked that the county is not making them take the dirt out until proper remediation of the rainwater flow is in place. I have informed Ms Alison Rogers, I will hold the county liable for not protecting me.

I hear that they are going to fill that lot with a 5000 sq ft home and a 5 garage. Where will the water go then? I believe that the lot is on wetlands and that a building of this size is not allowed. PLEASE LOOK CLOSELY AT THESE PERMITS THEY ARE REQUESTING. THE MINDREBOS HAVE DEMONSTRATED A WILLINGNESS TO LIE TO ME AND THE COUNTY. They told me that they thought the bulldozing company had pulled permits and then changed the story to say it was Rick that was going to do it and in the end - none were requested and they did whatever they wanted all the while telling me the county required it and knew it was happening.

Mr. Brad Banes has said he did not know of wetlands to be there, but it is a fact, that there are wetlands in the area. There is no margin of error in allowing too much barrier to absorption to be built. In fact, just 200 feet away, Pale Moon Estates were forced to build on pilings to accommodate the square footage desired and not pave over too much land. Do we even know what kind of soil was brought in? If it is packed red clay I suppose it will be even less absorbent and there is no place for the water to go except in my home.

(FYI the dozer company was J and W. If they told her they pulled permits then there is fraud there. But since I saw her this morning with J and W dozing, I think they are complicit in the deception)

Awaiting your response,

Sincerely,

Fran Ogden

--

Fran Ogden
850-737-3436

Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.

--
Fran Ogden
850-737-3436

--
Fran Ogden
850-737-3436

Karla N Moreno

From: Horace L Jones
Sent: Monday, February 26, 2018 6:22 AM
To: Timothy R. Day
Cc: Tim Tolbert; Jennifer A. Hampton; Andrew D. Holmer
Subject: Re: Retroactive permitted clear cutting and over filling of the lot north of 5330 Pale Moon Dr.

Has the issue been investigated by Code Enforcement. Could there be a review of the site today from a CE officer

Sent from my iPhone

On Feb 25, 2018, at 8:45 PM, Timothy R. Day <TRDAY@myescambia.com> wrote:

> Looks like a conversation for the Directors meeting tomorrow.
>
> Tim
>
> Sent from my iPhone
>
> On Feb 25, 2018, at 6:56 PM, Horace L Jones <HLJONES@myescambia.com> wrote:
>
> > Thanks Tim
> >
> > Has the plans been for submitted and reviewed for the Proposed Home construction?
> >
> > Tim and Drew
> >
> > Where are we with the issue. I do know that the Land distr urban earth been issued.
> >
> > The site plan must have enough safeguards in place not to have stormwater impacting the lots.
> >
> > I
> >
> > Sent from my iPhone
> >
> > On Feb 25, 2018, at 7:45 AM, Tim Tolbert <JTTOLBERT@myescambia.com> wrote:
> >
> > > Mrs. Ogden thank you for your email. The questions you raise are outside of my responsibility and expertise. Please understand that we at Escambia County Building Inspections enforce the Florida Building Code and related Florida statutes. Those regulations focus solely on projecting the structure being built. Development Services possesses some limited enforcement powers in the areas of your concern but my understanding is those concerns have already been addressed. I am copying Horace Jones Director of Development Services in hopes of correcting any misinformation or misunderstanding I may have.

Thank you,

Tim Tolbert, Building Official
Director of Building Services
Escambia County
3363 West Park Place
Pensacola, Florida 32505-5250
jttolbert@myescambia.com
Office (850) 595-3550
Cell (850) 554-4059

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> Thank You,
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> **Tim Tolbert, Building Official**
>
> Director of Building Services
>
> Escambia County
>
> 3363 West Park Place
>
> Pensacola, Florida 32505-5250
>
> jttolbert@myescambia.com

Office (850) 595-3550

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Awaiting your response,

Sincerely,

Fran Ogden

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Fran Ogden
850-737-3436

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--
Fran Ogden
850-737-3436

--
Fran Ogden
850-737-3436

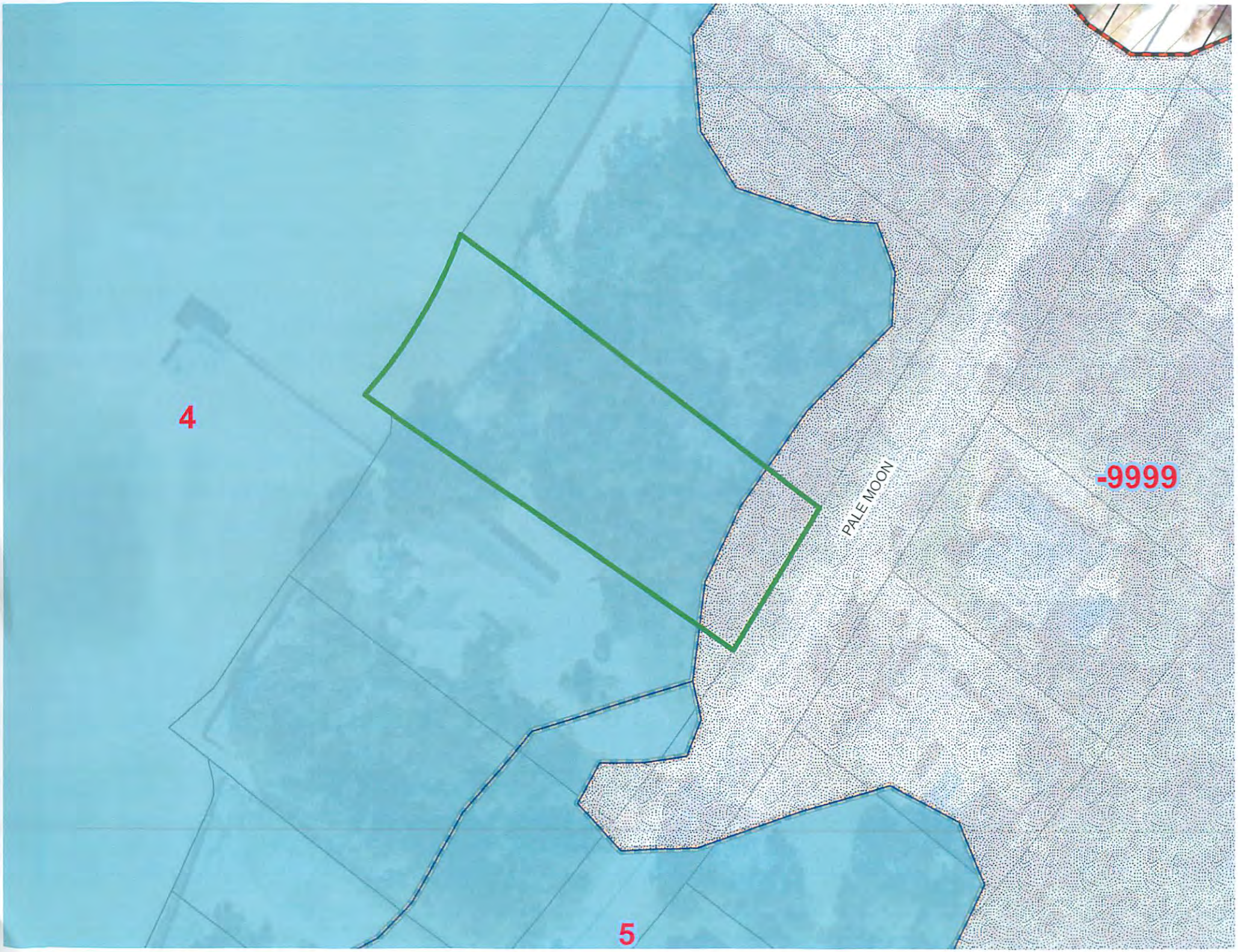
Karla N Moreno

From: Horace L Jones
Sent: Thursday, March 08, 2018 3:28 PM
To: Caleb G. MacCartee
Subject: Fwd: Flood zone map 5312 Pale Moon Dr
Attachments: Flood map 5312 Pale Moon.pdf; ATT00001.htm

Sent from my iPhone

Begin forwarded message:

> **From:** "Juan C. Lemos" <JCLEMOS@myescambia.com>
> **Date:** March 8, 2018 at 1:23:21 PM CST
> **To:** Horace L Jones <HLJONES@myescambia.com>
> **Subject: Flood zone map 5312 Pale Moon Dr**
>
> As requested.
> J


4
PALE MOON
-9999
5

Karla N Moreno

From: Horace L Jones
Sent: Friday, March 09, 2018 8:45 AM
To: Jack R. Brown
Subject: FW: After-the-Fact LD Permit for 5200 Pale Moon Dr. / 11-3S-32-3000-000-001
Attachments: ISSUED, a-t-f LD Permit for 5200 Pale Moon, 2-12-18.pdf; Email- Brad to Drew & Roza, 2-12-18, 4-21pm.pdf

Jack,

Once the plans are submitted, I have directed to my staff to be thorough and as careful as possible with their review. Please see below. If other direction is given from your office, we will respond accordingly.

We will be as deliberate with our review as we possibly can to help minimize any potential adverse impacts on the neighboring properties.

From: Horace L Jones
Sent: Friday, March 09, 2018 8:21 AM
To: Terry D Williams <TDWILLIA@myescambia.com>; Barbara Winns <BAWINNS@myescambia.com>; Caleb G. MacCartee <cgmaccartee@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>; Juan C. Lemos <JCLEMOS@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Charles K. Wiley <CKWILEY@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>; Bradley D Bane <BDBANE@myescambia.com>
Subject: FW: After-the-Fact LD Permit for 5200 Pale Moon Dr. / 11-3S-32-3000-000-001

Sorry if this e-mail came to each of you twice. Computer issues.

From: Horace L Jones
Sent: Friday, March 09, 2018 8:05 AM
To: Terry D Williams <TDWILLIA@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>; Barbara Winns <BAWINNS@myescambia.com>; Caleb G. MacCartee <cgmaccartee@myescambia.com>; Kim L. Wilson <klwilson@myescambia.com>; Juan C. Lemos <JCLEMOS@myescambia.com>
Cc: Tim Tolbert <JTTOLBERT@myescambia.com>; Charles K. Wiley <CKWILEY@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>; Timothy R. Day <TRDAY@myescambia.com>; Bradley D Bane <BDBANE@myescambia.com>; Harry T. Gibson <HTGIBSON@myescambia.com>
Subject: FW: After-the-Fact LD Permit for 5200 Pale Moon Dr. / 11-3S-32-3000-000-001

TO ALL:

WHEN THE PLANS COME in FOR THE LOT IN QUESTION, PLEASE (PLANNERS) BE AS THOROUGH As YOU POSSIBLY CAN DURING THE SITE Plan REVIEW PROCESS FOR THE PROPOSED HOUSE ON THE LOT REFERENCE ABOVE.

There have been some concerns raised by Fran Ogden a neighbor in close proximity to the lot in question on the amount of fill that is currently own the lot. Primarily, her main concern is the potential for adverse impact with stormwater or fill in the case of substantial rains due elevation of the lot.

- Roza, please review for lot grading and stormwater compliance for the proposed house. As you know, the lot in question must be able to handle its own stormwater. It cannot be deflected or cause an adverse impact on the surrounding properties. Additional measures may be warranted. Additional measures may be needed with the proposed structure as well as with the site for stabilization.

- Along with that, Juan please get Harry Gibson to review regulations regarding Flood zone. The site is definitely in a Flood Zone. It appears to be elevated substantially. Yes, there is the additional Freeboard requirement of 3' above BFE. Again, additional measures may be needed such as Flood zone elevation certificates and etc.

Terry and Andrew
Whoever is the planner reviewing the site plan. Please make sure that compliance with LDC is completely accurate. Furthermore, we may have to ask for additional information and for other measures to be taken.

Horace.

From: Bradley D Bane
Sent: Thursday, March 08, 2018 9:49 AM
To: Horace L Jones <HLJONES@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>
Subject: Fw: After-the-Fact LD Permit for 5200 Pale Moon Dr. / 11-3S-32-3000-000-001

Hello Horace,

Per your request, please see attached a copy for the After-the-fact Land Disturbing Permit for 5200 Pale Moon Dr., my email to Richard Craig on February 12th, and the email train below.

Caleb looked in MyPermitNow this morning and stated they did receive a permit for a dock and a seawall.

Please let me know if you need anything else.

Thank you,

Brad

Bradley D. Bane, Environmental Analyst
Escambia County Development Services Department
Environmental Services- Review, DRC & Permitting
3363 West Park Place
Pensacola, FL 32505
(850) 595-4572 Office
(850) 595-3557 Fax
bdbane@co.escambia.fl.us

Please consider the Environment before printing this e-mail. Reduce, reuse, recycle. Think Green.

From: Bradley D Bane
Sent: Tuesday, February 20, 2018 1:49 PM
To: Horace L Jones
Cc: Andrew D. Holmer
Subject: After-the-Fact LD Permit for 5200 Pale Moon Dr. / 11-3S-32-3000-000-001

Hello Horace,

Per your request, please see attached a copy of the after-the-fact Land Disturbing Permit issued for 5200 Blk. Pale Moon Dr. (the Mindrebo's) and the emails below and attached to Code Enforcement regarding the need for adequate erosion and sediment controls, additional permitting, etc. There are more emails on this case so just let me know if you need to review them and I'll convert them to pdf's as well.

Thank you,

Brad

Bradley D. Bane, Environmental Analyst
Escambia County Development Services Department
Environmental Services- Review, DRC & Permitting
3363 West Park Place

Pensacola, FL 32505
(850) 595-4572 Office
(850) 595-3557 Fax
bdbane@co.escambia.fl.us

Please consider the Environment before printing this e-mail. Reduce, reuse, recycle.
Think Green.

From: Bradley D Bane
Sent: Tuesday, February 13, 2018 11:29 AM
To: Andrew D. Holmer
Cc: Roza I. Sestnov
Subject: Re: 5200 Pale Moon dr.

FYI, keeping you in the loop as this this one has a lot of eyes on it. I issued Rick Faciane an a-t-f LD Permit yesterday, so we are out of it unless he does something else under our purview. As far as Richard's stormwater questions, Roza and I explained how that was handled under the Building Permit/ Lot Grading Plan for the house so I'm not sure what else he's needing.

A note on that though, Rick mentioned building an *additional* retaining wall along the southwest property line as well. We'll need to review that (along with BID for the existing, 4' a-t-f wall) for at least MER Setbacks, etc. I foresee a seawall or something similar being proposed in the future as well to box-in the lot seeing that it will be ±4-5 higher than neighboring lots and Perdido Bay. I asked Rick to PLEASE run anything else by use PRIOR to moving forward; he agreed and understood.

Brad

Bradley D. Bane, Environmental Analyst
Escambia County Development Services Department
Environmental Services- Review, DRC & Permitting
3363 West Park Place
Pensacola, FL 32505
(850) 595-4572 Office
(850) 595-3557 Fax
bdbane@co.escambia.fl.us

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Think Green.

From: Richard E. Craig
Sent: Tuesday, February 13, 2018 10:41:22 AM
To: Roza I. Sestnov

Cc: Bradley D Bane; Steven P. Kenney
Subject: 5200 Pale Moon dr.

Per our conversation this morning as it pertains to storm water permit , could you please explain what area that's covered in the building permit verses a need for storm water permit for the site.

thanks

Richard Craig
Escambia County Environmental Enforcement
850-554-7160

DSD received 2-5-18 (9 pm)
" " payment 2-12-18

Development Services Department, 3363 West Park Place, Pensacola, Florida 32505 (phone) 850-595-3475 (fax) 850-595-3703

PERMIT WILL EXPIRE ONE YEAR AFTER DATE OF ISSUE

LAND AND TREE MANAGEMENT PERMIT

Activities Covered Under Permit: Activities such as clearing, cutting, *excavating, *filling, protected tree removal, grading of land, or any other activity that alters land topography or vegetative cover is covered under this permit, where noted, provided such land disturbing activities do not result in adverse impacts to adjoining properties, waterbodies, watercourses, wetlands, environmentally sensitive lands, adjacent roadways or drainage systems, etc. Construction of infrastructure or addition of impervious area is not covered under this permit.

PERMIT # 180~~75~~ 2404 PLM DATE ISSUED: 2-12-18

After-the-fact
☒ LAND DISTURBING ☐ TREE ☐ BARRIER ISLAND SAND ☐ BEACH MOUSE

OWNER/AGENT Classic Homes of Pole Rick Fracasso PHONE # 850 698 5186

Agent
OWNER'S ADDRESS 6833 Cedar Rose Dr Pole FL 32526 FAX # 850 944 7261

PROJECT NAME Ulrich OREBO Residence ZONING AE

SITE ADDRESS(S) 5200 Blk Pale Moon DR. Lot 23 Blk 2 Federal Bay C. Club Estates ACREAGE .72 AC

PROPERTY REFERENCE #(s) 11-35-323-000-000-001 ACREAGE TO BE DISTURBED .6

AMOUNT OF FILL MATERIAL(s) 1800 cuyd SOURCE OF FILL MATERIAL(s) Sandy loam fill

Note, a separate Barrier Island Sand Evaluation &/or "prohibited material" removal Permit may also be required per current Escambia County Land Development Code requirements.

(NO PROTECTED TREE'S)

DESCRIBE ALL ACTIVITIES PROPOSED (land disturbance & protected tree removal locations shown on site map) Clear lot of most trees, approx Wetland determination for Corp C Wetlands Service - Clear & fill lot as existing. Also has a Mean High water table for Wetlands Service use & County.

NUMBER of PROTECTED TREES PROPOSED for REMOVAL Unknown, site cleared prior to authorization permitting FEES (office use only) $ 867

Land Disturbing: $216.75, Trees: ~~2 trees @ $105 + $25~~ each additional tree, Sand Placement: $55, Beach Mouse: $216.75

☑ APPROVED ☐ DENIED T. Day DATE 2-12-18

~~Timothy R Day, Environmental Programs Manager~~

COMMENTS After-the-fact Land Disturbing Permit for 11-35-32-3000-000-001 (5200 Blk Pale Moon is gensic address). All adequate erosion controls shall be installed, including along southwestern walkway & property line, sufficiently maintained in good working order until site is stabilized. MERS Provisions also apply for setbacks

Responsibility of Owner/Agent: ~~If necessary~~ The owner/applicant shall incorporate measures to prevent erosion, sedimentation and/or flooding which may result from land disturbance activities. Silt fences, temporary sediment traps, temporary holding ponds, stabilization of disturbed areas with grass may be required to control erosion, sedimentation and/or flooding. The undersigned is fully aware of these responsibilities and will comply with these requirements. ****The Owner/Agent shall have a copy of the approved permit on the job site at all times.****

Other permits may also be required, such as for the retaining wall, house, or other features.

The undersigned agrees to grant permission for authorized Escambia County personnel to conduct all necessary site inspections associated with this permit.

SIGNATURE OF OWNER/AGENT* DATE 1/30/18

*A signed letter authorizing agent to act on the property owner's behalf will be required prior to processing.

Disclaimer: Escambia County shall not be held responsible for any losses or damages in the event that activities covered under this permit negatively impact adjacent properties, waterbodies, watercourses, wetlands, environmentally sensitive lands, adjacent roadways or drainage systems, etc.

1802404 PLM

AFFIDAVIT OF OWNERSHIP AND LIMITED POWER OF ATTORNEY

(Please print clearly)

As owner of the property located at 5203 Pale Moon Dr., Pensacola, Florida, property reference number(s) _____, I hereby designate (company) _____ (personal representative) Scott & Donna Mindrebo for the sole purpose of completing this Escambia County Development Review or Permitting Application and to act on my behalf during the County's processing of the Development Review or Permitting Application on the above referenced property.

This Limited Power of Attorney is granted on this 8 day of February the year of 2018 and is effective until the County 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 Escambia County Development Services Department.

_____ 2/8/18 Donna Mindrebo, Scott Mindrebo

Signature of Property Owner Date Printed Name of Owner

STATE of Texas

COUNTY of Brazoria

The forgoing instrument was acknowledged before me this 8 day of February, year of 2018 by Donna Mindrebo & Scott Mindrebo who ( ) did ( ) did not take an oath. He/she is ( ) personally known to me, ( ) produced current Florida/Other driver's license, and/or ( )produced current driver license as identification.

_____ 02/08/2018 Joshua Sultan

Signature of Notary Public Date Printed Name of Notary

11/25/2018 130037477

My Commission Expires Commission No. (Notary seal must be affixed)

JOSHUA SULTAN
Notary Public, State of Texas
Comm. Expires 11-25-2018
Notary ID 130037477

1802404 PL/b

Chris Jones
Escambia County Property Appraiser

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

Back

Navigate Mode ◉ Account ○ Reference

Printer Friendly Version

General Information

Reference:	113S323000000001
Account:	103229000
Owners:	MINDREBO SCOTT J & MINDREBO DONNA JEAN
Mail:	2927 COVEBROOK DR PEARLAND, TX 77584
Situs:	5200 BLK PALE MOON DR 32507
Use Code:	VACANT RESIDENTIAL
Taxing Authority:	COUNTY MSTU
Schools (Elem/Int/High):	HELLEN CARO/BAILEY/ESCAMBIA
Tax Inquiry:	Open Tax Inquiry Window

Tax Inquiry link courtesy of Scott Lunsford Escambia County Tax Collector

Assessments

Year	Land	Imprv	Total	Cap Val
2017	$144,000	$0	$144,000	$144,000
2016	$144,000	$0	$144,000	$144,000
2015	$144,000	$0	$144,000	$144,000

Disclaimer

Amendment 1/Portability Calculations

File for New Homestead Exemption Online

Sales Data

Sale Date	Book	Page	Value	Type	Official Records (New Window)
08/18/2011	6756	264	$159,900	WD	View Instr
09/2001	4777	1502	$198,000	WD	View Instr
05/1999	4427	222	$151,000	WD	View Instr
11/1997	4192	1864	$165,000	WD	View Instr
01/1969	422	406	$100	WD	View Instr

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

2017 Certified Roll Exemptions

None

Legal Description

BEG AT SOUTHERNMOST COR OF LT 1 BLK 3 PERDIDO BAY COUNTRY CLUB EST #4 PB 6 P 75 S 35 DEG 16 MIN 30 SEC W 1440 FT N...

Extra Features

None

Parcel Information

Launch Interactive Map

Section Map Id: 10-3S-32

Approx. Acreage: 0.7287

Zoned: LDR

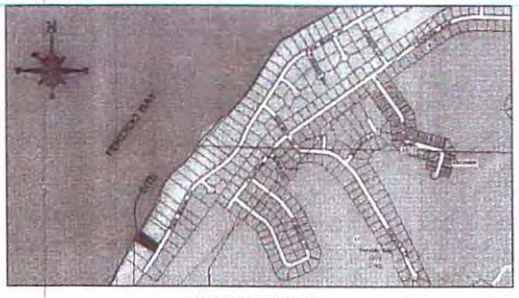
Evacuation & Flood Information Open Report

View Florida Department of Environmental Protection(DEP) Data

Buildings

Images

BOUNDARY AND MEAN HIGH WATER SURVEY
OF A PORTION OF SECTION 11, TOWNSHIP 3 SOUTH, RANGE 32 WEST, ESCAMBIA COUNTY, FLORIDA



VICINITY MAP: 1"=1000'

Esc. Co. Land Disturbing Perm. # 1802404 PLM

All erosion + sediment controls shall be adequately installed + maintained in good working order until site is stabilized. Adverse impacts shall be corrected by owner/developer/contractor per code + permit requirements, as a total additional permit or approvals may apply.

DESCRIPTION AS FURNISHED: (OFFICIAL RECORDS BOOK 6756, PAGE 264)

COMMENCING AT THE MONUMENT ON THE SOUTHERNMOST CORNER OF LOT 1, BLOCK 3, PERDIDO BAY COUNTRY CLUB ESTATES UNIT NO. 4, PLAT BOOK 6, PAGE 73, OFFICIAL RECORDS OF ESCAMBIA COUNTY, FLORIDA; THENCE S 35°16'30" W 1440 FEET; THENCE N 54°43'30" W 442.33 FEET (MORE OR LESS) TO THE WATERS EDGE OF PERDIDO BAY FOR THE POINT OF BEGINNING; THENCE RETRACING LINE LAST RUN S 54°43'30" E 261.80 FEET (MORE OR LESS) TO THE NORTHWESTERN MOST R/W LINE OF PALE MOON DRIVE; THENCE S 28°34'30" W ALONG SAID R/W LINE 120.85 FEET; THENCE N 54°43'30" W 212.90 FEET (MORE OR LESS) TO THE WATERS EDGE OF PERDIDO BAY; THENCE IN A NORTHEASTERLY DIRECTION ALONG SAID WATERS EDGE 120.1 FEET (MORE OR LESS) TO THE POINT OF BEGINNING.

GENERAL NOTES:

1. THE BEARINGS AS SHOWN HEREON ARE REFERENCED TO THE ASSUMED BEARING OF SOUTH 28 DEGREES 34 MINUTES 23 SECONDS EAST ALONG THE SOUTH LINE OF THE PROPERTY AS PER THE DESCRIPTION AS FURNISHED.
2. THE SURVEY DATUM AS SHOWN HEREON IS REFERENCED TO THE DESCRIPTION AS FURNISHED AND TO EXISTING FIELD MONUMENTATION.
3. NO TITLE SEARCH HAS 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 "AE", BASE FLOOD ELEVATION 4 FEET AND IN FLOOD ZONE "X" INSIDE 0.2% ANNUAL CHANCE OF FLOOD, AS DETERMINED FROM FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP OF ESCAMBIA COUNTY, FLORIDA (UNINCORPORATED AREAS), MAP NUMBER 12033C 0508 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 5J-17.050 - 5J-17.173052 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, TO THE BEST OF MY KNOWLEDGE AND BELIEF.
7. THE MEASUREMENTS AS SHOWN HEREON HERE MADE TO UNITED STATES STANDARDS.
8. THE ELEVATIONS AS SHOWN HEREON ARE REFERENCED TO NORTH AMERICAN VERTICAL DATUM OF 1988, FROM ESCAMBIA COUNTY GEODETIC CONTROL POINT STAMPED "ESC 4075" HAVING A PUBLISHED ELEVATION OF 104.05 FEET.
9. THE MEASUREMENTS OF THE BUILDINGS AND/OR FOUNDATIONS SHOWN HEREON DO NOT INCLUDE CONCRETE FOOTERS OR EAVE OVERHANGS.
10. FENCE LOCATIONS SHOWN HEREON MAY BE EXAGGERATED AND NOT TO SCALE FOR CLARITY PURPOSES
11. 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.
12. 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.
13. THIS SURVEY MAY BE SUBJECT TO ADDITIONAL REQUIREMENTS BY COUNTY, STATE OR OTHER AGENCIES.
14. ENCROACHMENTS ARE AS SHOWN.
15. THE MEAN HIGH WATER ELEVATION AS SHOWN HEREON WAS ESTABLISHED BY EXTENDING THE ELEVATION SHOWN AT MEAN HIGH WATER INTERPOLATION POINT NO. 3360.
16. THIS MEAN HIGH WATER LINE SURVEY COMPLIES WITH CHAPTER 177, PART II, FLORIDA STATUTES.

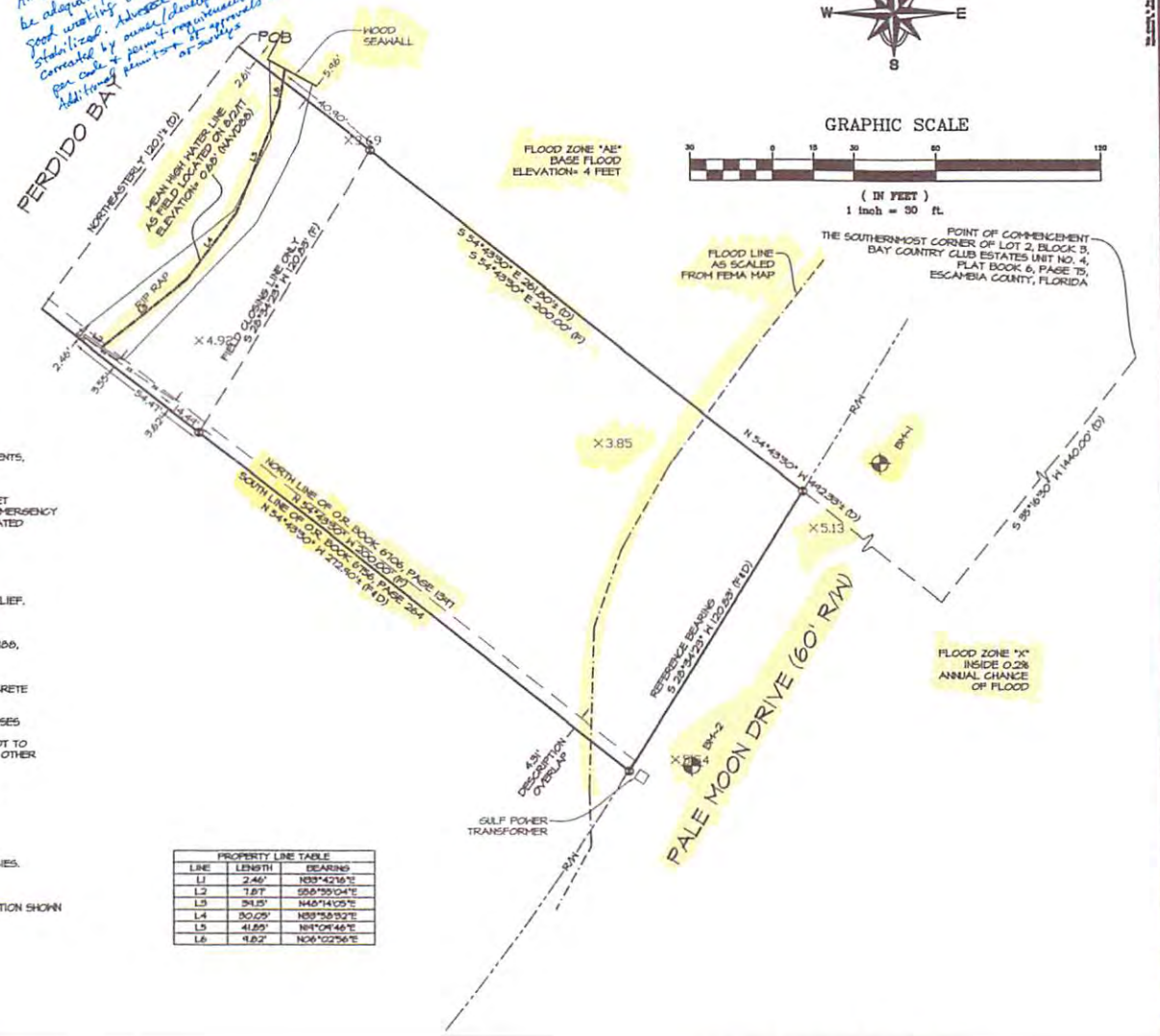
DENOTES:

⊕ ~ 1/2" CAPPED IRON ROD, NUMBERED 7277 (PLACED)
(D) ~ DEED INFORMATION
(F) ~ FIELD INFORMATION
R/W ~ RIGHT OF WAY
P.O.B. ~ POINT OF BEGINNING
⊕ ~ BENCHMARK

BENCHMARK DATA:

BM-1 MAG NAIL IN ASPHALT
ELEVATION= 5.28' (NAVD88)

BM-2 MAG NAIL IN ASPHALT
ELEVATION= 5.31' (NAVD88)



PROPERTY LINE TABLE		
LINE	LENGTH	BEARING
L1	2.46'	N33°42'16"E
L2	7.87'	S58°55'04"E
L3	34.15'	N45°14'05"E
L4	80.05'	N33°58'32"E
L5	41.85'	N9°09'46"E
L6	9.82'	N06°02'56"E

NORTHWEST FLORIDA LAND SURVEYING, INC.
7421 BELGIUM CIRCLE, PENSACOLA, FLORIDA 32526

Fred R Thompson 8/3/17

FRED R THOMPSON, PROFESSIONAL LAND SURVEYOR
REGISTRATION NUMBER 3027 CORP. NUMBER 7277
STATE OF FLORIDA

NO.	DATE	APPR.	REVISIONS

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

NORTHWEST FLORIDA LAND SURVEYING, INC.
A PROFESSIONAL SERVICE ORGANIZATION
7421 BELGIUM CIRCLE PENSACOLA, FL 32526 (850) 484-9585

SCALE: 1"=30' | DRWN: JAS | CHECKED: FRT | DATE: 8/3/17

BOUNDARY SURVEY
OF A PORTION OF SECTION 11, TOWNSHIP 3 SOUTH, RANGE 32 WEST, ESCAMBIA COUNTY, FLORIDA

PREPARED FOR AND REQUESTED BY: DONNA MINDREBO

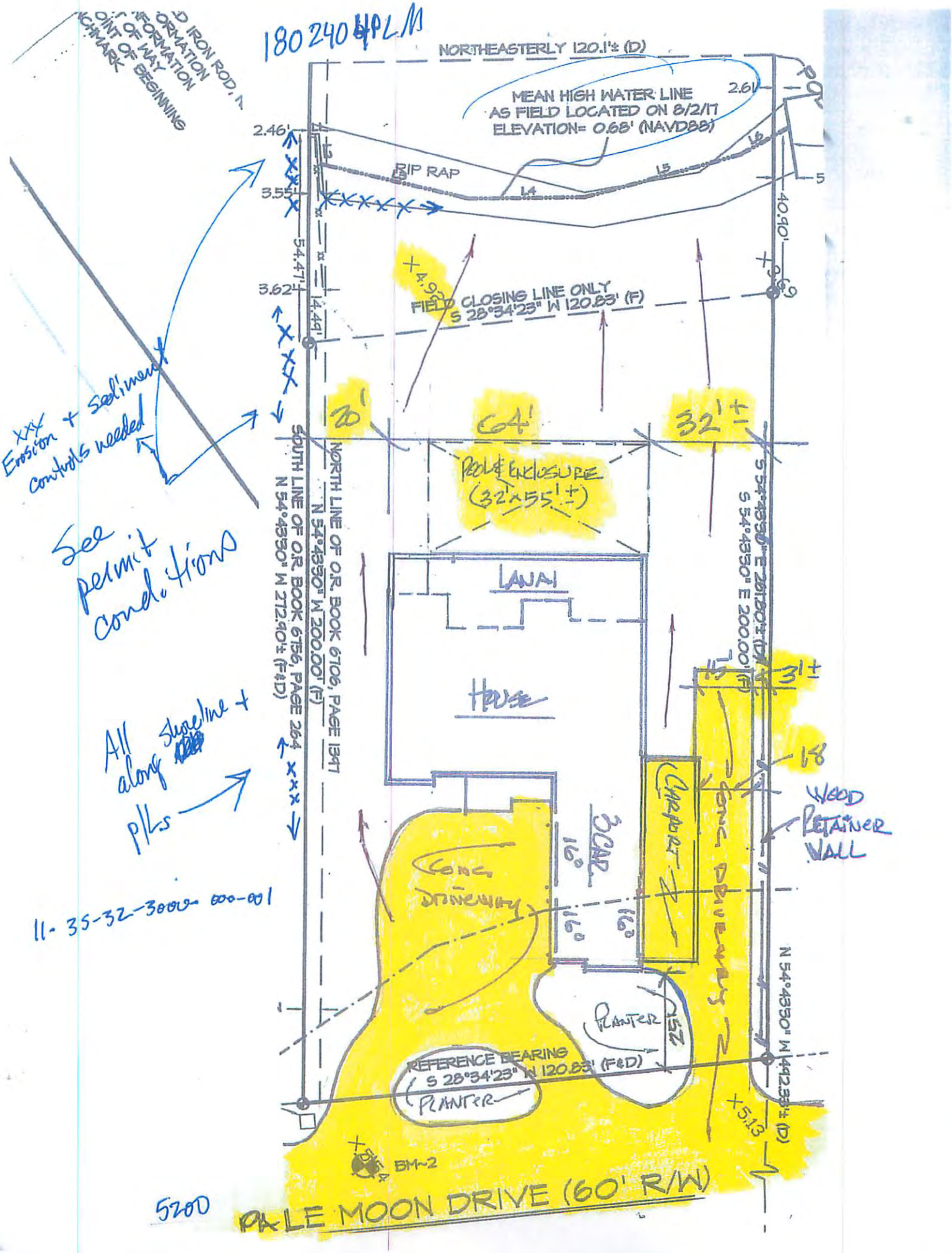
PROJECT NO. 21324 | NO. 1 OF 1 SHEETS
INDEX 10

None

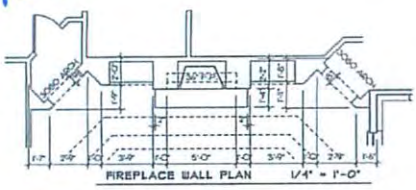
The primary use of the assessment data is for the preparation of the current year tax roll. No responsibility or liability is assumed for inaccuracies or errors.

Last Updated:01/11/2018 (rc.51625)

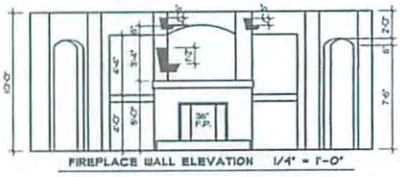
180 2404 PLAT


180 240 HPLM
NORTHEASTERLY 120.1'± (D)
MEAN HIGH WATER LINE
AS FIELD LOCATED ON 8/2/17
ELEVATION= 0.68' (NAVD88)
2.61'
2.46'
3.55'
54.47'
3.62'
4.49'
RIP RAP
L1
L2
L3
L4
L5
L6
40.90'
+4.99
FIELD CLOSING LINE ONLY
S 28°34'23" W 120.83' (F)
20'
64'
32'±
POOL & ENCLOSURE
(32'x55'±)
LANAI
HOUSE
SOUTH LINE OF O.R. BOOK 6706, PAGE 1347
N 54°43'50" W 272.90'± (F&D)
NORTH LINE OF O.R. BOOK 6706, PAGE 1347
N 54°43'50" W 200.00' (F)
S 54°43'50" E 200.00' (F)
3'±
1'
CARPORT
3 CAR
16'
CONC DRIVEWAY
WOOD RETAINER WALL
PLANTER
REFERENCE BEARING
S 28°34'23" W 120.83' (F&D)
BM-2
+5.13
PALE MOON DRIVE (60' R/W)
XXX Erosion + Sediment controls needed
See permit conditions
All along shoreline + P/L's
11-35-32-3000-000-001
5200

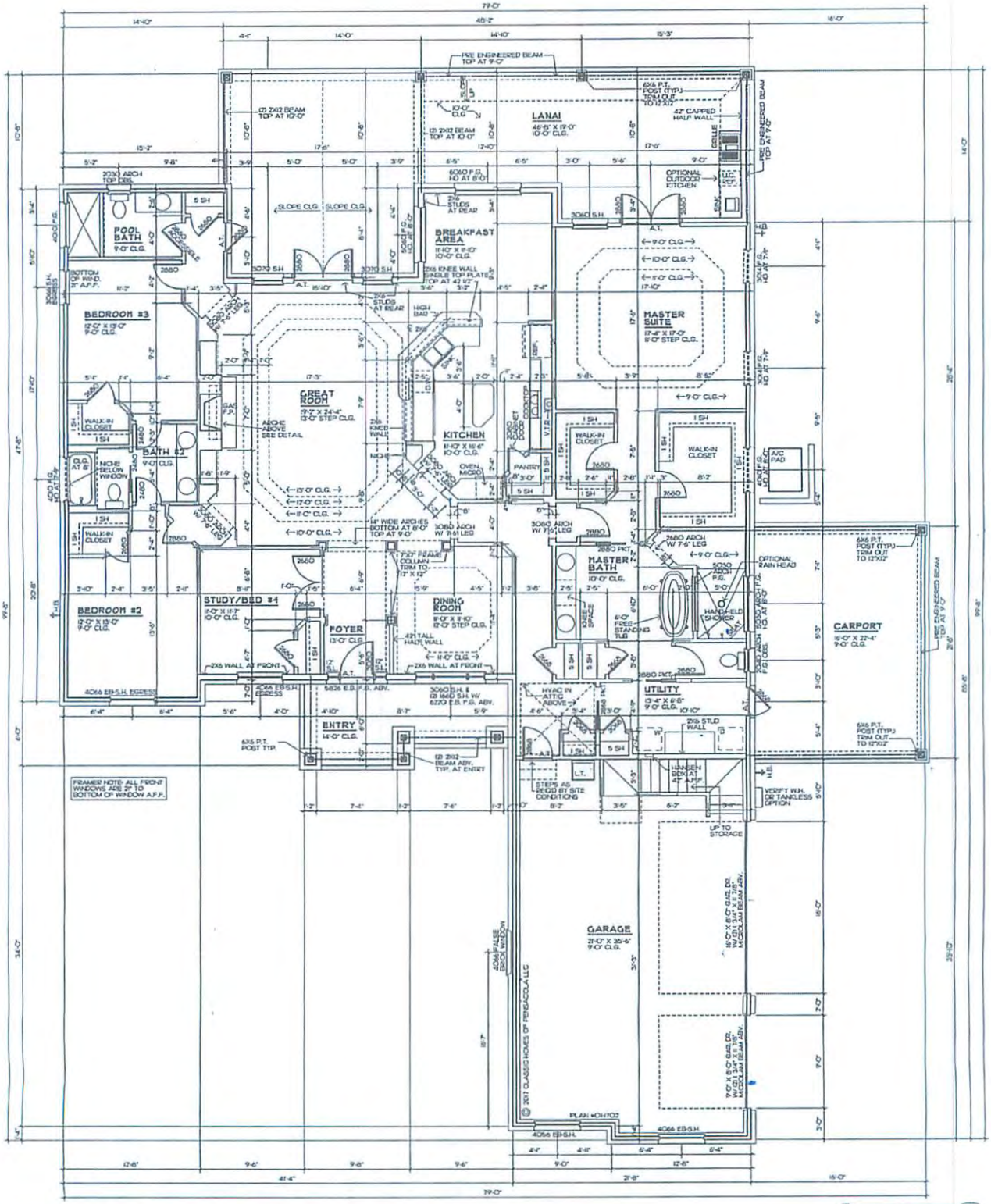
180404 PLM
(for general reference)



FIREPLACE WALL PLAN 1/4" = 1'-0"



FIREPLACE WALL ELEVATION 1/4" = 1'-0"



FLOOR PLAN 1/4" = 1'-0"

PLAN • OH702

LIVING	2357 ±
LANAI	720 ±
GARAGE	804 ±
ENTRY	136 ±
CARPORT	357 ±
TOTAL SQ. FT.	4374 ±

CLASSIC HOMES OF PENSACOLA LLC.

MINDREBO RESIDENCE
PERDIDO BAY GOLF AND COUNTRY CLUB

03-14-2017 KJS
06-13-2017 KJS

Kevin J. Smudde Design
Residential Design & Drafting Service
CAD Automated
4298 N. Cambridge Way • Pace, FL 32571
(850) 478-7840 • mail-to@kjsdesign.com

1802404 PLM

Date of Issuance

01/11/2018

Escambia County

Office of Environmental Enforcement
Escambia County Central Office Complex
3363 West Park Place, Pensacola, FL 32505
PHONE: (850) 595-1820 FAX: (850) 595-0149

Case Number

CE1801136E

NOTICE OF VIOLATION

At (Location): PR: 113S323000000001
5200 BLK PALE MOON DR PENSACOLA, FL

Zipcode
32507

Respondent: MINDREBO, SCOTT J & DONNA JEAN
Address: 2927 COVEBROOK DR
PEARLAND, TX 77584

DOB: Race: Height: Weight: D.L.:

Comply within 10 days of receipt of this notice	**Warning** Failure to correct this violation and notify this Officer of Compliance will result in fines or a hearing. If the Hearing is scheduled you may be assessed $1,100 or more for costs of said hearing, plus possible fines; the County may abate the violations and place a Lien on the property.

Ordinance Description

Violation 1 LDC. Ch. 4. Art. 5. Sec. 4-5.2 General provisions. (a) Approval required. All land uses and development activities which impact environmentally sensitive lands require prior county review and approval for compliance with the regulations of this article unless the use or activity is specifically identified in the Land Development Code (LDC) as exempt from these regulations. Method of abatement: Contact Planning and Zoning (595-3475) and comply with all review and approval requirements directed by that office, to include potential mitigation.

Violation 2 LDC. Ch. 4. Art. 5. Sec. 4-5.3 Wetlands. Protection required. Wetlands as defined in Florida Administrative Code (Ch. 62-340) shall be protected from draining, dredging, filling, excavating, building, pollution, and other alterations or acts that will reduce or otherwise adversely impact their ecological functions and public benefits. (b) Mitigation for impacts. Mitigation for adverse impacts to wetlands shall be based on the Uniform Mitigation Assessment Method (UMAM) prescribed by Florida Administrative Code (Ch. 62-345). (c) Enforcement. In addition to the general LDC compliance enforcement provisions of Chapter 1, for any violations of LDC erosion control provisions impacting wetlands, violators shall begin remedial action immediately and have seven calendar days to complete restoration of the impacted area to pre-impact conditions or better. For other violations of the wetland protection provisions of this article, violators shall begin remedial action planning immediately and have 21 calendar days to complete restoration of the impacted area to pre-impact conditions or better. With documented evidence of good faith restoration efforts the Planning Official may authorize an extension to the time period for completion of the required action for extenuating circumstances. Method of abatement: Contact Planning and Zoning (595-3475) and comply with all requirements directed by that office, to include mitigation within the time limits listed above.

Violation 3 Sec. 42-196 (a) Nuisance Conditions. The creation or maintenance of any condition conducive to the breeding of rats, vermin, flies, mosquitoes, or other arthropods that are capable of transmitting diseases directly or indirectly to humans.Sec. 42-197 Method of abatement: (a) For conditions conductive to the breeding of rats, vermin, flies, mosquitoes, or other arthropods: Complete removal of all contributing conditions.

Violation 4 Sec. 42-196 (b) Trash and Debris. The accumulation of garbage, or other solid waste materials which violates any state law, regulation, or ordinance of the county or which poses a danger to the health, safety, and welfare to residents of the county;Sec. 42-197 Method of abatement: (a) Complete removal of all contributing conditions

180Z404 PLM

Violation 5 LDC. Ch. 2. Art. 3. Sec. 2-3.2 General land disturbance. (a) General. A general land disturbance permit is required prior to beginning any activity involving the clearing, cutting, excavating, filling, or grading of land, or any other activity that alters land topography or vegetative cover and is not authorized by the other land disturbance permits of this article. Method of Abatement: Contact Planning and Zoning (595-3474) and comply with all requirements to obtain the required land disturbance permit.

Violation 6 **5-4.2 - Stormwater impact review.**

(a)

Approval required. No land use or development activity may alter or disrupt existing stormwater runoff patterns or conditions without prior county review and approval for compliance with the standards of this article unless the use or activity is specifically identified in the LDC as exempt from these standards. Uses or activities that may alter or disrupt existing stormwater runoff sufficiently to require a stormwater management plan include the following:

(1)

Land disturbance. Grading, digging, cutting, scraping, or excavating of soil; placement of fill materials; substantial removal of vegetation; the drainage of land; and any other forms of land disturbance that would significantly change stormwater runoff.

(2)

Lot coverage. Construction of a structure or the non-de minimis alteration of the size of one or more structures; placement of aggregate and paving; and other constructed changes in the proportions of pervious, impervious, and semi-impervious lot coverage.

(3)

Alterations. Alteration of the shoreline or bank of any watercourse or surface waterbody; or alteration of any ditches, dikes, terraces, berms, swales, piping, inlets, ponds, or other natural or manmade elements affecting the control or management of stormwater.

(4)

Subdivision. The subdivision of land, including the replatting of a recorded subdivision.

Officer Comments

COMPLY AND MAINTAIN ABOVE ORDINANCES WITHIN THE TIME SPECIFIED TO AVOID FURTHER ENFORCEMENT ACTION. CONTACT OFFICER WITH QUESTIONS OR FURTHER INSTRUCTIONS.

Contact officer Richard Craig at 850-554-7160 upon compliance or with questions regarding this notice.

Richard Craig #678

Signature of Officer: Richard Craig #678
recraig@myescambia.com
(850) 554-7160

USPS

Signature of Respondent

Per Esc. Co. Env. Code Enforcement 1-11-18
1802404 PLM

1802404 PLM

1802404 PL M

1802404 PLM

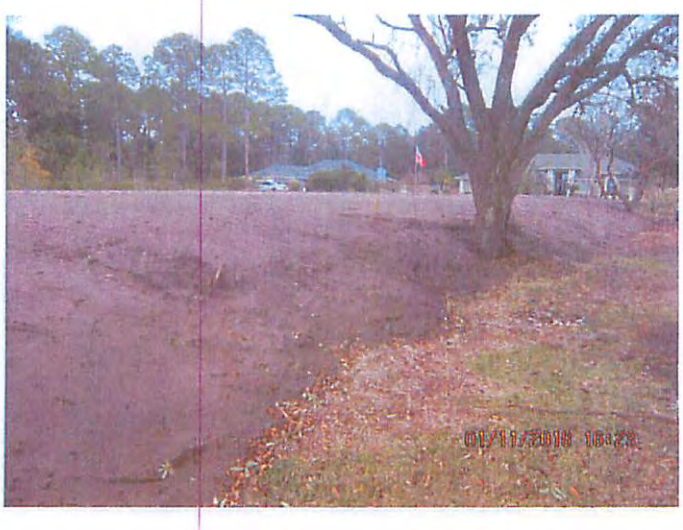
180404 PLM

1802404 PLM

180Z404 PLM

1802404 PLM

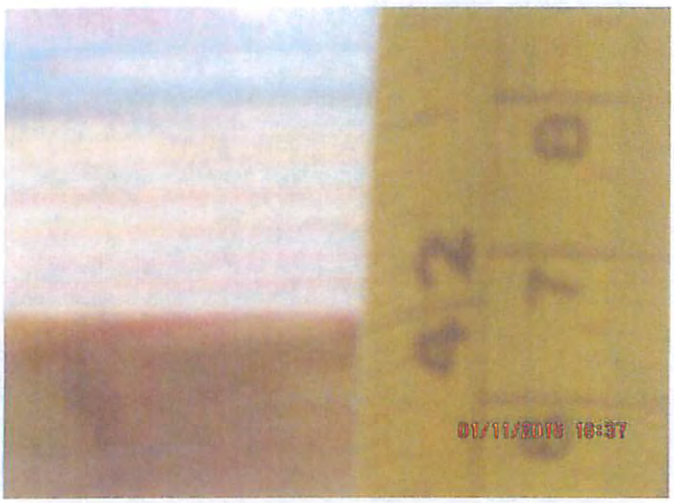
1802404 PLM



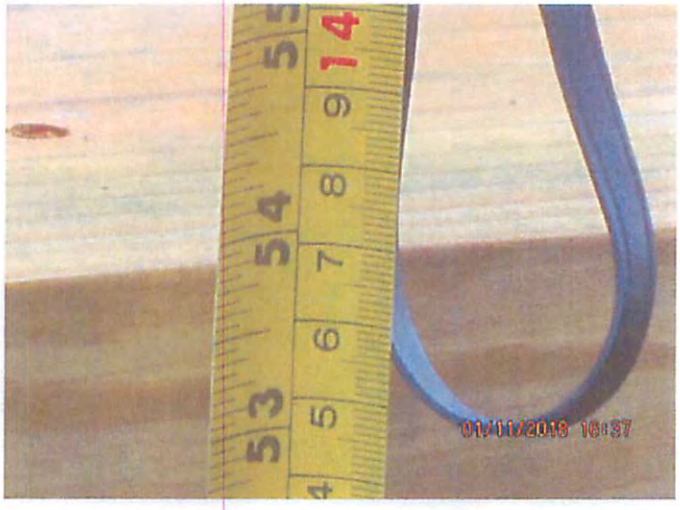
1802404 PLM

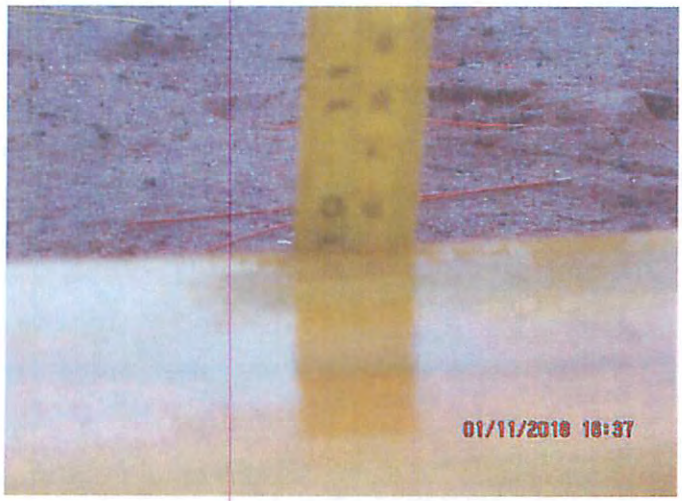
1802404 PLM

180Z404PLM



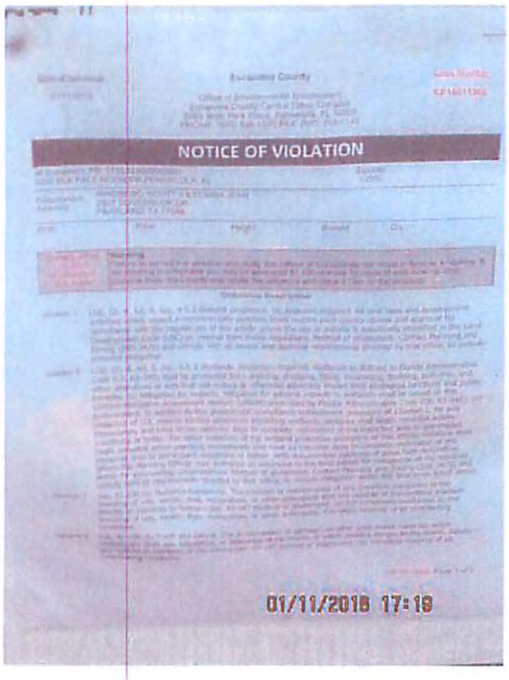
1882404 PLM





1802404 PL M

186Z404PLM



NOTICE OF VIOLATION

01/11/2018 17:19

Escambia County, Florida - Permit Invoice

3363 West Park Place
Pensacola, FL 32505
(850) 595-0149

Monday, February 12, 2018

Invoice for Permit Number 1802404PLM
N/A
5200 BLK PALE MOON DR
PENSACOLA FL 32507

2 Convenient Payment Options Available

Pay Online with your Visa, Mastercard or via ACH (Direct Debit from Checking Account) through the MyGovernmentOnline.org portal:
Go to **www.mygovernmentonline.org** and login with your user account. Click on the "**Account**" button at the top right section of the page. Scroll down to the "**My Permits**" section. Locate the permit number you wish to pay and click on "**View Permit**". Click on the "**Payments**" tab. Click on the "**Pay Online**" button near the bottom of the page to pay the balance with your Visa or MasterCard. Once you have completed processing your payment please allow the permit review staff sufficient time to review your project and follow-up with you.

Pay In-Person (Cash or Check):
Escambia County, Florida
3363 West Park Place
Pensacola, FL 32505

Fee Type	Amount Due	Amount Paid
Land Disturbance Permit	$211.75	$0.00
Land Disturbance Permit	$211.75	$0.00
Land Disturbance Permit	$211.75	$0.00
Land Disturbance Permit	$211.75	$0.00
DSD Construction Technology Fee	$5.00	$0.00
DSD Construction Technology Fee	$5.00	$0.00
DSD Construction Technology Fee	$5.00	$0.00
DSD Construction Technology Fee	$5.00	$0.00
	$867.00	**$0.00**

Balance to Pay: 867.00

Escambia County
Planning and Zoning Payment Receipt

2/12/2018

1802404PLM **Ref: 3032846**

5200 BLK PALE MOON DR
PENSACOLA FL 32507

Paid By:
N/A

, FL

Payment Description:

Payments

Payment ID	Receieved Date	Payment Type	Reference Num	Fee	Amount
2031846	2/12/2018	Check	10897	Land Disturbance Permit	$211.75
				Land Disturbance Permit	$211.75
				Land Disturbance Permit	$211.75
				Land Disturbance Permit	$211.75
				DSD Construction Technology Fee	$5.00
				DSD Construction Technology Fee	$5.00
				DSD Construction Technology Fee	$5.00
				DSD Construction Technology Fee	$5.00
					$867.00
Total					**$867.00**

THIS IS NOT A PERMIT. This receipt does not authorize you to begin construction on your project.

Re: 5200 BLK PALE MOON DR./ 11-3S-32-3000-000-001/ LD Permit required

Bradley D Bane

Mon 2/12/2018 4:21 PM

To:Richard E. Craig <RECRAIG@myescambia.com>;

Cc:Timothy R. Day <TRDAY@myescambia.com>;

Hello Richard,

Following up on this case and as we discussed this afternoon, we issued Mr. Rick Faciane an after-the-fact Land Disturbing Permit this afternoon which is also saved in MyPermitNow in case it is needed for reference (1802404PLM). I reiterated to Rick the need for erosion and sediment controls adequately installed and maintained until site is stabilized and the need for adt'l permits for the retaining wall, house, etc.

Project is now closed on our end unless something else pops-up.

Thanks,
Brad

Bradley D. Bane, Environmental Analyst
Escambia County Development Services Department
Environmental Services- Review, DRC & Permitting
3363 West Park Place
Pensacola, FL 32505
(850) 595-4572 Office
(850) 595-3557 Fax
bdbane@co.escambia.fl.us
Please consider the Environment before printing this e-mail. Reduce, reuse, recycle.
Think Green.

From: Bradley D Bane
Sent: Wednesday, February 7, 2018 5:08:05 PM
To: rickfaciane50@yahoo.com
Cc: Richard E. Craig; Andrew D. Holmer
Subject: Fw: 5200 BLK PALE MOON DR./ 11-3S-32-3000-000-001/ LD Permit required

Yes sir. Thank you for your reply.

Brad

From: Rick Faciane <rickfaciane50@yahoo.com>
Sent: Wednesday, February 7, 2018 5:03 PM

To: Bradley D Bane
Subject: Re: 5200 BLK PALE MOON DR./ 11-3S-32-3000-000-001/ LD Permit required

Thanks Brad. Ill be in Monday am to get this done ,.Ill be out of town until then...

Rick Faciane
Classic Homes of Pensacola, LLC.
office: 850-944-6805
Cell: 850-698-5186
Fax: 850-944-2261

From: Bradley D Bane <BDBANE@myescambia.com>
To: Richard E. Craig <RECRAIG@myescambia.com>
Cc: "rickfaciane50@yahoo.com" <rickfaciane50@yahoo.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>
Sent: Wednesday, February 7, 2018 4:58 PM
Subject: Fw: 5200 BLK PALE MOON DR./ 11-3S-32-3000-000-001/ LD Permit required

Sorry, I forgot to include Mr. Craig to inform him on the progress of his case. He is now copied.

Thank you again,
Brad

From: Bradley D Bane
Sent: Wednesday, February 7, 2018 4:54 PM
To: rickfaciane50@yahoo.com
Cc: Andrew D. Holmer
Subject: 5200 BLK PALE MOON DR./ 11-3S-32-3000-000-001/ LD Permit required

Hello again Rick,

Thank you for providing what you have so far and for getting back with me today. Regarding the after-the-fact Land Disturbing Permit (LDP) for 5200 Pale Moon Dr:

- Please provide payment of $867 based on "4X" fee ($216.75) for a "Permit Violation" (see attached LDP code reference and fee schedule if needed for reference).
- We will need the attached *Power of Attorney* form signed and notarized as part of the application as well if Mr. Mindrebo is the property owner and you will be acting on his behalf.
- From there, it appears we can issued a permit, resolve the Code Enforcement Notice of Violation, and allow the project to more forward.

Thank you for your attention to these matters.

Regards,
Brad

Bradley D. Bane, Environmental Analyst
Escambia County Development Services Department
Environmental Services- Review, DRC & Permitting

3363 West Park Place
Pensacola, FL 32505
(850) 595-4572 Office
(850) 595-3557 Fax
bdbane@co.escambia.fl.us

Please consider the Environment before printing this e-mail. Reduce, reuse, recycle. Think Green.

Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.

MESSAGE

FOR Horace DATE _____ TIME VM from 3/9@2:40pm

M Fran Ogden

OF _____

PHONE _____ CELL 737-3436

MESSAGE Extremely long message RE. full material & "lies" by Rick Faciane, Comments about Brad Base & Drew. Wants proof that job was done Correctly, inspected Correctly, etc. Saved message if you want to hear it.

- ☑ Telephoned
- ☐ Returned your call
- ☑ Please Call
- ☐ Came to see you
- ☐ Wants to see you
- ☐ Will call again

Signed Karla

Mr. Jones, hi, I've been trying to call you this morning. Your cell phone stays filled, so, maybe you don't check your messages there, so nobody can leave any. Fran Ogden. I was reviewing this land and tree management that Brad Bane gave retroactively to a Mr. Faciane, and there are a lot of falsehoods on there. The first one being the amount of fill material. It is way more than 1,800. I did calculations based on two feet, and I used the wrong divider, but even if you go up to actual four feet which is along the retaining wall and use it, there's still (inaudible), even with my doing it with nine rather than 27, if you put the actual amount and measure it, you will see that you were lied to when you said it was 1,800. Mr. Faciane flat out lied to you. Probably his clients lied to him. Who knows? But anyhow, I don't know who inspected this. Did they do some measurements and bring a yard stick to see how high it goes and if we do some core samples, I think it's actually five feet of fill in the middle of that lot because that lot dips down and it's now at least four feet high, and you know, it was filled in down. It's four feet higher than my lot, and my lot was of course filled when they built the house. They totally are not being correct on the amount of fill so I would appreciate it if you would send an inspector down here and call them out on it. You could revoke their permit because of that. You could revoke their permit because of the wetlands thing they said, wetlands determination by Wetlands Sciences. Wetland Sciences does not have one. They never did it. They don't have one. I don't know what Brad Bane looked at or if he just took Mr. Faciane's word, which would be weird because I don't think that's correct. Because for one thing, he's been proven a liar. (laughter). And for another, I would imagine that it would be to Mr. Facianes benefit to say Wetlands Science's went out there. Anyhow, I need to see the proof because I don't think it exists, and according to Wetland Science it does not exist. So, ok, they don't have it posted, that's another violation, and they continue to violate that. This is just stuff, and as far as the protected trees, I understand now that there weren't any cause I was looking at all those oak trees, but that is for commercial. Maybe they shouldn't have been slapped for that, but they certainly shouldn't have, they certainly have lied to Mr. Banes, and I don't know if he knew that or what, but somebody should be checking what's on these things. And I am very unhappy, and Mr. Banes is under you. Mr. Holmer is under you. Mr. Holmer was talking to those people about their docks and was giving them guidance of wait until after this, and you won't have to do that. All of that is crazy because these people are not trying to follow the rules. Somebody should make them, and I was hoping that would be you. I'd like to go to this meeting on Monday. I would like to go to this meeting on Monday. I would like to go to this meeting on Monday. Thank you, sir. 850 737-3436. Thank you. Received March 9th at 2:40 p.m.

Karla N Moreno

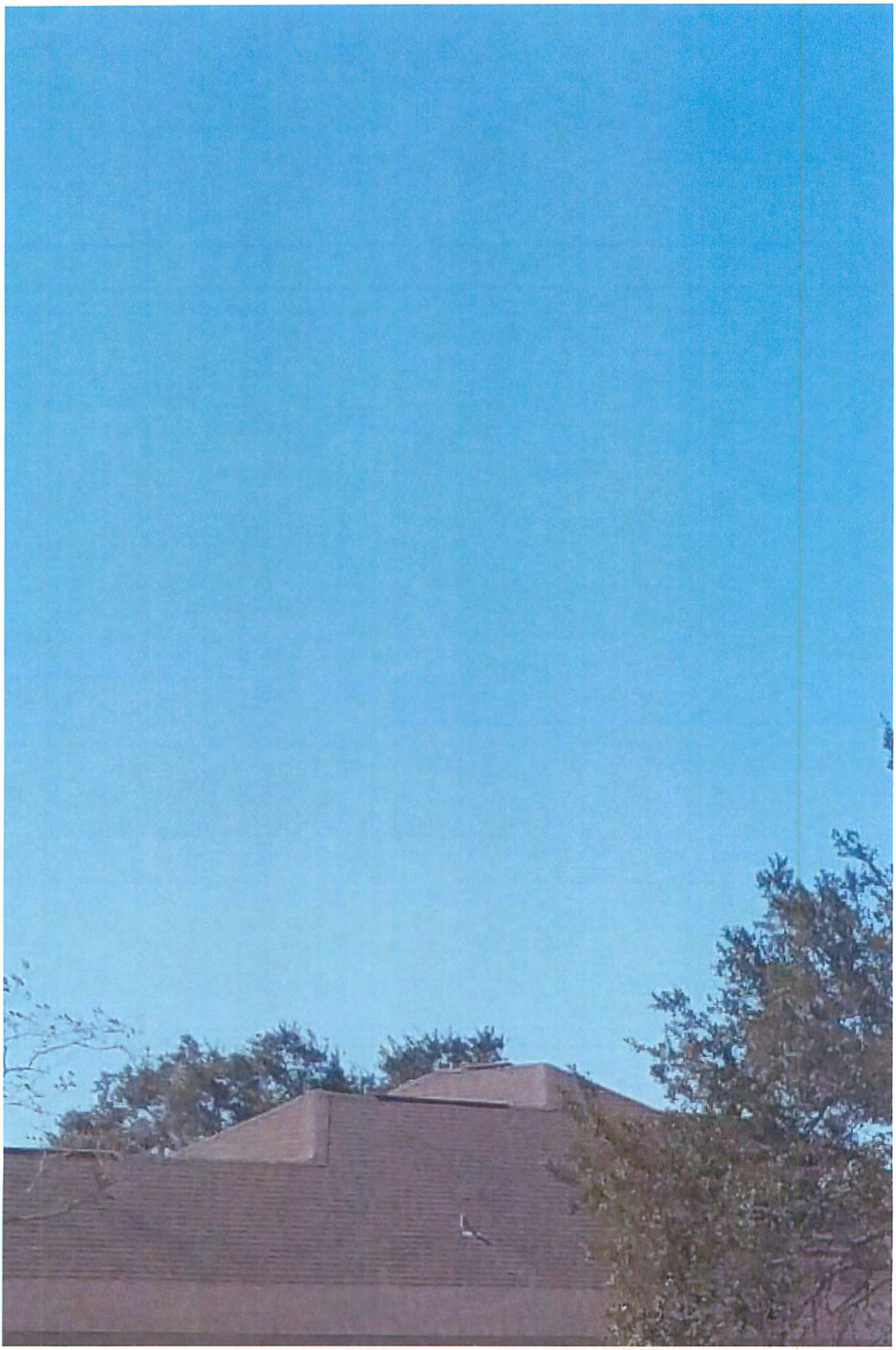
From: Horace L Jones
Sent: Monday, March 12, 2018 9:05 PM
To: Jack R. Brown; Tim Tolbert
Subject: Fwd: Pale Moon Dr.

Yes sir. Got the pictures. By the way, plans for a proposed home construction , were brought into the office by the Contractor, Land us approval for the site was not granted pending a complete and thorough review by all key personnel.

Sent from my iPhone

Begin forwarded message:

> **From:** "Jack R. Brown" <jrbrown@myescambia.com>
> **Date:** March 12, 2018 at 8:10:19 PM CDT
> **To:** Horace L Jones <HLJONES@myescambia.com>
> **Subject: Fwd: Pale Moon Dr.**
>
> Jack Brown - Sent from my iPhone
>
> Begin forwarded message:
>
> > **From:** "Wesley J Moreno" <WJMORENO@myescambia.com>
> > **To:** "Jack R. Brown" <jrbrown@myescambia.com>
> > **Cc:** "Joy D Blackmon" <JDBLACKM@myescambia.com>, "Joy Jones" <DJJONES@myescambia.com>
> > **Subject: Pale Moon Dr.**
> >
> > Jack,
> >
> > This is a different concern from Mrs. Ogden's previous concern. It's on the opposite side of her property. Pictures are attached _ it does appear quite a bit of fill was brought in to the site.
> >
> > Wes



Get Outlook for Android

Karla N Moreno

From: Horace L Jones
Sent: Tuesday, March 13, 2018 11:10 AM
To: Jennifer A. Hampton; Terry D Williams
Subject: FW: building permit for 5200 blk Pale Moon- Mindrebo's

Jennifer,

Terry will be assigning a PIU Number from the Development Services ASAP. Please note that we are not granting land use approval. This is just to get the plans in our system.

From: Jennifer A. Hampton
Sent: Tuesday, March 13, 2018 11:02 AM
To: Fran Ogden <franogdenrd@gmail.com>; Permits <Permits@myescambia.com>
Cc: Tim Tolbert <JTTOLBERT@myescambia.com>; Horace L Jones <HLJONES@myescambia.com>
Subject: RE: building permit for 5200 blk Pale Moon- Mindrebo's

Ms. Ogden,

When we receive this from the builder, we would be happy to provide you with copies. There will be a fee for the copies of the documents, and unfortunately without knowing how many pages there will be I am unable to tell you how much at this time.

Please let us know if we can be of any further assistance.

Thank you,

Jennifer A. Hampton, CFM

Director's Aide to
Tim Tolbert Building Official/Director
& Board Secretary
Escambia County Building Services Dept.
3363 West Park Dr., Pensacola, FL 32505
PH: (850) 595-4560 or (850) 554-2849
Fax:(850) 595-3589
Email: jahampton@myescambia.com

my escambia

From: Fran Ogden [mailto:franogdenrd@gmail.com]
Sent: Tuesday, March 13, 2018 9:38 AM
To: Permits <Permits@myescambia.com>
Subject: building permit for 5200 blk Pale Moon- Mindrebo's

To whom it may concern:

Please provide a copy of the permit application for the home the Mindrebo's plan to build on their undesignated lot. I am especially interested in the grading/ floodwater plan.

Please let me know the earliest I could pick up the copies

Thank-you

--
Fran Ogden
850-737-3436

Karla N Moreno

From: Horace L Jones
Sent: Tuesday, March 13, 2018 12:10 PM
To: 'Fran Ogden'; Jennifer A. Hampton
Cc: Permits; Tim Tolbert
Subject: RE: building permit for 5200 blk Pale Moon- Mindrebo's

Mrs. Fran,

Got the e-mail you sent from my discussion with you earlier today. This is just to clarify a few points that you made in your e-mail below for documentation.

As I said, we do have a set of plans(given to us on 3/12/18)that will be inputing into the permitting system. Only a quick cursory review was done. Land use review (which includes a submittal of a stormwater plan(not a Floodwater plan/or water mitigation Plan submittal and review) is yet pending. A Detailed review from Development Services will be done once we received all the applicable documents per LDC.

This is only clarify some information that I told you about.

Thanks.

From: Fran Ogden [mailto:franogdenrd@gmail.com]
Sent: Tuesday, March 13, 2018 11:49 AM
To: Jennifer A. Hampton <jahampton@myescambia.com>
Cc: Permits <Permits@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Horace L Jones <HLJONES@myescambia.com>
Subject: Re: building permit for 5200 blk Pale Moon- Mindrebo's

Thank- you, Mr. Jones has been in touch and informed me that the floodwater plan has not yet been submitted. Mr. Jones also called me yesterday to keep me informed.

I reminded Mr. Jones that the property has not been inspected to confirm the fill amount claimed on the retroactive permit application. I maintain that it has been misrepresented and is at least 20% more than claimed by Mr. Facione. All floodwater plans need to use actual dirt brought in not what is falsely claimed.

I will be needing copies the foundation plans to include total square footage of all covered surfaces including driveways and outhouses and the floodwater plans.

Please review the plans submitted by Mr. Facione during the retroactive land clearing application and the present one to confirm congruency.

Thank-you,
Fran Ogden

On Tue, Mar 13, 2018 at 11:02 AM, Jennifer A. Hampton <jahampton@myescambia.com> wrote:

> Ms. Ogden,

When we receive this from the builder, we would be happy to provide you with copies. There will be a fee for the copies of the documents, and unfortunately without knowing how many pages there will be I am unable to tell you how much at this time.

Please let us know if we can be of any further assistance.

Thank you,

Jennifer A. Hampton, CFM

Director's Aide to

Tim Tolbert Building Official/Director

& Board Secretary

Escambia County Building Services Dept.

3363 West Park Dr., Pensacola, FL 32505
PH: (850) 595-4560 or (850) 554-2849
Fax:(850) 595-3589

Email: jahampton@myescambia.com

From: Fran Ogden [mailto:franogdenrd@gmail.com]
Sent: Tuesday, March 13, 2018 9:38 AM
To: Permits <Permits@myescambia.com>
Subject: building permit for 5200 blk Pale Moon- Mindrebo's

To whom it may concern:

Please provide a copy of the permit application for the home the Mindrebo's plan to build on their undesignated lot. I am especially interested in the grading/ floodwater plan.

Please let me know the earliest I could pick up the copies

Thank-you

--

Fran Ogden
850-737-3436

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--

Fran Ogden
850-737-3436

Karla N Moreno

From: Horace L Jones
Sent: Tuesday, March 13, 2018 12:36 PM
To: Chips Kirschenfeld; Tim Tolbert; Timothy R. Day
Cc: Juan C. Lemos; Joy D Blackmon
Subject: MEETING SUMMARY PALE MOON 3-13-18
Attachments: MEETING SUMMARY PALE MOON 3-13-18.docx

To All:

Here is a quick Re-cap of the discussion on the After-the-Fact-Permit. **I know there was some discussion on inspecting the site to determine the amount of filled; but to proceed with that action was not clearly determine.**

Tim Day,

Since the fill is currently on lot (which was done prior to land disturbing being issued), I would suggest that Code Enforcement inspection be perform routinely to ensure that the sediment controls are yet in place. This can be a joint effort with the site guys as well while the plans for the proposed house (which includes the review of the proposed site plan and the required stormwater plan).

MEETING SUMMARY

3-13-18

PALE MOON PROPERTY

In attendance; Jack Brown, Alison Rogers, Horace Jones, Chips Kirschenfeld, Joy Blackmon, Tim Tolbert, Roza Sestnov, Bradley Bane and Juan Lemos

Issue: After the fact permit for fill; adjacent property owner concerns with stormwater.

There was discussion on reviewing site in question to determine if additional fill was brought to location from Code Enforceement.

Jack Brown- staff to contact developer (Horace and Tim Tolbert) and inform them of the requirement to submit a stormwater management plan for review by Ms. Roza Sestnov, within two weeks of notice.

If the plan is not received timely, then the County will revoke the Land Disturbance permit and Code Enforcement will begin processing of the violation.

Karla N Moreno

From: Horace L Jones
Sent: Tuesday, March 13, 2018 12:40 PM
To: Roza I. Sestnov; Bradley D Bane
Subject: Fwd: MEETING SUMMARY PALE MOON 3-13-18
Attachments: MEETING SUMMARY PALE MOON 3-13-18.docx; ATT00001.htm

Sent from my iPhone

Begin forwarded message:

> **From:** Horace L Jones <HLJONES@myescambia.com>
> **Date:** March 13, 2018 at 12:35:35 PM CDT
> **To:** Chips Kirschenfeld <JTKIRSCHE@myescambia.com>, Tim Tolbert <JTTOLBERT@myescambia.com>, "Timothy R. Day" <TRDAY@myescambia.com>
> **Cc:** "Juan C. Lemos" <JCLEMOS@myescambia.com>, Joy D Blackmon <JDBLACKM@myescambia.com>
> **Subject: MEETING SUMMARY PALE MOON 3-13-18**
>
> To All:
>
> Here is a quick Re-cap of the discussion on the After-the-Fact-Permit. **I know there was some discussion on inspecting the site to determine the amount of filled; but to proceed with that action was not clearly determine.**
>
> Tim Day,
>
> Since the fill is currently on lot (which was done prior to land disturbing being issued), I would suggest that Code Enforcement inspection be perform routinely to ensure that the sediment controls are yet in place. This can be a joint effort with the site guys as well while the plans for the proposed house (which includes the review of the proposed site plan and the required stormwater plan).

Karla N Moreno

From: Horace L Jones
Sent: Tuesday, March 13, 2018 1:37 PM
To: Timothy R. Day; Chips Kirschenfeld; Tim Tolbert
Cc: Juan C. Lemos; Roza I. Sestnov; Bradley D Bane
Subject: 5312 Palemoon Drive #11-3S-32-3000-000-001

Good Afternoon Gentleman,

Please review the message below and let me know of any changes that you may deem necessary. I would like to send this to Mr. Facione today.

It is my understanding, from a phone call discussion that you had with Mrs. Roza this morning on 3/13/13, that you will be submitting a detailed Stormwater Plan for the referenced lot for the construction of a single-family dwelling on the lot in question. Please note that a stormwater management plan must be submitted to the Development Services Department for review **within two-weeks from this notification**. If the stormwater management plan is not received during the time as specified, the County will revoke the Land Disturbance permit and Code Enforcement will begin processing the violation.

The submitted building plans and all the supporting documents and/or plans {including the stormwater management plans) must be reviewed and approved prior to the issuance of any building permits or any other land use development and/or activities on the lot in question.

If you have any questions, please do not hesitate call me or e-mail me

This e-mail is to serve as notification. Please reply with an acknowledgement that you received this e-mail.

Horace Jones
Department Director
Development Services Department
33363 West Park Place, *Pensacola, FL*
850-595-3625 or 554-8210
hljones@myescambia.com

Karla N Moreno

From: Horace L Jones
Sent: Tuesday, March 13, 2018 2:17 PM
To: 'rickfaciane50@yahoo.com'
Cc: Timothy R. Day; Tim Tolbert; Chips Kirschenfeld; Jack R. Brown; Angela D. Crawley; Alison A. Rogers; Dianne C. Simpson; Jennifer A. Hampton; Karla N Moreno
Subject: 5312 Palemoon Drive #11-3S-32-3000-000-001

Tracking:

Recipient	Delivery	Read
'rickfaciane50@yahoo.com'		
Timothy R. Day	Delivered: 3/13/2018 2:17 PM	
Tim Tolbert	Delivered: 3/13/2018 2:17 PM	
Chips Kirschenfeld	Delivered: 3/13/2018 2:17 PM	Read: 3/13/2018 2:34 PM
Jack R. Brown	Delivered: 3/13/2018 2:17 PM	Read: 3/13/2018 2:51 PM
Angela D. Crawley	Delivered: 3/13/2018 2:17 PM	
Alison A. Rogers	Delivered: 3/13/2018 2:17 PM	
Dianne C. Simpson	Delivered: 3/13/2018 2:17 PM	
Jennifer A. Hampton	Delivered: 3/13/2018 2:17 PM	
Karla N Moreno	Delivered: 3/13/2018 2:17 PM	Read: 3/13/2018 2:18 PM

Good Afternoon, Rick

It is my understanding, from a phone call discussion that you had with Mrs. Roza this morning on 3/13/13, that you will be submitting a detailed Stormwater Plan for the referenced lot for the construction of a single-family dwelling on the lot in question. Please note that a stormwater management plan must be submitted to the Development Services Department for review **within two-weeks from this notification**. If the stormwater management plan is not received during the time as specified, the County will revoke the Land Disturbance permit and Code Enforcement will schedule this property to be heard at the next available Special Magistrate date to address any outstanding code issues.

The submitted building plans and *all the supporting documents* and/or plans {including the stormwater management plan) must be reviewed and approved prior to the issuance of any building permits or any other land use development and/or activities on the lot in question.

If you have any questions, please do not hesitate call me or e-mail me

This e-mail is to serve as notification. Please reply with an acknowledgement that you received this e-mail. Failure to acknowledge receipt does not nullify this notification.

Respectfully submitted.

Horace Jones
Department Director
Development Services Department

33363 West Park Place, *Pensacola, FL*
850-595-3625 or 554-8210
hljones@myescambia.com

Horace Jones
Department Director
Development Services Department
33363 West Park Place, *Pensacola, FL*
850-595-3625 or 554-8210
hljones@myescambia.com

Karla N Moreno

From: Karla N Moreno
Sent: Tuesday, March 13, 2018 2:23 PM
To: Horace L Jones
Subject: RE: 5312 Palemoon Drive #11-3S-32-3000-000-001

Horace,

Someone had already set up a file, so I added this to it. It is saved at **H:\DEV SRVCS\PRO-000 Projects\Citizen Requests\2018\5312 Pale Moon**

Thanks.

Karla N. Moreno, Assistant to:
Horace Jones, Department Director
Escambia County Development Services
3363 West Park Place, Pensacola, FL 32505

PHONE: (850) 595-3597
CELL: (850) 516-0051
FAX: (850) 595-3512

Please consider the environment before printing this e-mail. Think Green.

From: Horace L Jones
Sent: Tuesday, March 13, 2018 2:17 PM
To: 'rickfaciane50@yahoo.com' <rickfaciane50@yahoo.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Chips Kirschenfeld <JTKIRSCHE@myescambia.com>; Jack R. Brown <jrbrown@myescambia.com>; Angela D. Crawley <adcrawle@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Dianne C. Simpson <dcsimpso@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>; Karla N Moreno <KNMORENO@myescambia.com>
Subject: 5312 Palemoon Drive #11-3S-32-3000-000-001

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If you have any questions, please do not hesitate call me or e-mail me

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Respectfully submitted.

Horace Jones
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33363 West Park Place, *Pensacola, FL*
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hljones@myescambia.com

Horace Jones
Department Director
Development Services Department
33363 West Park Place, *Pensacola, FL*
850-595-3625 or 554-8210
hljones@myescambia.com

Meeting Agenda RE: Pale Moon

March 13, 2018 - 9:30 a.m. – CAO Large Conference Room

Attendees: Alison Rogers, Jack Brown, Horace Jones, Brad Bane, Juan Lemos, Chips Kirschenfeld, Joy Blackmon, Chris Curb, Joy Jones, Tim Day, Tim Tolbert, Roza Sestnov

I. Review of Issuance of Permit

   a) "After-the-Fact" Permit issued on 2/12/18

   b) Compliance with the LDC Requirement

II. Open issues

   a) Removal of Fill - Request by Fran Ogden

   b) Lot in a Flood Zone Designation of AE 4. LDC requires Freeboard of 3'

      Please note at the point of plan submittal a Flood Elevation Certificate is required. Plans were briefly reviewed yesterday; however, no land use approval was granted since the applicant did not have the 1st Flood Elevation Certificate. During the permitting process, 3 Flood Elevations are required.

   c) Review of LDC and Building Code for Proposed Set of Plans

   d) Primary Issue - Stormwater Review

III. New business

   a) LDC changes with placement of fill through land disturbance permit process

   b) Site Elevations

   c) Retroactive Permits

   d) Other

IV. Adjournment

Karla N Moreno

From: Roza I. Sestnov
Sent: Tuesday, March 13, 2018 2:59 PM
To: Horace L Jones
Subject: 5312 Pale Moon

Horace,

Here is the Section of LDC with applicable language:

Sec. 5-4.2 Stormwater impact review.
(a) Approval required. No land use or development activity may alter or disrupt existing stormwater runoff patterns or conditions without prior county review and approval for compliance with the standards of this article unless the use or activity is specifically identified in the LDC as exempt from these standards. Uses or activities that may alter or disrupt existing stormwater runoff sufficiently to require a stormwater management plan include the following:
(1) Land disturbance. Grading, digging, cutting, scraping, or excavating of soil; placement of fill materials; substantial removal of vegetation; the drainage of land; and any other forms of land disturbance that would significantly change stormwater runoff.
(2) Lot coverage. Construction of a structure or the non-*de minimis* alteration of the size of one or more structures; placement of aggregate and paving; and other constructed changes in the proportions of pervious, impervious, and semi-impervious lot coverage.
(3) Alterations. Alteration of the shoreline or bank of any watercourse or surface waterbody; or alteration of any ditches, dikes, terraces, berms, swales, piping, inlets, ponds, or other natural or manmade elements affecting the control or management of stormwater.
(4) Subdivision. The subdivision of land, including the replatting of a recorded subdivision.

Highlighted is what, in my opinion, applicable in our case.
Please let me know if you need any additional info.

Thank you.

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

Karla N Moreno

From: Horace L Jones
Sent: Tuesday, March 13, 2018 3:12 PM
To: Alain Espinosa; Dianne C. Simpson
Subject: Fwd: 5312 Pale Moon

Please print this out for Alison.

Sent from my iPhone

Begin forwarded message:

From: "Roza I. Sestnov" <risestnov@myescambia.com>
Date: March 13, 2018 at 2:59:07 PM CDT
To: Horace L Jones <HLJONES@myescambia.com>
Subject: 5312 Pale Moon

Horace,

Here is the Section of LDC with applicable language:

Sec. 5-4.2 Stormwater impact review.
(a) Approval required. No land use or development activity may alter or disrupt existing stormwater runoff patterns or conditions without prior county review and approval for compliance with the standards of this article unless the use or activity is specifically identified in the LDC as exempt from these standards. Uses or activities that may alter or disrupt existing stormwater runoff sufficiently to require a stormwater management plan include the following:
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Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

Karla N Moreno

From: Horace L Jones
Sent: Tuesday, March 13, 2018 3:38 PM
To: Horace L Jones
Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

To All:

I did received a phone call from Mr Faciane today. Briefly, he stated that he will be communicating with his attorney Lisa Minshew.

Additionally, please see attached e-mail referencing the LDC requirement.

From: Horace L Jones
Sent: Tuesday, March 13, 2018 2:17 PM
To: 'rickfaciane50@yahoo.com' <rickfaciane50@yahoo.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Chips Kirschenfeld <JTKIRSCHE@myescambia.com>; Jack R. Brown <jrbrown@myescambia.com>; Angela D. Crawley <adcrawle@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Dianne C. Simpson <dcsimpso@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>; Karla N Moreno <KNMORENO@myescambia.com>
Subject: 5312 Palemoon Drive #11-3S-32-3000-000-001

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Respectfully submitted.

Horace Jones

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Horace Jones
Department Director
Development Services Department
33363 West Park Place, *Pensacola, FL*
850-595-3625 or 554-8210
hljones@myescambia.com

Karla N Moreno

From: Horace L Jones
Sent: Tuesday, March 13, 2018 3:42 PM
To: Jack R. Brown; Alison A. Rogers; Angela D. Crawley
Cc: Timothy R. Day; Chips Kirschenfeld; Tim Tolbert
Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001
Attachments: 5312 Pale Moon

FYI

From: Horace L Jones
Sent: Tuesday, March 13, 2018 3:38 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

To All:
FYI
I did received a phone call from Mr Faciane today. Briefly, he stated that he will be communicating with his attorney Lisa Minshew.

Additionally, please see attached e-mail referencing the LDC requirement. It appears that the LDC is quite clear on what is required.

From: Horace L Jones
Sent: Tuesday, March 13, 2018 2:17 PM
To: 'rickfaciane50@yahoo.com' <rickfaciane50@yahoo.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Chips Kirschenfeld <JTKIRSCHE@myescambia.com>; Jack R. Brown <jrbrown@myescambia.com>; Angela D. Crawley <adcrawle@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Dianne C. Simpson <dcsimpso@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>; Karla N Moreno <KNMORENO@myescambia.com>
Subject: 5312 Palemoon Drive #11-3S-32-3000-000-001

Good Afternoon, Rick

It is my understanding, from a phone call discussion that you had with Mrs. Roza this morning on 3/13/13, that you will be submitting a detailed Stormwater Plan for the referenced lot for the construction of a single-family dwelling on the lot in question. Please note that a stormwater management plan must be submitted to the Development Services Department for review **within two-weeks from this notification**. If the stormwater management plan is not received during the time as specified, the County will revoke the Land Disturbance permit and Code Enforcement will schedule this property to be heard at the next available Special Magistrate date to address any outstanding code issues.

The submitted building plans and *all the supporting documents* and/or plans {including the stormwater management plan) must be reviewed and approved prior to the issuance of any building permits or any other land use development and/or activities on the lot in question.

If you have any questions, please do not hesitate call me or e-mail me

This e-mail is to serve as notification. Please reply with an acknowledgement that you received this e-mail. Failure to acknowledge receipt does not nullify this notification.

Respectfully submitted.

Horace Jones
Department Director
Development Services Department
33363 West Park Place, *Pensacola, FL*
850-595-3625 or 554-8210
hljones@myescambia.com

Horace Jones
Department Director
Development Services Department
33363 West Park Place, *Pensacola, FL*
850-595-3625 or 554-8210
hljones@myescambia.com

Karla N Moreno

From: Horace L Jones
Sent: Tuesday, March 13, 2018 3:48 PM
To: 'rickfaciane50@yahoo.com'
Cc: Terry D Williams; Tim Tolbert; Timothy R. Day; Roza I. Sestnov
Subject: FW: 5312 Pale Moon

Rick,

Please see the e-mail below on the LDc requirement for a stormwater management plan submittal. This is the current regulation as of 3/13/18.

Respectfully.

From: Roza I. Sestnov
Sent: Tuesday, March 13, 2018 2:59 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: 5312 Pale Moon

Horace,

Here is the Section of LDC with applicable language:

Sec. 5-4.2 Stormwater impact review.
(a) Approval required. No land use or development activity may alter or disrupt existing stormwater runoff patterns or conditions without prior county review and approval for compliance with the standards of this article unless the use or activity is specifically identified in the LDC as exempt from these standards. Uses or activities that may alter or disrupt existing stormwater runoff sufficiently to require a stormwater management plan include the following:
(1) Land disturbance. Grading, digging, cutting, scraping, or excavating of soil; placement of fill materials; substantial removal of vegetation; the drainage of land; and any other forms of land disturbance that would significantly change stormwater runoff.
(2) Lot coverage. Construction of a structure or the non-*de minimis* alteration of the size of one or more structures; placement of aggregate and paving; and other constructed changes in the proportions of pervious, impervious, and semi-impervious lot coverage.
(3) Alterations. Alteration of the shoreline or bank of any watercourse or surface waterbody; or alteration of any ditches, dikes, terraces, berms, swales, piping, inlets, ponds, or other natural or manmade elements affecting the control or management of stormwater.
(4) Subdivision. The subdivision of land, including the replatting of a recorded subdivision.

Please let me know if you need any additional info.

Thank you.

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411

Fax (850) 595-3703

P Please consider the environment before printing this e-mail. Think Green.

Karla N Moreno

From: Horace L Jones
Sent: Tuesday, March 27, 2018 11:34 AM
To: Jennifer A. Hampton; Tim Tolbert; Ronny L. McGlothren; Terry D Williams; Andrew D. Holmer
Subject: RE: building permit for 5200 blk Pale Moon- Mindrebo's

Jennifer,

We have assigned a PLU number only. The detailed site plan review has not been done yet . The stormwater review of the required stormwater management plans have not been submitted and reviewed yet. Along with that it was brought to our attention of a discrepancy with the survey. So, we have to ask for clarification with contractor and/or homeowner as well before sign-off could be given.

So, I would think that a copy of the plans can be given to the requestor with an understanding that land use approval and the building permit has not been issued yet and the the site plan including the survey and perhaps the building plans are subject to change.

From: Jennifer A. Hampton
Sent: Tuesday, March 27, 2018 9:35 AM
To: Horace L Jones <HLJONES@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Ronny L. McGlothren <RLMCGLOT@myescambia.com>; Terry D Williams <TDWILLIA@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>
Subject: FW: building permit for 5200 blk Pale Moon- Mindrebo's

Horace, Drew, Terry ~

Are we in receipt of this?

Jen

From: Fran Ogden [mailto:franogdenrd@gmail.com]
Sent: Tuesday, March 27, 2018 9:17 AM
To: Permits <Permits@myescambia.com>
Subject: Re: building permit for 5200 blk Pale Moon- Mindrebo's

Dear Jennifer,

I would like to get a copy of the plans submitted by the Mindrebo's for 5212 Pale Moon

I will be by this afternoon to pick them up.

I particularly want the boundary survey and the required set backs that the building dept. requires.

Is the floodwater plan available? I believe 2 weeks has passed sense they submitted (3/13)and 6 weeks has passed since Brad Banes gave them a retroactive permit (2/12) without such engineering in place. Spring is here - rains will be coming. Time is of the essence.

Karla N Moreno

From: Horace L Jones
Sent: Tuesday, May 01, 2018 12:38 PM
To: Tim Tolbert; Jennifer A. Hampton
Subject: Fwd: 5312 Plane Moon Drive Stormwater Permit

Sent from my iPhone

Begin forwarded message:

> **From:** Fran Ogden <franogdenrd@gmail.com>
> **Date:** May 1, 2018 at 12:10:13 PM CDT
> **To:** Horace L Jones <HLJONES@myescambia.com>
> **Cc:** "Roza I. Sestnov" <risestnov@myescambia.com>, "Timothy R. Day" <TRDAY@myescambia.com>, "Alison A. Rogers" <aarogers@co.escambia.fl.us>, "Jack R. Brown" <jrbrown@myescambia.com>
> **Subject: Re: 5312 Plane Moon Drive Stormwater Permit**
>
> Re: floodwater plan 5312 Pale Moon Dr.
>
> To whom it may concern,
>
> I maintain that the Mindrebo's have not made adequate accommodation to contain and direct their stormwater. They have failed to accommodate fr the massive amount of water that the lot held before it was filled in with over 2000 cubic yards of illegal dirt. I have hired an engineer and he is presently researching the situation and will prepare a report. Please give me time to ensure that the Mindreo's will not flood me out. I respectfully request that no building permit be issued until this report is reviewed by all. You have given the Mindrebo's several extension to submit information so I am expecting I will be granted the same. It is unfortunate that I have to incur these expenses, but feel totally unprotected by the review process.
>
> It is also time to resolve the ditch issue with the drainage ditch that is adjacent to my property at 5334 Pale Moon. The overgrown, unmaintained ditch is on my property and I do not believe that it will handle the displaced water from 5312 Pale Moon. Furthermore, I do not grant permission for the trespass of this additional displaced water.
>
> I expect the report to be available to me next week and I will forward directly.
>
> Thank you,
> Frances Ogden
>
> On Thu, Apr 12, 2018 at 10:29 AM, Horace L Jones <HLJONES@myescambia.com> wrote:
> > Send all the documents
> >
> > Sent from my iPhone
> >
> > On Apr 12, 2018, at 9:46 AM, Roza I. Sestnov <risestnov@myescambia.com> wrote:
> >
> > Mrs. Ogden,

Karla N Moreno

From: Horace L Jones
Sent: Friday, May 18, 2018 2:33 PM
To: Horace L Jones
Subject: FW: Mindrebo 5312 Pale Moon Drive; WSI #2017-687
Attachments: March 29 2018 letter to Brad Bane.pdf

This is the Wetland assessement.

From: Bradley D Bane
Sent: Monday, April 02, 2018 10:06 AM
To: Keith Johnson <keith@wetlandsciences.com>; Timothy R. Day <TRDAY@myescambia.com>
Cc: 'FRED THOMPSON' <FRT@NWFLS.COM>; jerry@mcguire-assoc.com; dmindrebo@att.net; 'Craig Martin' <craig@wetlandsciences.com>; Horace L Jones <HLJONES@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>
Subject: Re: Mindrebo 5312 Pale Moon Drive; WSI #2017-687

Keith,

Thank you for providing a thorough report for 5312 Pale Moon Dr. noting Wetlands were not identified onsite. We will put this with the project file for any future review or discussion.

Regards,

Brad

Bradley D. Bane, Environmental Analyst
Escambia County Development Services Department
Environmental Services- Review, DRC & Permitting
3363 West Park Place
Pensacola, FL 32505
(850) 595-4572 Office
(850) 595-3557 Fax
bdbane@co.escambia.fl.us

Please consider the Environment before printing this e-mail. Reduce, reuse, recycle. Think Green.

From: Keith Johnson <keith@wetlandsciences.com>
Sent: Thursday, March 29, 2018 5:42 PM
To: Bradley D Bane; Timothy R. Day

Cc: 'FRED THOMPSON'; jerry@mcguire-assoc.com; dmindrebo@att.net; 'Craig Martin'
Subject: Mindrebo 5312 Pale Moon Drive; WSI #2017-687

Brad & Tim,

Please see attached letter regarding the above referenced property. Please feel free to call if any questions should arise.

Thanks,

Keith Johnson
Wetland Sciences, Inc.
3308 Gulf Beach Hwy
Pensacola, FL 32507
Tel: 850.453.4700

Virus-free. www.avast.com

WETLAND SCIENCES
INCORPORATED

March 29, 2018

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

Re: Scott & Donna Mindrebo
5312 Pale Moon Drive, Pensacola, FL 32507
WSI Project 2017-687

Dear Mr. Bane,

There has been much speculation & accusations regarding the historical existence of wetlands within the parcel of property with the physical address of 5312 Pale Moon Drive owned by Scott & Donna Mindrebo. Our firm's involvement with this project began in October 2017. At that time we were retained by Charlie Dutton (Marine Contractor) to secure state/federal authorizations that would allow the construction of a vinyl sheet pile retaining wall along the shoreline of said lot.

Wetland Sciences, Inc., inspected the parcel of property on November 30, 2017 to gather data necessary to prepare the state/federal environmental resource permit applications (ERP). This inspection included a review of the condition of the shoreline and property. Photograph #1 that is included in the photo essay appended as Exhibit A depicts the condition of the shoreline as noted during our November 30, 2017 site inspection.

Photograph #1 clearly shows the condition of the shoreline and the plant community structure that existed prior to land development activities. There is no evidence within the photograph to suggest the presence of wetlands. The shoreline was armored with a mixture of Class II and III limestone rip that extended below and above the horizontal plane of the mean high water line. Vegetation noted in the picture is typical of an upland community.

Photograph #2 in Exhibit A depicts the northern half of the shoreline and the shoreline of the neighboring property to the north. In the photograph you can clearly see that the top of the rip rap revetment within the subject property is at or near the same horizontal elevation as the adjoining property which is dominated by upland plant community structure. Live oaks dominate the canopy within the adjoining property.

Photograph #3 in Exhibit A depicts the southern half of the shoreline and the shoreline of the neighboring property to the south. In the photograph you can clearly see that the top of the rip rap revetment within the subject property is at or near the same horizontal elevation as the adjoining property which is dominated by upland plant community structure. Mature live oaks dominate the canopy within the adjoining property.

Please understand that one of the primary factors under evaluation during our site inspection would be the presence of wetlands within the subject property as this would have implications with the Environmental Resource Permit for the proposed vertical retaining wall. If wetlands were noted, we would have delineated the extent of wetlands within the lot and/or quantified the potential impact that would result from the construction of the wall. Wetlands were not noted during our inspection. Any wetlands that would have been identified during our inspection would have been depicted on the plans prepared and submitted in support of the ERP application.

Furthermore, the ERP permit process is subject to review by staff of the Florida Department of Environmental Protection (DEP). DEP staff would have inspected the site prior to the issuance of the ERP permit. I have appended in Exhibit B, a checklist prepared by DEP in support of the ERP application. This checklist confirms a review of the project and the fact that the project will not impact emergent tidal wetlands. Had the DEP reviewer noted the presence of wetlands within the property, Wetland Sciences, Inc. would have been notified by the Department. No such notice was received and the permit was issued on December 5, 2017.

Our firm used the pictures contained within Exhibit A in support of a shoreline condition letter addressed to Escambia County. This was in an effort to secure LDC concurrency statement from Development Services which would allow the Marine Contractor to proceed with applying for a building permit. LDC concurrency was received on February 26, 2018.

There is absolutely no evidence that would suggest the subject property contained any wetlands. I have personally reviewed soil survey data, national wetlands inventory data, aerial photographs (present and historical), recorded subdivision plat, historical DEP permits, topographic data, and National Hydrography Data all of which suggest that the parcel was comprised entirely of upland resources. I would be happy to provide any information we have on file that supports this assertion.

I certainly hope this letter puts this issue to rest. If should have any questions or require any additional information, please do not hesitate to call.

Respectfully,
Wetland Sciences, Inc.

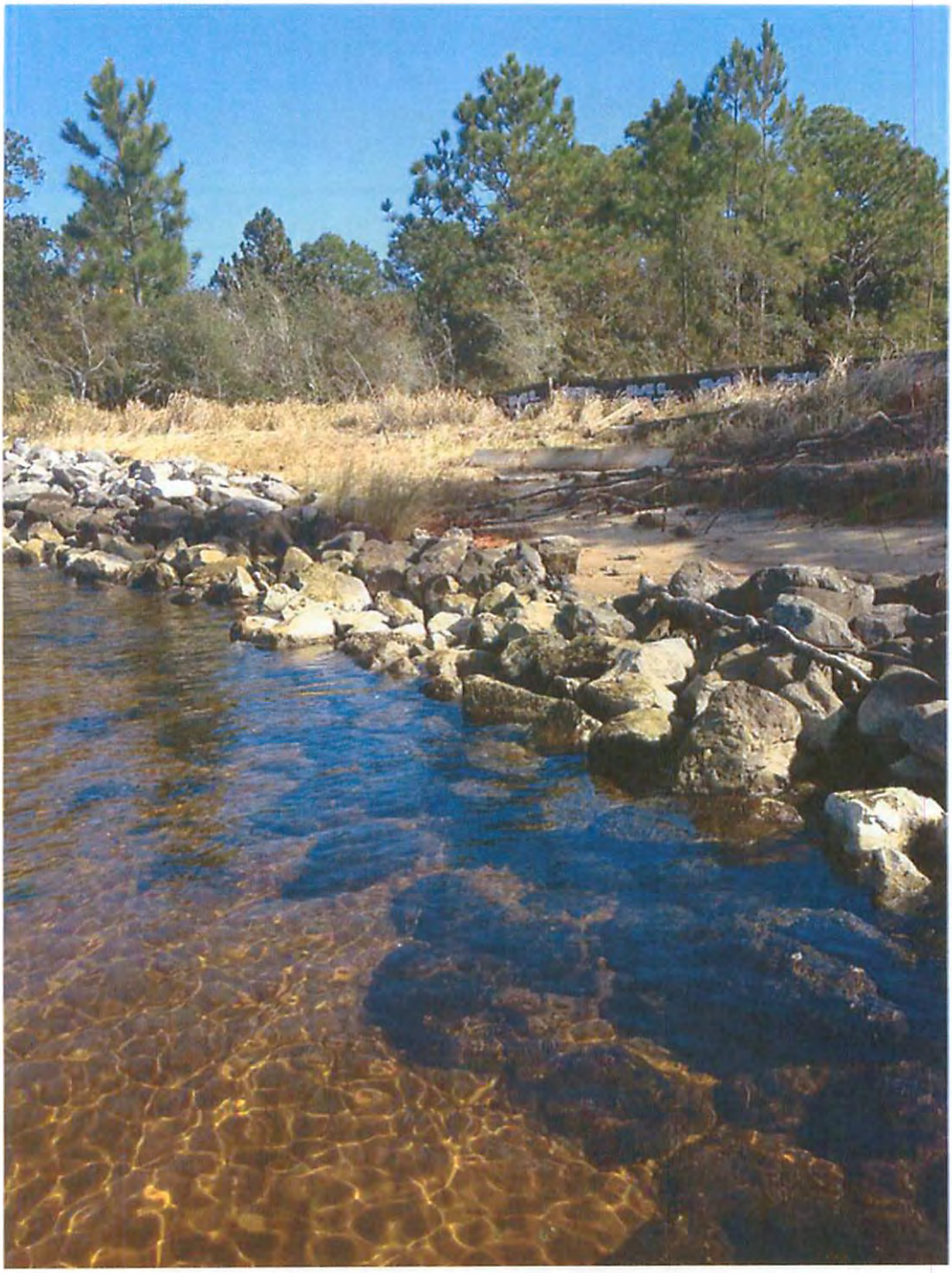
Keith Johnson
Senior Scientist

Enclosures: Exhibit A – Site Photographs from November 30, 2017 Site Inspection
Exhibit B – SPGP checklist from DEP Reviewer Douglas Sprague
Exhibit C – State/Federal ERP permits

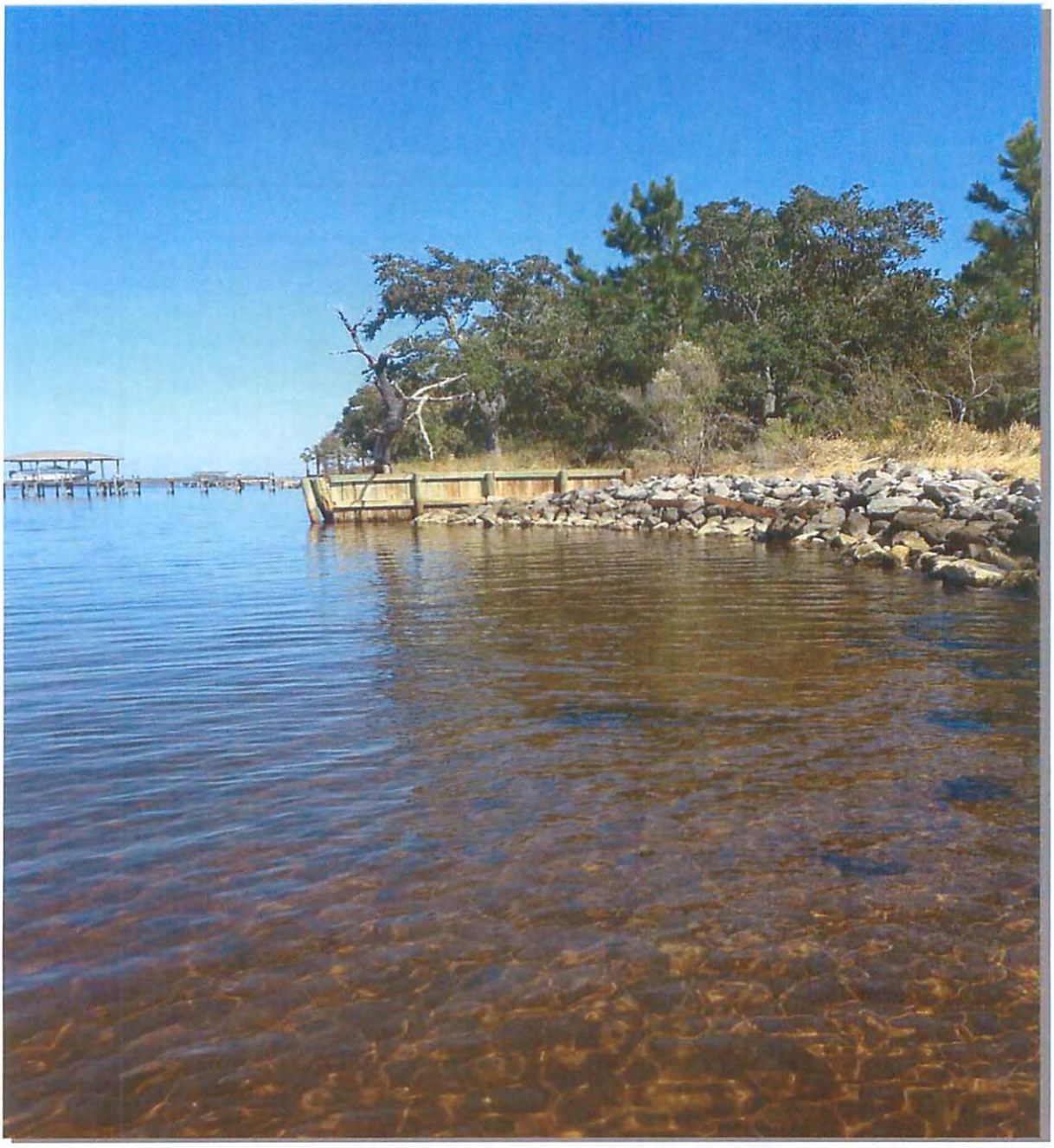
Cc: Craig Martin, Wetland Sciences, Inc.
Jerry McGuire
Fred Thompson
Rick Faciane
Scott & Donna Mindrebo
Timothy Day, Escambia County
File

Exhibit A

Site Photographs



Photograph #1. Condition of shoreline at 5312 Pale Moon Drive on November 30, 2017. The brown grass landward of the rock is broomsedge (Andropogon virginicus). The shrubs located along the silt fence are yaupon holly (Ilex vomitoria). Trees also noted in the picture are large flowering magnolia (Magnolia grandiflora – FAC), slash pine (Pinus elliottii), and live oak (Quercus viginiana). The plant community structure is typical of an upland mesic flatwood.



Photograph #2. Taken on November 30, 2017 within the nearshore areas in between the riparian rights area of the subject property. The photograph clearly shows the northern half of the property and the adjoining property to the north. Note that the elevation of the top of the rip rap is almost identical to the grade of the adjoining lot which is comprised mainly of live oaks (*Quercus virginiana*). Again, there are no indications of wetlands within the photograph.

Photograph #3. Taken on November 30, 2017 along the shoreline of the subject property approximately 30-ft. north of the southern riparian line looking south. Also note that the top of the rip rap revetment within the subject property is at or near the elevation of the adjoining property to the south. The property to the south is clearly dominated by a canopy of Live Oaks.

Exhibit B

SGPG Checklist Retrieved from OCULUS
Site ID# 0359395

Project Specifications

DEP File (PA) No.: 0359395-001-002-EE

County: Escambia

Applicant: Scott Mindrebo

Project Name: Dock and Seawall

Project Location: 5200 Blk Pale Moon Dr. Pensacola FL 32507

NMFS 2nd Tier Consultation Checklist for activities under the State Programmatic General Permit (SPGP) for the State of Florida within all coastal counties of Florida, and for maintenance dredging within Clay, Putnam, Marion and Lake Counties

1) **Is the project located in a coastal county of Florida?** ☒ Yes ☐ No
List of Florida coastal counties: *(Escambia, Santa Rosa, Okaloosa, Walton, Bay, Gulf, Franklin, Wakulla, Jefferson, Taylor, Dixie, Levy, Citrus, Hernando, Pasco, Pinellas, Hillsborough, Manatee, Sarasota, Charlotte, Lee, Collier, Broward, Palm Beach, Martin, Saint Lucie, Indian River, Brevard, Volusia, Flagler, Saint Johns, Duval, Nassau;* ***NOT ALLOWED: SPGP not authorized in Monroe (except for boat lifts).***

If YES, proceed with the checklist below.

2) **Does the proposed action involve maintenance dredging?** ☐ Yes ☒ No
If the permit request is for maintenance dredging in a *non-coastal county*, is it for one of these 4 counties: Clay, Putnam, Marion, or Lake?

If YES, proceed with the checklist below.

Type of Project Authorized under SPGP	Check all that apply
Shoreline stabilization, including seawalls and riprap - ***Complete checklist A***	☑
Boat Ramps and Boat Launch Areas and Associated Structures – ***Complete checklist B***	☐
Docks, Piers, Associated Facilities, Aids to Navigation, and Other Minor Piling-Supported Structures – ***Complete checklist C***	☑
Maintenance Dredging of Canals and Channels (including removal of organic detritus from freshwater lakes and rivers) – ***Complete checklist D***	☐
Removal of derelict vessels, Scientific sampling, measurement and monitoring devices (construction, operation, maintenance and removal), Subaqueous Utility Crossings (upland to upland), or Geotechnical investigations – ***Complete checklist E***	☐
Living Shorelines – ***Complete checklist F***	☐
Boat Lifts in Monroe County – ***Complete checklist F***	☐

Checklist A - Shoreline Stabilization			
Please check all of the following Project Design Criteria (PDCs) that apply to the applicant's permit request.	**Check all that apply**		
Construction of seawalls or riprap, including only that backfilling needed to level the land behind seawalls or riprap, in artificially created waterways	☐		
Restoration of seawalls or riprap at its previous location or upland of or within one foot waterward of its previous location	☐		
Construction of private vertical seawalls in marine/coastal or other surface waters, other than in an estuary or lagoon, and the construction of riprap revetments, and is no more than 150 feet in length	☑		
If this is a new, vertical seawall, will it be placed waterward of the Mean High Water Line (MHWL) or Ordinary High Water Line (OHWL)? *New vertical seawalls may not be placed waterward of the MHWL unless it is necessary to align with existing adjacent seawalls.*	Yes ◉	No ○	N/A ○
If this permit application is for a new seawall, is it ≤ 150 feet in length?	Yes ◉	No ○	N/A ○
If the project is for a seawall and/or riprap restoration/replacement, permitted at its previous location, then will it be placed upland of, or within one foot waterward of its previous location?	Yes ○	No ○	N/A ◉
New riprap will not be placed more than 10 feet waterward of the MHWL or OHWL.	Yes ◉	No ○	N/A ○
If applies: Stabilization measures other than vertical seawalls will be no steeper than a 2H:1V slope.	Yes ○	No ○	N/A ○
Will the project adhere to *NMFS' Sea Turtle and Smalltooth Sawfish Construction Conditions?*	Yes ◉	No ○	N/A ○
Please confirm that the project will have no effect on submerged aquatic vegetation, including Johnson's seagrass, tidal wetlands, hard bottom, or any other essential fish habitat.	Yes ◉	No ○	N/A ○
Please confirm that the project is not located in designated critical habitat for Johnson' seagrass, smalltooth sawfish, *acroporid* corals, or Gulf sturgeon.	Yes ◉	No ○	N/A ○
Please confirm that the project does not involve dredging or removal of mangroves and that mangrove trimming will be strictly limited to minimal trimming necessary to perform the authorized work. *Dredging or removal of mangroves or portions of mangroves below the mean high water line is not authorized under this permit.*	Yes ○	No ○	N/A ◉
Please confirm that the project is not proposed on or contiguous to ocean beach.	Yes ◉	No ○	
Please confirm that this project does not involve groins, jetties, breakwaters, and beach nourishment/renourishment.	Yes ◉	No ○	
Physical structures (e.g., seawalls, docks, boat ramps) <u>are NOT</u> in nearshore reproductive habitat of loggerhead critical habitat. ["Red" per S.C. #A.2.i(3)]	Yes ○	No ○	N/A ◉
Project <u>is NOT</u> in the St Mary's River between October 1 and December 31 to protect the Atlantic sturgeon during spawning season. [Entire river "Red" per S.C. #A.2.e., and construction window "Red" per S.C. #A.2.i(4)]	Yes ○	No ○	N/A ◉
Note: FDEP/Designee will check the above per review process described in Special Conditions #A.1. to A.4, inclusive. Permittee also responsible for complying with Special Conditions #B.1 to B.28, inclusive, attached to Authorization, some of which incorporate PDCs relevant to these projects.			

Checklist B - Boat Ramps			
Please check all of the following Project Design Criteria (PDCs) that apply to the applicant's permit request.	**Check all that apply**		
Please confirm that the project is **not located** in designated critical habitat for Johnson' seagrass, smalltooth sawfish, acroporid corals, or Gulf sturgeon.	Yes ☐	No ☐	N/A ☐
Please confirm that the project will not adversely impact submerged aquatic vegetation, including Johnson's seagrass, tidal wetlands, hard bottom, or any other essential fish habitat.	Yes ☐	No ☐	N/A ☐
Will the project adhere to *NMFS' Sea Turtle and Smalltooth Sawfish Construction Conditions?*	Yes ☐	No ☐	N/A ☐
Please confirm that the project does not involve dredging or removal of mangroves and that mangrove trimming will be strictly limited to minimal trimming necessary to perform the authorized work. *Dredging or removal of mangroves or portions of mangroves below the mean high water line is not authorized under this permit.*	Yes ☐	No ☐	N/A ☐
Please confirm that the project is not proposed on or contiguous to ocean beach.	Yes ☐	No ☐	N/A ☐
Physical structures (e.g., seawalls, docks, boat ramps) <u>are NOT</u> in nearshore reproductive habitat of loggerhead critical habitat. ["Red" per S.C. #A.2.i(3)]	Yes ☐	No ☐	N/A ☐
Project <u>is NOT</u> in the St Mary's River between October 1 and December 31 to protect the Atlantic sturgeon during spawning season. [Entire river "Red" per S.C. #A.2.e., and construction window "Red" per" per S.C. #A.2.i(4)]	Yes ☐	No ☐	N/A ☐
Note: FDEP/Designee will check the above per review process described in Special Conditions #A.1. to A.4, inclusive. Permittee also responsible for complying with Special Conditions #B.1 to B.28, inclusive, attached to Authorization, some of which incorporate PDCs relevant to these projects.			

Checklist C – Docks, Piers, Aids to Navigation and other Piling-Supported Structures			
Please check all of the following Project Design Criteria (PDCs) that apply to the applicant's permit request.	**Check all that apply**		
Please confirm that the project **is not** located in any Federally ESA-designated critical habitats other than those of the smalltooth sawfish and Gulf sturgeon (*The only critical habitats in which piling-supported structures may be authorized under the SPGP are those designated for the smalltooth sawfish or gulf sturgeon*).	Yes ☒	No ☐	N/A ☐
If project involves the installation of a private dock, then the total surface area of the dock is ≤ 1000 square feet either over wetlands or other surface waters.	☑		
Replacement or repair of an existing dock.	☐		
Installation of aids to navigation and buoys associated with such aids.	☐		
Installation of piling support structures associated with water testing or monitoring equipment required by the FDEP.	☐		
Construction, extension, and removal of certain docks/piers and associated structures, as identified by 62-330.427 F.A.C.	☐		
Piling supported structures, less than 1000 square feet, not in Outstanding Florida Waters.	☑		
Piling supported structures, less than 500 square feet, in Outstanding Florida Waters.	☐		
Construction, installation, operation, or maintenance of floating vessel platforms and boat lifts.	☐		
Please confirm that the project **is not** located in any Federally ESA-designated critical habitats other than those of the smalltooth sawfish and Gulf sturgeon (*The only critical habitats in which piling-supported structures may be authorized under the SPGP are those designated for the smalltooth sawfish or gulf sturgeon*).	Yes ☒	No ☐	N/A ☐
If you checked YES above, is the project designated critical habitat for either smalltooth sawfish or Gulf sturgeon?	Yes ☐	No ☒	N/A ☐
If a project is within the range of Johnson's seagrass, the applicant agrees, at a minimum, to fully comply with The COE and NMFS' "Construction Conditions for Docks or Other Minor Structures Constructed in or Over Johnson's Seagrass (*Halophila johnsoni*)" dated February 2002.	Yes ☐	No ☐	N/A ☒
For projects where other aquatic vegetation is present, please confirm that the project will, at a minimum, fully comply with COE and NMFS' "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation, Marsh, or Mangrove Habitat" dated August 2001.	Yes ☐	No ☐	N/A ☒
Will the project adhere to NMFS' *Sea Turtle and Smalltooth Sawfish Construction Conditions*?	Yes ☒	No ☐	N/A ☐
Please confirm that the proposed project **is not** on or contiguous to (adjacent to) ocean beach.	Yes ☒	No ☐	N/A ☐
Please confirm that the proposed project **is not** a municipal or commercial pier or dock	Yes ☒	No ☐	N/A ☐
Please confirm that the project does not involve dredging or removal of mangroves and that mangrove trimming will be strictly limited to minimal trimming necessary to perform the authorized work (i.e. only within footprint of access walkway of no more than 4 feet in width). *Dredging or removal of mangroves or portions of mangroves below the mean high water line is not authorized under this permit.*	Yes ☐	No ☐	N/A ☒
Please confirm that no dredging is proposed for this project.	Yes ☒	No ☐	N/A ☐
Please confirm that water depths will not be altered in association with this project.	Yes ☒	No ☐	N/A ☐

	Installation of anchored ATONs and permanent buoys are NOT within the geographic boundary of North Atlantic right whale critical habitat.. ["Red" per S.C. #A.2.h(1)(iv)]	Yes	No	N/A
		☐	☐	◉
	Project is NOT in areas identified as smalltooth sawfish exclusion zones. ["Red" per S.C. #A.2.i(1).	Yes	No	N/A
		☐	☐	◉
	Project is NOT in a mouth of a Gulf sturgeon spawning river or narrow inlets. ["Red" per S.C. #A.2.l(2). Note this is a paraphrase of AP4.2]	Yes	No	N/A
		◉	☐	☐
	Physical structures (e.g., seawalls, docks, boat ramps) are NOT in nearshore reproductive habitat of loggerhead critical habitat. ["Red" per S.C. #A.2.i(3)]	Yes	No	N/A
		☐	☐	◉
	Project is NOT in the St Mary's River between October 1 and December 31 to protect the Atlantic sturgeon during spawning season. [Entire river "Red" per S.C. #A.2.e., and construction window "Red" per" per S.C. #A.2.i(4)]	Yes	No	N/A
		☐	☐	◉
Note: FDEP/Designee will check the above per review process described in Special Conditions #A.1. to A.4, inclusive. Permittee also responsible for complying with Special Conditions #B.1 to B.28, inclusive, attached to Authorization, some of which incorporate PDCs relevant to these projects.				

Checklist D - Maintenance Dredging			
Please check all of the following Project Design Criteria (PDCs) that apply to the applicant's permit request.	**Check all that apply**		
Maintenance dredging of existing manmade canals, channels, basins, berths, and intake and discharge structures.	☐		
Removal of organic detritus material by individual residential property owners (freshwater rivers and lakes only).	☐		
Maintenance dredging of 4,000 cubic yards or less, placing spoil in uplands, and employing turbidity controls.	☐		
Will dredging be limited to the previous project depth, or to -5.0 feet below Mean Low Water or Ordinary Low Water?	Yes ☐	No ☐	N/A ☐
Will excavated spoil material be deposited in a suitable upland (i.e., non-wetland pursuant to current federal criteria) disposal site?	Yes ☐	No ☐	N/A ☐
Please confirm that the project is not located in designated critical habitat for Johnson' seagrass, smalltooth sawfish, acroporid corals, or Gulf sturgeon.	Yes ☐	No ☐	N/A ☐
Please confirm that the project will have no effect on submerged aquatic vegetation, including Johnson's seagrass, tidal wetlands, hard bottom, or any other essential fish habitat.	Yes ☐	No ☐	N/A ☐
Will the project adhere to *NMFS' Sea Turtle and Smalltooth Sawfish Construction Conditions*?	Yes ☐	No ☐	N/A ☐
Please confirm that the project does not involve dredging or removal of mangroves and that mangrove trimming will be strictly limited to minimal trimming necessary to perform the authorized work. *Dredging or removal of mangroves or portions of mangroves below the mean high water line is not authorized under this permit.*	Yes ☐	No ☐	N/A ☐
Please confirm that the project is not proposed on or contiguous to ocean beach.	Yes ☐	No ☐	N/A ☐
Please confirm that no dredging will be performed by hopper dredge.	Yes ☐	No ☐	N/A ☐
Projects will not include dredging within the mapped and authorized federal navigational channels (e.g., ICW, AIWW, GIWW or harbors [e.g., Port Canaveral]). Dredging outside of the mapped channel in the surrounding waters is allowed... ["Red" per S.C. #A.2.b.]	Yes ☐	No ☐	N/A ☐
Project is NOT in areas identified as Smalltooth sawfish critical habitat. ["Red" per S.C. #A.2.f(2)(i).]	Yes ☐	No ☐	N/A ☐
Project is NOT in areas identified as Gulf sturgeon critical habitat. ["Red" per S.C. #A.2.f(2)(iii).]	Yes ☐	No ☐	N/A ☐
Project is NOT in areas identified as acroporid coral critical habitat. ["Red" per S.C. #A.2.f(2)(ii).]	Yes ☐	No ☐	N/A ☐
Project is NOT in the St Mary's River between October 1 and December 31 to protect the Atlantic sturgeon during spawning season. [Entire river "Red" per S.C. #A.2.e., and construction window "Red" per" per S.C. #A.2.i(4)]	Yes ☐	No ☐	N/A ☐
Note: FDEP/Designee will check the above per review process described in Special Conditions #A.1. to A.4, inclusive. Permittee also responsible for complying with Special Conditions #B.1 to B.28, inclusive, attached to Authorization, some of which incorporate PDCs relevant to these projects.			

Checklist E – Transient Activities			
Please check all of the following Project Design Criteria (PDCs) that apply to the applicant's permit request.	**Check all that apply**		
Applicable to ALL Projects			
Project is NOT in areas identified as smalltooth sawfish exclusion zones. ["Red" per S.C. #A.2.i(1).	Yes ☐	No ☐	N/A ☐
Project is NOT in a mouth of a Gulf sturgeon spawning river or narrow inlets. ["Red" per S.C. #A.2.l(2).]	Yes ☐	No ☐	N/A ☐
Physical structures (e.g., seawalls, docks, boat ramps) are NOT in nearshore reproductive habitat of loggerhead critical habitat. ["Red" per S.C. #A.2.i(3)]	Yes ☐	No ☐	N/A ☐
Project is NOT in the St Mary's River between October 1 and December 31 to protect the Atlantic sturgeon during spawning season. [Entire river "Red" per S.C. #A.2.e., and construction window "Red" per" per S.C. #A.2.i(4)]	Yes ☐	No ☐	N/A ☐
Applicable to: Installation, Maintenance, Repair, and Removal of Utility Lines and Subaqueous Utility Crossings. Additional restrictions: Authorization under SPGP V is limited to upland to upland directional drilling (HDD). Crossing a federal project is not authorized by this SPGP V (including federally authorized channels of the Intracoastal Waterways, inlets, ports and turning basins; and including levees, dikes, dams or other water retaining structures. HDD crossing of a flood control channel/canal in a Federal project (either federally or locally maintained) may be authorized if meets Special Condition 18.	☐		
For subaqueous transmission lines/horizontal directional drilling, the applicant will provide and follow a Frac-out Contingency Plan similar to the plan located in Appendix B. "Yes" if Corps says "Green" to this project per S.C. #A.3.l (this project is "Yellow" so that the Corps may review the Frac-out Contingency Plan or contact Applicant to obtain same). [S.C. #B.18.a. requiring the Plan be developed, submitted and then followed.]	Yes ☐	No ☐	N/A ☐
Project is NOT in *Acropora* critical habitat where the essential features are present. ["Red" per S.C. #A.2.h(1)(i). Note that what is stated here is paraphrase of A9.10.]	Yes ☐	No ☐	N/A ☐
Applicable to Removal of Derelict Vessels	☐		
(No additional checks)			
Applicable to Construction, operation, maintenance and removal of scientific sampling, measurement and monitoring devices.	☐		
Applicable to Geotechnical Investigations. Additional Restrictions: Seismic exploratory activities and any activities on tribal lands or waters are not authorized by this SPGP V.	☐		
Installation of permanent anchored devices and buoys are NOT within the geographic boundary of North Atlantic right whale critical habitat. ["Red" per S.C. #A.2.h(1)(iv)]	Yes ☐	No ☐	N/A ☐
Note: FDEP/Designee will check the above per review process described in Special Conditions #A.1. to A.4, inclusive. Permittee also responsible for complying with Special Conditions #B.1 to B.28, inclusive, attached to Authorization, some of which incorporate PDCs relevant to these projects.			

Checklist F – Other New Activities			
Please check all of the following Project Design Criteria (PDCs) that apply to the applicant's permit request.	**Check all that apply**		
Applicable to ALL Projects			
Project is NOT in areas identified as smalltooth sawfish exclusion zones. ["Red" per S.C. #A.2.i(1).]	Yes ☐	No ☐	N/A ☐
Project is NOT in a mouth of a Gulf sturgeon spawning river or narrow inlets. ["Red" per S.C. #A.2.l(2).]	Yes ☐	No ☐	N/A ☐
Physical structures (e.g., seawalls, docks, boat ramps) are NOT in nearshore reproductive habitat of loggerhead critical habitat. ["Red" per S.C. #A.2.i(3)]	Yes ☐	No ☐	N/A ☐
Project is NOT in the St Mary's River between October 1 and December 31 to protect the Atlantic sturgeon during spawning season. [Entire river "Red" per S.C. #A.2.e., and construction window "Red" per" per S.C. #A.2.i(4)]	Yes ☐	No ☐	N/A ☐
Applicable to Living Shorelines. Restoration of an eroding shoreline with native wetland vegetative enhancement plantings. Additional Restriction: Not authorized by this SPGP V if the work extends water ward past the adjacent shorelines (this provision is to preclude changes in down drift currents).	☐		
Project is NOT in Smalltooth sawfish critical habitat when essential feature of critical habitat is present. ["Red" per S.C. #A.2.f(2)(i).]	Yes ☐	No ☐	N/A ☐
Artificial reef structures are NOT within the geographic boundary of North Atlantic right whale critical habitat.. ["Red" per S.C. #A.2.f(2)(vii).]	Yes ☐	No ☐	N/A ☐
Project is NOT in *Acropora* critical habitat where the essential features are present. ["Red" per S.C. #A.2.f(2)(ii).]	Yes ☐	No ☐	N/A ☐
Project is NOT in Johnson's seagrass critical habitat when essential feature of critical habitat is present. ["Red" per S.C. #A.2.f(2)(vii).]	Yes ☐	No ☐	N/A ☐
Applicable to Boat Lifts in Monroe County.	☐		
Project is NOT on or contiguous to ocean beaches. ["Red" per S.C. #A.2.r].	Yes ☐	No ☐	N/A ☐
Project is NOT in *Acropora* critical habitat where the essential features are present. ["Red" per S.C. #A.2.f(2)(ii).]	Yes ☐	No ☐	N/A ☐
Note: FDEP/Designee will check the above per review process described in Special Conditions #A.1. to A.4, inclusive. Permittee also responsible for complying with Special Conditions #B.1 to B.28, inclusive, attached to Authorization, some of which incorporate PDCs relevant to these projects.			

Exhibit C

State/Federal ERP Permits

Florida Department of Environmental Protection

Northwest District Office
160 W. Government Street, Suite 308
Pensacola, Florida 32502-5740

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

December 15, 2016

Scott and Donna Mindrebo
2927 Covebrook drive
Pearland, Texas 77584
dmindrebo@att.net

File No.: 0359395-001-002-EE, Escambia County

Dear Mr. and Mrs. Mindrebo:

On December 5, 2017 we received your request for verification of exemption to perform the following activities:

To construct a private, residential, single-family dock measuring 1,000 square feet or less of overwater surface area and concurrently install approximately 119 linear feet of vinyl, sheet pile, vertical, seawall between and adjoining existing seawalls at both ends, faced with clean limestone or concrete rip rap at a slope no greater than 2 horizontal to 1 vertical within Perdido Bay, Class III Florida Waterbody, immediately adjacent to Parcel No.11-3S-32-3000-000-001, 5200 Block Pale Moon Drive, Pensacola, Florida 32507 in Section 11, Township 3 South, Range 32 West of Escambia County at 30°19'46.10" North Latitude, 87°26'11.89" West Longitude.

Your request has been reviewed to determine whether it qualifies for (1) regulatory exemption, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal approval that may be necessary for work in wetlands or waters of the United States.

Your project qualifies for all three. However, this letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity.

If you change the project from what you submitted, the authorization(s) granted may no longer be valid at the time of commencement of the project. Please contact us prior to beginning your project if you wish to make any changes.

If you have any questions regarding this matter, please contact Douglas Sprague at the letterhead address, at (850)595-0579, or at Douglas.sprague@dep.state.fl.us

1. Regulatory Review – Verified

Based on the information submitted, the Department has verified that the activities as proposed are exempt, under Rule 62-330.051(5)(b) and (12)(c), Florida Administrative Code (F.A.C.) from the need to obtain a regulatory permit under Part IV of Chapter 373 of the Florida Statutes.

This exemption verification is based on the information you provided the Department and the statutes and rules in effect when the information was submitted. This verification may not be valid if site conditions materially change, the project design is modified, or the statutes or rules governing the exempt activity are amended. In the event you need to re-verify the exempt status for the activity, a new request and verification fee will be required. Any substantial modifications to the project design should be submitted to the Department for review, as changes may result in a permit being required.

2. Proprietary Review – Granted

The Department acts as staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) and issues certain authorizations for the use of sovereign submerged lands. The Department has the authority to review activities on sovereign submerged lands under Chapters 253 and 258, F.S. and Chapters 18-20 and 18-21, F.A.C.

The activity appears to be located on sovereign submerged lands owned by the Board of Trustees. The activity is not exempt from the need to obtain the applicable proprietary authorization. As staff to the Board of Trustees, the Department has reviewed the activity described above, and has determined that the activity qualifies for an automatic consent by rule under Rule 18-21.005(1)(b), F.A.C. and Section 253.77, F.S. to construct and use the activity on the specified sovereign submerged lands, as long as the work performed is located within the boundaries as described herein and is consistent with the terms and conditions herein. No further application is required for this consent by rule.

Special Consent Conditions for Sovereign Submerged Lands Authorization

1. The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.

2. Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.

3. Applicant binds itself and its successors and assigns to abide by the provisions and conditions set forth in the authorization. If the applicant or its successors or assigns fails or refuses to comply with the provisions and conditions of the authorization, the authorization may be terminated by the Board of Trustees after written notice to the applicant or its successors or assigns. Upon receipt of such notice, the applicant or its successors or assigns will have thirty (30) days in which to correct the violations. Failure to correct the violations within this period will result in the automatic revocation of this authorization.

4. All costs incurred by the Board of Trustees in enforcing the terms and conditions of the authorization will be paid by the applicant. Any notice required by law will be made by certified mail at the address shown on page one of the authorization. The applicant will notify the Board of Trustees in writing of any change of address at least ten days before the change becomes effective.

5. This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.

General Conditions for Authorizations for Activities on State-Owned Submerged Land

All authorizations granted by rule or in writing under Rule 18-21.005, F.A.C., except those for geophysical testing, shall be subject to the general conditions as set forth in paragraphs (a) through (i) below. The general conditions shall be part of all authorizations under this chapter, shall be binding upon the grantee, and shall be enforceable under Chapter 253 or 258, Part II, F.S.

(a) Authorizations are valid only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use shall constitute a violation. Violation of the authorization shall result in suspension or revocation of the grantee's use of the sovereignty submerged land unless cured to the satisfaction of the Board.

(b) Authorizations convey no title to sovereignty submerged land or water column, nor do they constitute recognition or acknowledgment of any other person's title to such land or water.

(c) Authorizations may be modified, suspended, or revoked in accordance with their terms or the remedies provided in Sections 253.04 and 258.46, F.S., or Chapter 18-14, F.A.C.

(d) Structures or activities shall be constructed and used to avoid or minimize adverse impacts to sovereignty submerged lands and resources.
(e) Construction, use, or operation of the structure or activity shall not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.

(f) Structures or activities shall not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity shall be modified in accordance with the court's decision.

(g) Structures or activities shall not create a navigational hazard.

(h) Structures shall be maintained in a functional condition and shall be repaired or removed if they become dilapidated to such an extent that they are no longer functional. This shall not be construed to prohibit the repair or replacement subject to the provisions of Rule 18-21.005, F.A.C., within one year, of a structure damaged in a discrete event such as a storm, flood, accident, or fire.

(i) Structures or activities shall be constructed, operated, and maintained solely for water dependent purposes, or for non-water dependent activities authorized under paragraph 18-21.004(1)(f), F.A.C., or any other applicable law.

3. Federal Review – SPGP Approved

Your proposed activity as outlined in your application and attached drawings qualifies for federal authorization pursuant to the State Programmatic General Permit (SPGP) V, and a **SEPARATE permit** or authorization **will not be required** from the U.S. Army Corps of Engineers (Corps). Please note that the federal authorization expires on July 26, 2021. However, your authorization may remain in effect for up to one (1) additional year if provisions of Special Condition B.27 of the SPGP V permit instrument are met. You, as permittee, are required to adhere to all General Conditions and Special Conditions that may apply to your project. Special conditions required for your project are attached. A copy of the SPGP V with all terms and conditions and the General Conditions may be found online in the Jacksonville District Regulatory Division Sourcebook.

Authority for review – an agreement with the Corps entitled "Coordination Agreement Between the U.S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection, or Duly Authorized Designee, State Programmatic General Permit." Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

Additional Information

Please retain this letter. The activities may be inspected by authorized state personnel in the future to ensure compliance with appropriate statutes and administrative codes. If the activities are not in compliance, you may be subject to penalties under Chapter 373, F.S. and Chapter 18-14, F.A.C.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S. before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

(a) The name and address of each agency affected and each agency's file or identification number, if known;
(b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
(c) A statement of when and how the petitioner received notice of the agency decision;
(d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
(e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
(f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
(g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S. or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us, before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S. by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days from the date this action is filed with the Clerk of the Department.

EXECUTION AND CLERKING
Executed in Orlando, Florida.
STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Douglas Sprague
Environmental Specialist
Submerged Lands and Environmental Resources Program

TAM:ds

Attachment(s):

1. Rule 62-330.051(5)(b) and (12)(c), F.A.C. and / or Section 403.813(1)(b)(o), F.S., 2 pages
2. General Conditions for Federal Authorization for SPGP V, 2 pages
3. SPGP V: Special Conditions Related to All Review and Authorizations, 7 pages
4. Department of the Army Permit Transfer for SPGP V, 1 page
5. Construction Guidelines in Florida for Minor Piling-Supported Structures 2 pages
6. Project Drawings, 6 pages

CERTIFICATE OF SERVICE
The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

Escambia County, jtkirsche@myescambia.com BDBANE@myescambia.com bdschneider@myescambia.com TRDAY@myescambia.com
David Hunter, Agent, Wetland Sciences, Inc., david.wetlandsciences@gmail.com

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to Section 120.52, F.S., with the designated Department Clerk, receipt of which is hereby acknowledged.

Mandakini Patel — December 15, 2017
Clerk **Date**

62-330.051 Exempt Activities.

The activities meeting the limitations and restrictions below are exempt from permitting. However, if located in, on, or over state-owned submerged lands, they are subject to a separate authorization under Chapters 253 and 258, F.S., and Chapters 18-18, 18-20, and 18-21, F.A.C., as applicable.

(5) Dock, Pier, Boat Ramp and Other Boating-related Work –

(b) Installation of private docks, piers, and recreational docking facilities, and installation of local governmental piers and recreational docking facilities, in accordance with Section 403.813(1)(b), F.S. This includes associated structures such as boat shelters, boat lifts, and roofs, provided:
1. The cumulative square footage of all structures located over wetlands and other surface waters does not exceed the limitations in Section 403.813(1)(b), F.S.;
2. No structure is enclosed on more than three sides with walls and doors;
3. Structures are not used for residential habitation or commercial purposes, or storage of materials other than those associated with water dependent recreational use; and
4. Any dock and associated structure shall be the sole dock as measured along the shoreline for a minimum distance of 65 feet, unless the parcel of land or individual lot as platted is less than 65 feet in length along the shoreline, in which case there may be one exempt dock allowed per parcel or lot.

(12) Construction, Replacement, Restoration, Enhancement, and Repair of Seawall, Riprap, and Other Shoreline Stabilization –

(c) The construction of seawalls or riprap in wetlands or other surface waters between and adjoining existing seawalls or riprap at both ends in accordance with Section 403.813(1)(o), F.S.

403.813 Permits issued at district centers; exceptions.—

(1) A permit is not required under this chapter, chapter 373, chapter 61-691, Laws of Florida, or chapter 25214 or chapter 25270, 1949, Laws of Florida, for activities associated with the following types of projects; however, except as otherwise provided in this subsection, this subsection does not relieve an applicant from any requirement to obtain permission to use or occupy lands owned by the Board of Trustees of the Internal Improvement Trust Fund or a water management district in its governmental or proprietary capacity or from complying with applicable local pollution control programs authorized under this chapter or other requirements of county and municipal governments:

(b) The installation and repair of mooring pilings and dolphins associated with private docking facilities or piers and the installation of private docks, piers and recreational docking facilities, or piers and recreational docking facilities of local governmental entities when the local governmental entity's activities will not take place in any manatee habitat, any of which docks:

1. Has 500 square feet or less of over-water surface area for a dock which is located in an area designated as Outstanding Florida Waters or 1,000 square feet or less of over-water surface area for a dock which is located in an area which is not designated as Outstanding Florida Waters;

2. Is constructed on or held in place by pilings or is a floating dock which is constructed so as not to involve filling or dredging other than that necessary to install the pilings;

3. Shall not substantially impede the flow of water or create a navigational hazard;

4. Is used for recreational, noncommercial activities associated with the mooring or storage of boats and boat paraphernalia; and

5. Is the sole dock constructed pursuant to this exemption as measured along the shoreline for a distance of 65 feet, unless the parcel of land or individual lot as platted is less than 65 feet in length along the shoreline, in which case there may be one exempt dock allowed per parcel or lot

(o) The construction of private seawalls in wetlands or other surface waters where such construction is between and adjoins at both ends existing seawalls; follows a continuous and uniform seawall construction line with the existing seawalls; is no more than 150 feet in length; and does not violate existing water quality standards, impede navigation, or affect flood control. However, in estuaries and lagoons the construction of vertical seawalls is limited to the circumstances and purposes stated in s. 373.414(5)(b)1.-4. This paragraph does not affect the permitting requirements of chapter 161, and department rules must clearly indicate that this exception does not constitute an exception from the permitting requirements of chapter 161.

General Conditions for Federal Authorization for SPGP V

1. The time limit for completing the work authorized ends on July 26, 2021.

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner on the enclosed form and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Further Information:

1. Limits of this authorization.
   a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
   b. This permit does not grant any property rights or exclusive privileges.
   c. This permit does not authorize any injury to the property or rights of others.
   d. This permit does not authorize interference with any existing or proposed Federal projects.

2. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
   a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
   b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
   c. Damages to persons, property, or to other permitted or unpermitted activities or structures

caused by the activity authorized by this permit.

d. Design or Construction deficiencies associated with the permitted work.
e. Damage claims associated with any future modification, suspension, or revocation of this permit.

3. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

4. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.
b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 3 above).
c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

5. Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CER 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form.

7. The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal, relocation or alteration.

Special Conditions Related to All Review and Authorizations
In addition to the conditions specified above, the following Special Conditions apply to all projects reviewed and/or authorized under the SPGP V.

1. The District Engineer reserves the right to require that any request for authorization under this SPGP V be evaluated as an Individual Permit. Conformance with the terms and conditions of the SPGP V does not automatically guarantee Federal authorization.

2. On a case-by-case basis the Corps may impose additional Special Conditions which are deemed necessary to minimize adverse environmental impacts.

3. Failure to comply with all conditions of the Federal authorizations under the SPGP V would constitute a violation of the Federal authorization.

4. No structure or work shall adversely affect or disturb properties listed in the National Register of Historic Places or those eligible for inclusion in the National Register. Prior to the start of work, the Applicant/Permittee or other party on the Applicant's/Permittee's behalf, shall conduct a search of known historical properties by contracting a professional archaeologist, and contacting the Florida Master Site File at 850-245-6440 or SiteFile@dos.state.fl.us. The Applicant/Permittee can also research sites in the National Register Information System (NRIS). Information can be found at http://www.cr.nps.gov/nr/research.

a. If, during the initial ground disturbing activities and construction work, there are archaeological/cultural materials unearthed (which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work in the vicinity and notify the Compliance and Review staff of the State Historic Preservation Office at 850-245-6333 and the Corps Regulatory Project Manager to assess the significance of the discovery and devise appropriate actions, including salvage operations. Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7.

b. In the unlikely event that human remains are identified, they will be treated in accordance with Section 872.05, Florida Statutes; all work in the vicinity shall immediately cease and the local law authority, the State Archaeologist (850-245-6444), and the Corps Regulatory Project Manager shall immediately be notified. Such activity shall not resume unless specifically authorized by the State Archaeologist and the Corps.

5. No work shall be authorized under the SPGP V which proposes the use of prefabricated modules for habitat creation, restoration, or enhancement except as allowed in Special Condition 17 for *Living Shorelines* of the *Shoreline Stabilization* category.

6. The Design and construction of a Project must comply with the following.

a. Where aquatic vegetation is present, adverse impacts to aquatic vegetation from construction of piling-supported structures may be avoided/minimized by adherence to, or employing alternative construction techniques that provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "*Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat,*" U.S. Army Corps of Engineers/National Marine Fisheries Service August 2001 (updated June 2008). Unless otherwise specifically approved by the National Marine Fisheries Service, where aquatic vegetation is present, piling-supported structures authorized under the SPGP V must comply with, or provide a higher level of protection than, the criteria contained in the referenced construction guidelines. Mangrove impacts are limited to the removal of mangroves along 4 linear feet of shoreline to accommodate a 4-ft wide access walkway associated with a dock that meets the above guidelines.

b. Additionally, because of concerns about adverse impacts to the endangered Johnson's seagrass (*Halophila johnsonii*) in the lagoon and canal systems on Florida's east coast from Sebastian Inlet (Brevard County) south to and including central Biscayne Bay (Miami-Dade County), the following requirements must be met:

(1) Piling-supported structures must comply with, or provide a higher level of protection than, the criteria contained in the construction guidelines titled "*Key for Construction Conditions for Docks or Other Minor Structures Constructed in or Over Johnson's seagrass (Halophila johnsonii),*" National Marine Fisheries Service/U.S. Army Corps of Engineers – February 2002 (updated October 2002).

(2) Removal of derelict vessels must comply with the practices of Special Condition 19.

(3) All other activities will have no effect on Johnson's seagrass, i.e., no seagrass is present.

c. The presence of seagrass will be determined utilizing the attached "*Submerged Aquatic Vegetation Survey Guidelines.*"

7. For projects in waters accessible to sea turtles, Smalltooth sawfish, Gulf sturgeon, or Shortnose sturgeon, the Permittee will utilize the "*Sea Turtle and Smalltooth Sawfish Construction Conditions*" and the following additions:

a. Any collision(s) with and/or injuries to any whale, or sturgeon occurring during the construction of a project, shall be reported immediately to NMFS's Protected Resources Division (PRD) at (727-824-5312).

b. Reports to NMFS's Protected Resources Division (PRD) may be made by email to takereport.nmfsser@noaa.gov.

c. Sea turtle and marine mammal stranding/rescue organizations' contact information is available by region at http://www.nmfs.noaa.gov/pr/health/networks.htm.

d. Smalltooth sawfish encounters shall be reported to http://www.flmnh.ufl.edu/fish/sharks/sawfish/sawfishencounters.html.

e. All work must occur during daylight hours.

8. The Permittee is responsible for obtaining any "take" permits required under the U.S. Fish and Wildlife Service's regulations governing compliance with the Migratory Bird Treaty Act or the Bald and Golden Eagle Protection Act. The Permittee should contact the appropriate local office of the U.S. Fish and Wildlife Service to determine if such "take" permits are required for a particular activity.

9. The Permitee is responsible for compliance with 50 CFR 224.103(c) prohibiting approach within 500 yards of a right whale, with limited exceptions.

10. Turbidity control measures shall be used throughout construction to control erosion and siltation to ensure there are no violations of state or federal water quality standards. Turbidity control measures shall be: (1) for the smallest practicable area; (2) monitored daily to ensure listed species are not entangled or trapped in the project area; (3) shall be removed promptly upon project completion and the return of water quality conditions; (4) and shall not block entry to or exit from designated critical habitat. Siltation barriers shall be made of material in which listed species cannot become entangled (i.e., reinforced impermeable polycarbonate vinyl fabric [PVC]).

a. Turbidity curtains are not required where not practical in dynamic systems such as surf zones and could actually do more harm than good if the curtains become detached (e.g., they could entrap pelagic organisms and become entangled around benthic organisms, such as coral).

b. Turbidity barriers are not required if installation of single piling in deep water since is unlikely to adversely affect water quality.

11. In-water rope or chain must meet the following requirements: Industrial grade metal chains or heavy cables that do not readily loop and tangle; All in-water lines (rope and cable) must be thick and taut and cannot have excess line in the water; Lines can be enclosed in a plastic or rubber sleeve/tube to add rigidity.

12. No work shall occur where hard bottom or any hard or coral including ESA-listed coral species are present within the footprint of the project.

13. No work shall occur that results in removal of mangroves (including prop roots), except:

a. as provided by Special Condition 6.a.; or,

b. for removal of mangroves growing at the foot or from an existing seawall whose removal needed to repair the seawall.

14. No work shall occur that results in impacts to seagrass except as provided by Special Condition 6.

15. (For *Docks, Piers, Associated Facilities, and Other Minor Piling-Supported Structures* and *Boat Ramps and Boat Launch Areas and Structures Associated with Such Ramps or Launch Areas.*)

a. Aids to Navigation and Private Aids to Navigation (e.g. attached to the structures authorized by the SPGP) must be approved by and installed in accordance with U.S. Coast Guard requirements.

b. Temporary structures associated with marine events will be removed and the site restored upon completion of the event.

c. (*For multi-family residential docks (e.g., condos, trailer parks, apartment complexes) designated for fishing or vessel storage, for temporary marine event pile-supported structures involving high speed vessel traffic or fishing, and for commercial or public boat ramps.*) Install educational signs as follows in a visible location to alert boaters of listed species in the area susceptible to vessel strikes or hook-and-line captures. NMFS website (http://sero.nmfs.noaa.gov/protected_resources/section_7/protected_species_educational_signs/index.html) provides sign installation guidance and most current version of the signs.

(1) All commercial and public boat ramps shall install the Save Sea Turtle, Sawfish, and Dolphin sign.

(2) If the Project occurs within the range of Gulf, Atlantic, or Shortnose sturgeon, the Permittee will install and maintain the *Report Sturgeon* sign.

(3) If the Project occurs within 14 miles of North Atlantic Right Whale critical habitat, the Permittee will install and maintain the *Help Protect North Atlantic Right Whales* sign.

d. Project construction will take place from uplands or from floating equipment (e.g., barge); prop or wheel-washing is prohibited.

16. (For *Transient activities*.)

a. Temporary structures shall not block access of species to an area such as preventing movement in or out of a river or channel.

b. (For *Scientific sampling, measurement, and monitoring devices*.) No later than 24 months from initial installation, or upon completion of data acquisition, whichever comes first, the measuring device and any other structure or fills associated with that device (e.g., anchors, buoys, lines) must be removed and the site must be restored to pre-construction elevations.

17. (For *Living Shorelines* of the *Shoreline Stabilization* category.)

a. Only native plant species will be planted.

b. Not more than 500 linear feet in length, not more than 35 ft waterward of the hightide line (note that FAC 62-330 limits to 10 feet of the mean high water line) or result in more than 0.5 ac area between the natural shoreline and the structure.

c. No discharge of earthen fill material, other than earthen material associated with vegetative planting, is not authorized.

d. Construction, maintenance and removal of approved permanent, shore-parallel wave attenuation structures are authorized. Approved permanent wave attenuation materials include oyster breakwaters (described below), clean limestone boulders, and prefabricated structures made of concrete and rebar that are designed in a manner that cannot trap sea turtles, Smalltooth sawfish, or sturgeon. Reef balls that are not open on the bottom, triangle structures with a top opening of at least 3 feet between structures, and reef discs stacked on a pile may be used.

e. (For oyster breakwaters).

(1) Reef materials shall be placed in a manner to ensure that materials (e.g., bagged oyster shell, oyster mats, loose cultch surrounded and contained by a stabilizing feature, reef balls, and reef cradles) will remain stable and prevent movement of materials to surrounding areas.

(2) Materials must be placed in designated locations (i.e., shall not be indiscriminately/randomly dumped) and shall not be placed outside of the total project limits.

18. (For *Subaqueous Utility Lines* of the *Transient Activities* category.)

a. A Frac-out Contingency Plan similar to the attached plan will be developed, submitted with the application and then followed.

b. All subaqueous transmission lines crossing over, under, or in flood control channels/canals in Federal projects (either federally or locally maintained) which are installed with horizontal direction drilling (HDD) shall comply with the following:

(1) The project shall ensure the top of the HDD boring is a minimum of 10 feet beneath the bottom of the channel including a minimum 25 feet outside the channel edges and the estimated total drilling fluid pressure is less than 10 psi.

(2) Construction of directional boring vaults, junction boxes, and/or pads are not allowed within 25 feet of the top of the bank of any federal project.

(3) Projects not in compliance with these criteria shall not be eligible for authorization under SPGP V.

(4) Any activity within a Federal right-of-way shall require the Permittee to enter into a consent-to-easement with the Real Estate Division, U.S. Army Corps of Engineers, Jacksonville or Mobile District, as appropriate, prior to the commencement of any construction activity.

(5) The Permittee shall, upon completion of work, provide an as-built survey showing the horizontal and vertical location (X-Y-Z coordinates in NAD 83 and NAVD 88) of the object below the channel as it enters and exits the design edges of the authorized width of the channel, plus a minimum of 25 feet outside the channel edges.

c. Where the proposed subaqueous utility or transmission line is to be installed in navigable waters of the United States, at least 2 weeks prior to the start of the authorized work, the permittee must notify the National Oceanic and Atmospheric Administration (NOAA) and the Corps in writing that the work is commencing; and, again, upon completion of the work. The permittee shall notify the District Engineer in writing at the letterhead address, attention Regulatory Division; and, the NOAA, either in mailed correspondence to Nautical Data Branch Office of Coast Survey N/CS26, 1315 East-West Highway, Silver Spring, MD 20910-3282 or by electronic mail correspondence, with scans of the requisite documents attached, through osc.ndb@noaa.gov and spgp@usace.army.mil. The postconstruction notification will include "as-built plans," signed and sealed by a registered surveyor/engineer licensed in the State of Florida, that certify the project is constructed as authorized; and must include an accurate depiction of the location and configuration of the completed activity in relation to the mean high water of the navigable water.

19. (For *Removal of Derelict Vessels* of the *Transient Activities* category.)

a. Removal of marine debris shall require visual confirmation (e.g., divers, swimmers, camera) that the item can be removed without causing further damage to aquatic resources.

b. If an item cannot be removed without causing harm to surrounding coral, the item will be disassembled as much as practicable so that it no longer can accidently harm or trap species.

c. Monofilament debris will be carefully cut loose from coral so as not to cause further harm. Under no circumstance will line be pulled through coral since this could cause breakage of coral.

d. Marine debris shall be lifted straight up and not be dragged through seagrass beds, coral, or hard bottom habitats. Debris shall be properly disposed of in appropriate facilities in accordance with applicable federal and state requirements.

20. For concrete piles installed by impact hammer:

a. The piles will be less than or equal to than 24 inches in diameter; and

b. Not more than 10 piles will be installed per day if in open water; or,

c. Not more than 5 piles will be installed per day in a *confined space*. A *confined space* is defined as any area that has a solid object (e.g., shoreline, seawall, jetty) or structure within 150 feet of the pile installation site that would effectively serve as a barrier or otherwise prevent animals from moving past it to exit the area. This does not include objects such as docks or other pile-supported structures that would not stop animal movement or significantly reflect noise.

21. Metal piles will NOT be installed by impact hammer.

22. Projects within the boundary of the NOAA Florida Keys National Marine Sanctuary require prior approval from the Sanctuary.

23. The Permittee shall use only clean fill material. The fill material shall be upland sources and be free of items such as trash, debris, automotive parts, asphalt, construction materials, concrete block with exposed reinforcement bars, and soils contaminated with any toxic substance, in toxic amounts in accordance with Section 307 of the Clean Water Act.

24. No blasting is authorized.

25. For Projects authorized under this SPGP V in navigable waters of the U.S., the Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

26. The SPGP V will be valid for five (5) years from the date of issuance unless suspended or revoked by issuance of a public notice by the District Engineer. The Corps, in conjunction with the Federal resource agencies, will conduct periodic reviews to ensure that continuation of the permit during the five-year authorization period is not contrary to the public interest. If

revocation occurs, all future applications for activities covered by the SPGP V will be evaluated by the Corps.

27. If the SPGP V expires or is revoked prior to completion of the authorized work, authorization of activities which have commenced or are under contract to commence in reliance upon the SPGP V will remain in effect provided the activity is completed within twelve (12) months of the date the SPGP V expired or was revoked.

28. The General Conditions attached hereto are made a part of this SPGP V and must be attached to all authorizations processed under this SPGP V.

Department of the Army Permit Transfer for SPGP V

PERMITEE: _____

PERMIT NUMBER: _____ DATE: _____

ADDRESS/LOCATION OF PROJECT:

_____

_____

(Subdivision) (Lot) (Block)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Branch, Post Office Box 4970, Jacksonville, FL 32232-0019.

_____ _____

(Transferee Signature) (Date)

_____

(Name Printed)

_____

(Street address)

_____

(Mailing address)

_____

(City, State, Zip Code)

Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat
U.S. Army Corps of Engineers/National Marine Fisheries Service
August 2001

Submerged Aquatic Vegetation:

1. Avoidance. The piling-supported structure shall be aligned so as to minimize the size of the footprint over SAV beds.

2. The height of piling-supported structure shall be a minimum of 5 feet above MHW/OHW as measured from the top surface of the decking.

3. The width of the piling-supported structure is limited to a maximum of 4 feet. A turnaround area is allowed for piling-supported structures greater than 200 feet in length. The turnaround is limited to a section of the piling-supported structure no more than 10 feet in length and no more than 6 feet in width. The turnaround shall be located at the midpoint of the piling-supported structure.

4. Over-SAV bed portions of the piling-supported structure shall be oriented in a north-south orientation to the maximum extent that is practicable.

5. a. If possible, terminal platforms shall be placed in deep water, waterward of SAV beds or in an area devoid of SAV beds.

b. If a terminal platform is placed over SAV areas and constructed of grated decking, the total size of the platform shall be limited to 160 square feet. The grated deck material shall conform to the specifications stipulated below. The configuration of the platform shall be a maximum of 8 feet by 20 feet. A minimum of 5 feet by 20 feet shall conform to the 5-foot height requirement; a 3 feet by 20 feet section may be placed 3 feet above MHW to facilitate boat access. The long axis of the platform should be aligned in a north-south direction to the maximum extent that is practicable.

c. If the terminal platform is placed over SAV areas and constructed of planks, the total size of the platform shall be limited to 120 square feet. The configuration of the platform shall be a maximum of 6 feet by 20 feet of which a minimum 4-foot wide by 20-foot long section shall conform to the 5-foot height requirement. A section may be placed 3 feet above MHW to facilitate boat access. The 3 feet above MHW section shall be cantilevered. The long axis of the platform should be aligned in a north-south direction to the maximum extent that is practicable. If the 3feet above MHW section is constructed with grating material, it may be 3 feet wide.

6. One uncovered boat lift area is allowed. A narrow catwalk (2 feet wide if planks are used, 3 feet wide if grating is used) may be added to facilitate boat maintenance along the outboard side of the boat lift and a 4-foot wide walkway may be added along the stern end of the boat lift, provided all such walkways are elevated 5 feet above MHW. The catwalk shall be cantilevered from the outboard mooring pilings (spaced no closer than 10 feet apart).

7. Pilings shall be installed in a manner which will not result in the formation of sedimentary deposits("donuts" or "halos") around the newly installed pilings. Pile driving is the preferred method of installation, but jetting with a low pressure pump may be used.

8. The spacing of pilings through SAV beds shall be a minimum of 10 feet on center.

9. The gaps between deckboards shall be a minimum of ½ inch.

Marsh:

Grid Specifications and Suppliers Section modified in October 2002 to add an additional vendor of materials.
February 2003 – Manufacturer name changed from ChemGrate to FiberGrate
May 2003 - The terms dock and pier were removed and replaced by the term piling-supported structure, to clarify our intent.
March 2008 – Added requirement for 43% open space in grids; added additional manufacturer of grating. -

1. The piling-supported structure shall be aligned so as to have the smallest over-marsh footprint as practicable.

2. The over-marsh portion of the piling-supported shall be elevated to at least 4 feet above the marsh floor.

3. The width of the piling-supported is limited to a maximum of 4 feet. Any exceptions to the width must be accompanied by an equal increase in height requirement.

Mangroves.

1. The width of the piling-supported structure is limited to a maximum of 4 feet.

2. Mangrove clearing is restricted to the width of the piling-supported structure.

3. The location and alignment of the piling-supported structure should be through the narrowest area of the mangrove fringe.

Grid Specifications and Suppliers

The following information does not constitute a U.S. Army Corps of Engineers endorsement or advertisement for any particular provider and is provided only as an example for those interested in obtaining these materials for piling-supported structure construction. Light-transmitting materials are made of various materials shaped in the form of grids, grates, lattices, etc., to allow the passage of light through the open spaces. **All light-transmitting materials used in construction for minor piling-supported structures shall have a minimum of forty-three (43) percent open space.**

A type of fiberglass grate panel is manufactured by SeaSafe (Lafayette, LA; phone: 1-800-326-8842) and FiberGrate (1-800-527-4043). A type of plastic grating is manufactured by ThruFlow Interlocking Panels (1-888-478-3569). Plastic grate panels are also distributed by Southern Pine Lumber Company (Stuart, FL; 772-692-2300). Panels are available in a variety of sizes and thicknesses. For safety, the grate should contain an anti-slip texture which is integrally molded into the top surface. The manufacturer or local distributor should be consulted to ensure that the load-bearing capacity of the selected product is sufficient to support the intended purpose. Contact the manufacturer(s) for product specifications and a list of regional distributors.

Grid Specifications and Suppliers Section modified in October 2002 to add an additional vendor of materials.
February 2003 – Manufacturer name changed from ChemGrate to FiberGrate
May 2003 - The terms dock and pier were removed and replaced by the term piling-supported structure, to clarify our intent.
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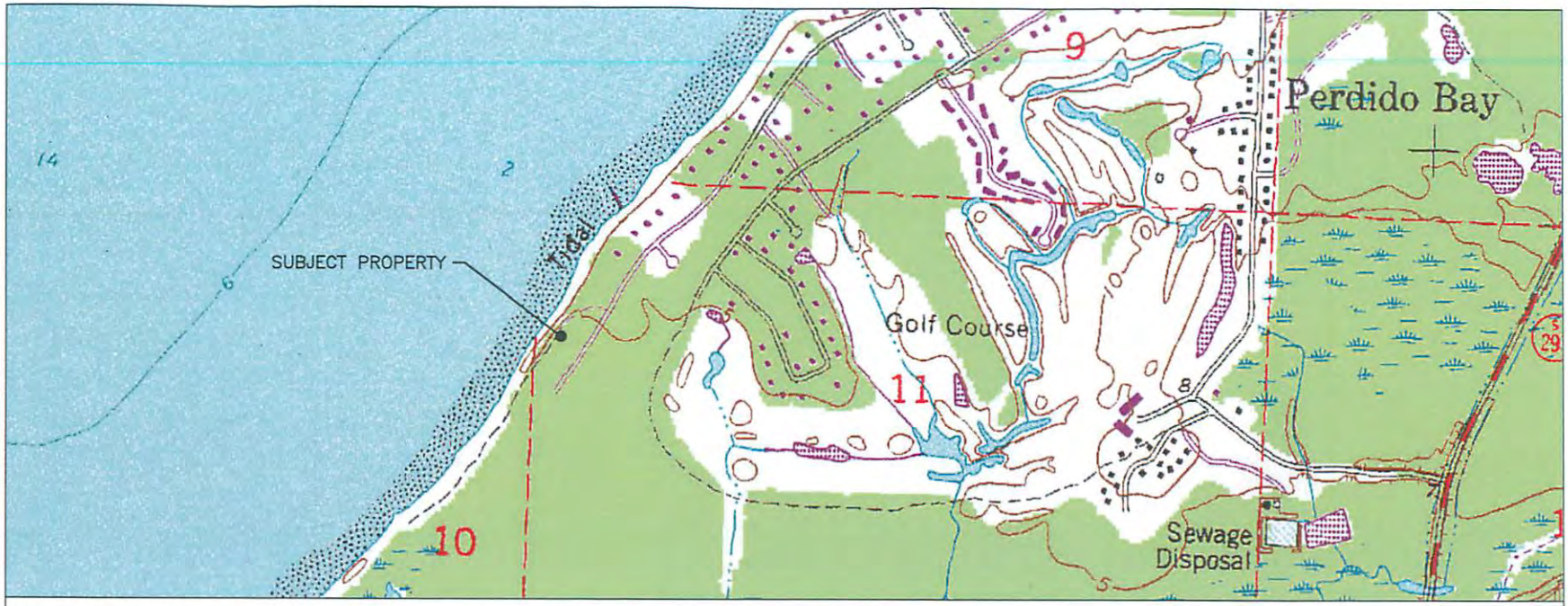


DIRECTIONS TO THE SITE FROM DOWNTOWN PENSACOLA: START OUT GOING WEST ON GARDEN STREET/US-98. TURN LEFT ONTO BARRANCAS AVE/FL-292 AND FOLLOW FOR 9.5 MILES. TURN RIGHT ONTO DOUG FORD DR. TURN RIGHT ONTO SHOSHONE DR. TURN LEFT ONTO CHOCTAW AVE. TURN RIGHT ONTO NAVAHO DR. TURN LEFT ONTO PALE MOON DR. SUBJECT PROPERTY IS LOCATED ON THE RIGHT HAND SIDE OF THE ROAD WITH AN APPROXIMATELY .5 MILES DOWN. PLEASE CALL 850-453-4700 WITH ANY QUESTIONS.

SUBJECT PROPERTY

PARCEL ID#
11-3S-32-3000-000-001
PROPERTY OWNER
SCOTT & DONNA MINDREBO
2927 COVEBROOK DR
PEARLAND, TX 77584

PROJECT LOCATION

5200 BLK PALE MOON DR
PENSACOLA, FL 32507
LAT: 30.329264°
LONG: -87.436444°

INDEX OF SHEETS

SHEET NO.	DESCRIPTION
1	SITE LOCATION MAP
2	EXISTING SITE CONDITIONS
3	PLAN VIEW DEPICTED ONTO AERIAL
4	PLAN VIEW
5	DOCK PROFILE (TYPICAL)
6	DOCK DETAILS (TYPICAL)

DEPARTMENT OF ENVIRONMENTAL PROTECTION
1/6
0359395-001-002-EE
EXEMPT
DS
STATE OF FLORIDA

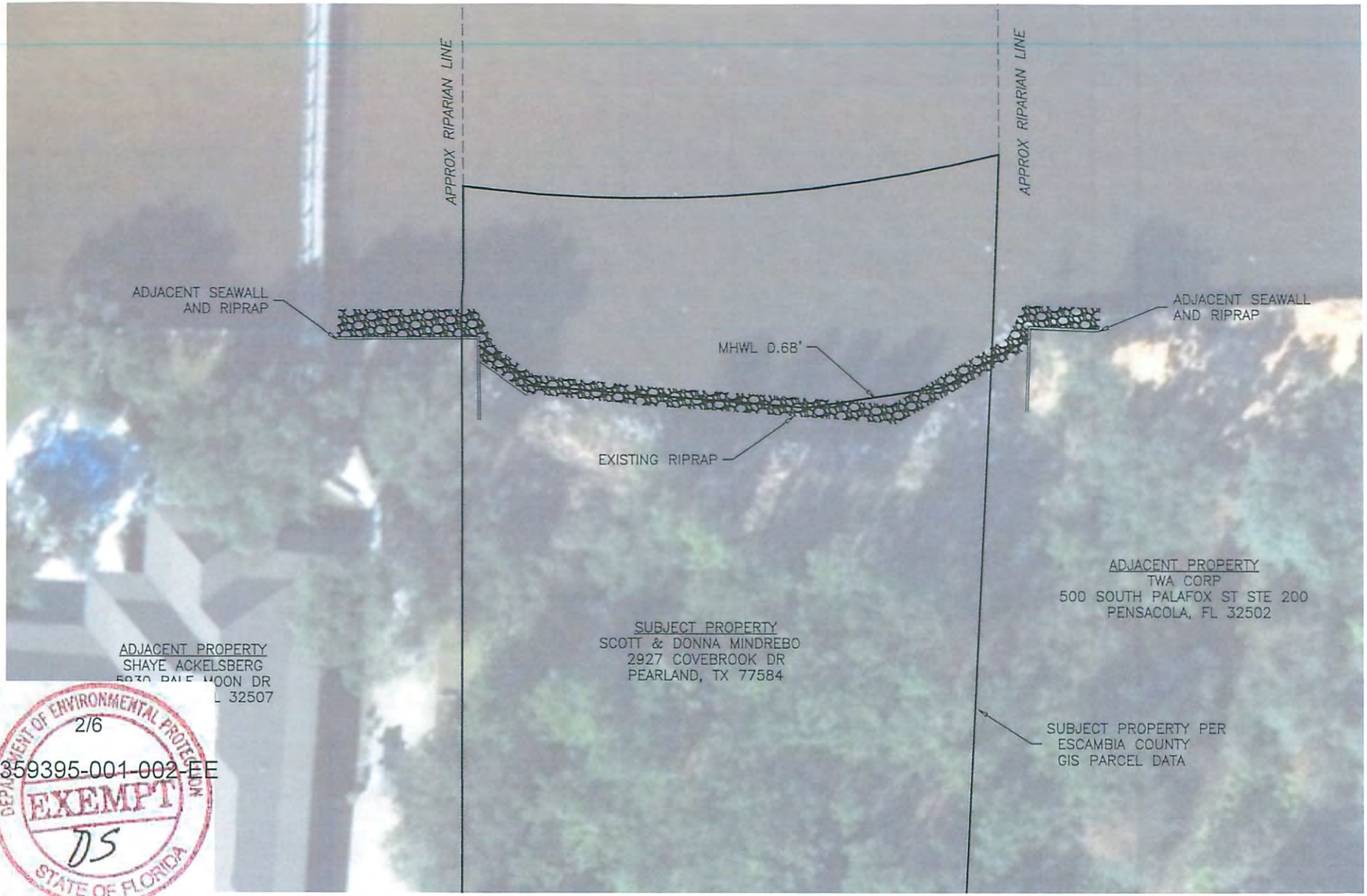
WETLAND SCIENCES INCORPORATED
ENVIRONMENTAL CONSULTANTS
3308 GULF BEACH HIGHWAY
PENSACOLA, FLORIDA 32507
TEL: 850.453.4700
KEITH@WETLANDSCIENCES.COM

PROJECT NAME: DUTTON PALE MOON DR	
SITE LOCATION MAP	
PROJECT NO.: 2017-687	
DRAWN BY: DDH	DATE: 12/04/2017
SHEET: 1 OF 6	

N

1200 0 600 1200

SCALE: 1"=1200Feet



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EXEMPT
DS
STATE OF FLORIDA

WETLAND SCIENCES INCORPORATED
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PENSACOLA, FLORIDA 32507
TEL: 850.453.4700
KEITH@WETLANDSCIENCES.COM

PROJECT NAME: DUTTON PALE MOON DR	
EXISTING SITE CONDITIONS	
PROJECT NO.: 2017-687	
DRAWN BY: DDH	DATE: 12/04/2017
SHEET: 2 OF 6	

N

30 0 15 30

SCALE: 1"= 30 Feet

DEPARTMENT OF ENVIRONMENTAL PROTECTION
EXEMPT
DS
STATE OF FLORIDA

3/6

0359395-001-002-EE

WETLAND SCIENCES INCORPORATED

ENVIRONMENTAL CONSULTANTS

3308 GULF BEACH HIGHWAY
PENSACOLA, FLORIDA 32507
TEL: 850.453.4700
KEITH@WETLANDSCIENCES.COM

PROJECT NAME: DUTTON PALE MOON DR	
PLAN VIEW DEPICTED ONTO AERIAL	
PROJECT NO.: 2017-687	
DRAWN BY: DDH	DATE: 12/04/2017
SHEET: 3 OF 6	

N

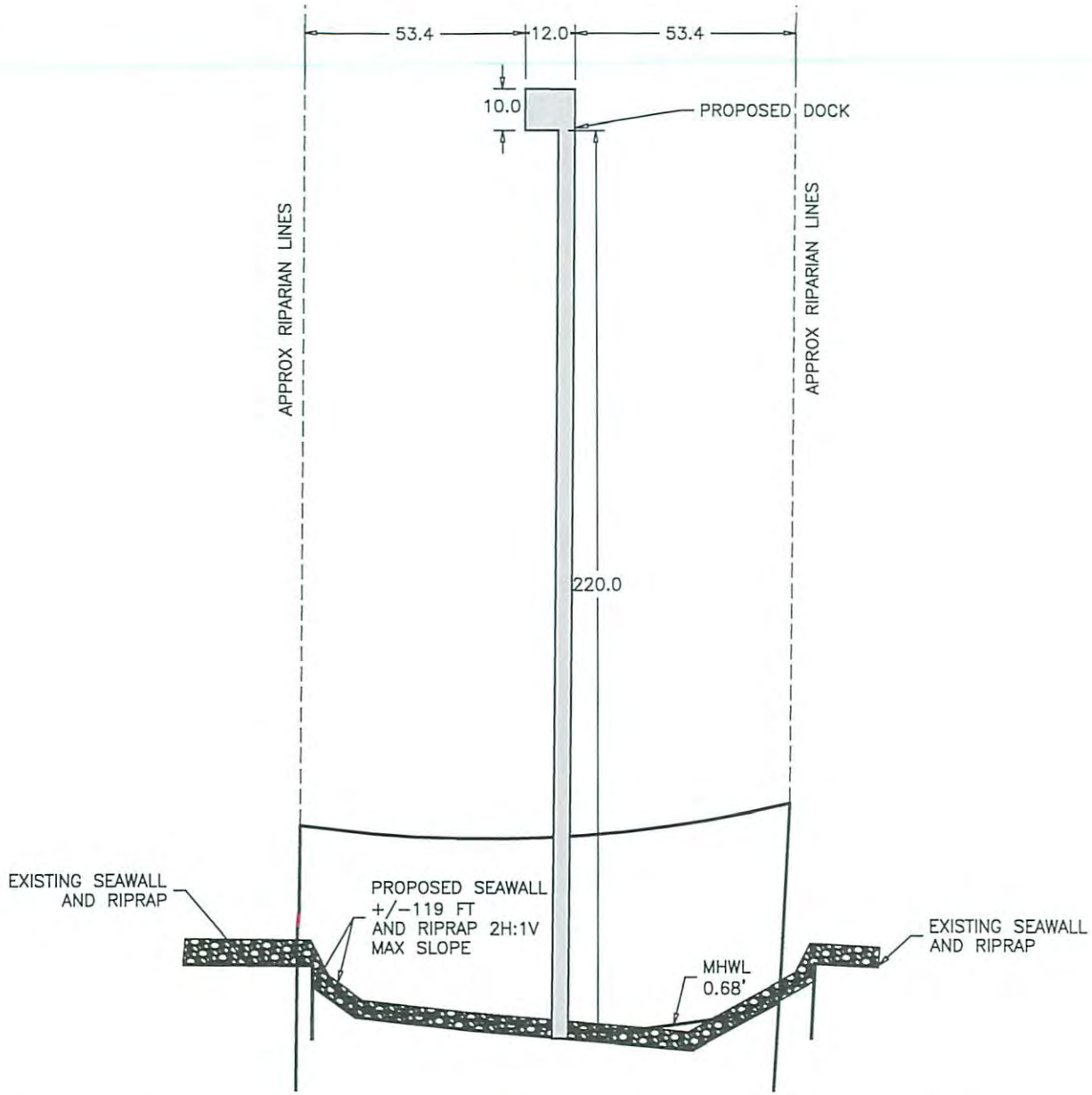
80 0 40 80

SCALE: 1"= 80 Feet

DOCK AREA CALCULATIONS

220 X 4 Access Pier = 880 SQ FT
10 X 12 Platform = 120 SQ FT

TOTAL= 1000 SQ FT



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0359395-001-002-EE
EXEMPT
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STATE OF FLORIDA

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PENSACOLA, FLORIDA 32507
TEL: 850.453.4700
KEITH@WETLANDSCIENCES.COM

PROJECT NAME: DUTTON PALE MOON DR	
PLAN VIEW	
PROJECT NO.: 2017-687	
DRAWN BY: DDH	DATE: 12/04/2017
SHEET: 4 OF 6	

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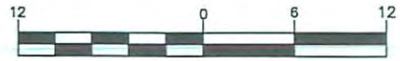
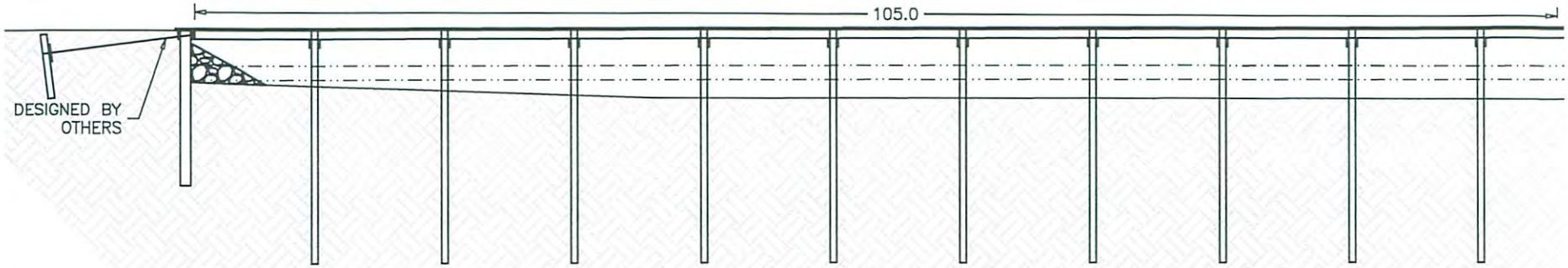
20 0 10 20

SCALE: 1"= 20 Feet



SCALE: 1"= 12 Feet



SCALE: 1"= 15 Feet

5/6

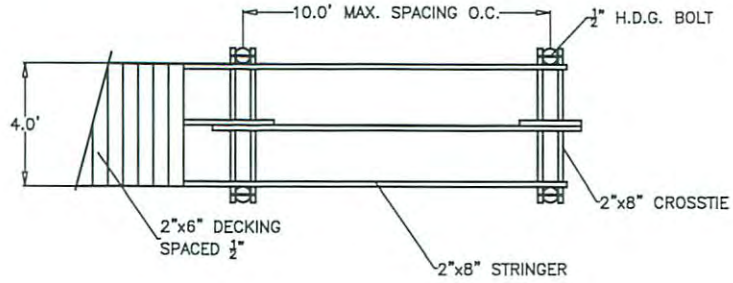
0359395-001-002-EE

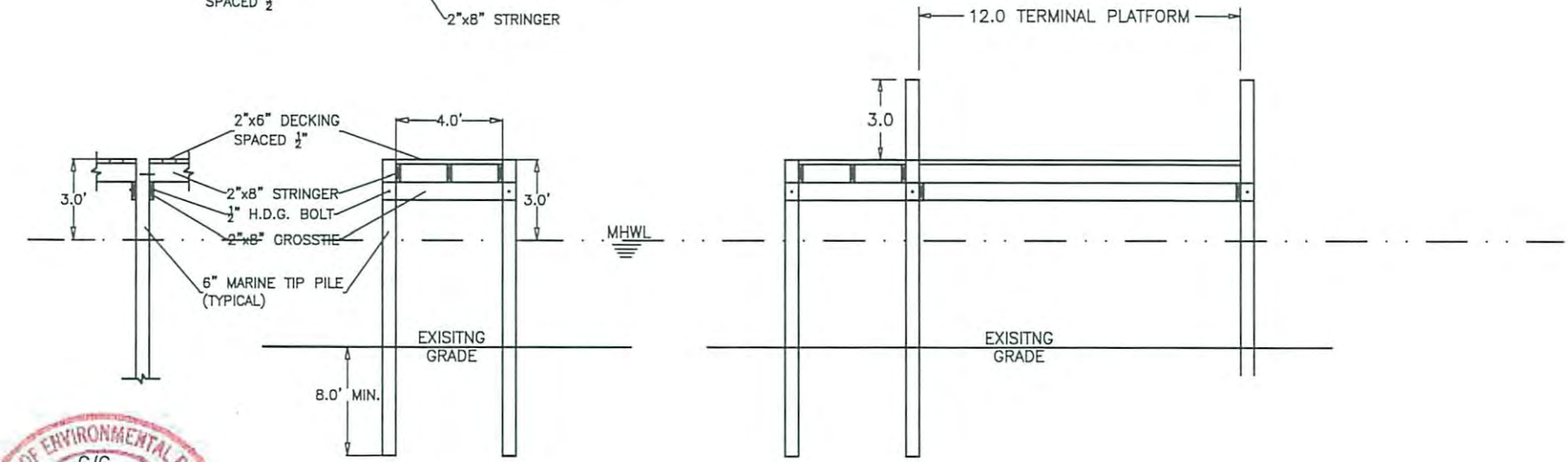
DEPARTMENT OF ENVIRONMENTAL PROTECTION
EXEMPT
DS
STATE OF FLORIDA

WETLAND SCIENCES INCORPORATED

ENVIRONMENTAL CONSULTANTS
3308 GULF BEACH HIGHWAY
PENSACOLA, FLORIDA 32507
TEL: 850.453.4700
KEITH@WETLANDSCIENCES.COM

PROJECT NAME: DUTTON PALE MOON DR	
PROFILE	
PROJECT NO.: 2017-687	
DRAWN BY: DDH	DATE: 12/04/2017
SHEET: 5 OF 6	





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DOCK DETAILS	
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SHEET: 6 OF 6	

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Please find attached approved stormwater permit and approved drawings for the referenced address. Please let me know if you have any questions.

Regards,

Roza Sestnov

Engineer

Development Review Division

Development Services Department

Phone (850) 595-3411

Fax (850) 595-3703

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From: Horace L Jones
Sent: Thursday, April 12, 2018 8:54 AM
To: Fran Ogden <franogdenrd@gmail.com>; Roza I. Sestnov <risestnov@myescambia.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>
Subject: Re: 5312 Plane Moon Drive Stormwater Permit

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Terry & Jennifer

Please send her the all the approved plans and site plans.

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Fax (850) 595-3703

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--

Fran Ogden
850-737-3436

--

Fran Ogden
850-737-3436

<Pale Moon Permit SW.PDF>

<Drawing-Pale Moon.pdf>

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--
Fran Ogden
850-737-3436

Karla N Moreno

From: Horace L Jones
Sent: Thursday, May 03, 2018 8:32 PM
To: Jack R. Brown
Cc: Tim Tolbert; Roza I. Sestnov; Timothy R. Day; Alison A. Rogers; Angela D. Crawley
Subject: Re: 5312 Plane Moon Drive Stormwater Permit

By the way, I did speak to her after this e-mail was sent by her. She was aware and is aware that Building permit has been issued. Furthermore, the stormwater
Management plan and the associated documents and site plans were reviewed and permit was issued PRiOR TO the building permit being issued.

She is unhappy with the issuance of the permit.

Sent from my iPhone

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> Jack R. Brown
> County Administrator
> Escambia County
> 221 Palafox Place, Suite 420
> Pensacola, Florida 3502
> Email: jrbrown@myescambia.com
> Phone: (850) 595-4947
> Cell: (850) 490-5905
> Fax: (850) 595-4908
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> **From:** Fran Ogden [mailto:franogdenrd@gmail.com]
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> **To:** Horace L Jones <HLJONES@myescambia.com>
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> Re: floodwater plan 5312 Pale Moon Dr.
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> >
> > Engineer
> >
> > Development Review Division
> >
> > Development Services Department
> >
> > Phone (850) 595-3411
> >
> > Fax (850) 595-3703

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Development Review Division

Development Services Department

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<Pale Moon Permit SW.PDF>

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Karla N Moreno

From: Horace L Jones
Sent: Friday, May 04, 2018 8:39 AM
To: Jennifer A. Hampton
Subject: Re: 5312 Plane Moon Drive Stormwater Permit

Sent from my iPhone

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<Pale Moon Permit SW.PDF>

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--
Fran Ogden
850-737-3436

<mime-attachment>

MESSAGE

FOR Horace DATE 5/15/18 TIME 2:23 p.m.

M Fran Ogden

OF RE: Pale Moon

PHONE _____ CELL (850) 737-3436

MESSAGE Has an engineers report RE: Pale Moon w/ hard numbers, "Bruce Rega missed it" time of essence, home being staked out & she will be flooded

☑ Telephoned ☐ Came to see you

☐ Returned your call ☐ Wants to see you

☑ Please Call ☐ Will call again

Signed Kim

Karla N Moreno

From: Horace L Jones
Sent: Tuesday, May 15, 2018 4:20 PM
To: Roza I. Sestnov
Subject: Fwd: floodwater plan 5312 Pale Moon
Attachments: 180406.Pale Moon Drive Draft Writeup.05.15.18 with attachments(2).pdf; ATT00001.htm

Sent from my iPhone

Begin forwarded message:

> **From:** "Fran Ogden" <franogdenrd@gmail.com>
> **To:** "Tim Tolbert" <JTTOLBERT@myescambia.com>, "Timothy R. Day" <TRDAY@myescambia.com>, "Horace L Jones" <HLJONES@myescambia.com>
> **Cc:** "Alison A. Rogers" <aarogers@co.escambia.fl.us>, "Jack R. Brown" <jrbrown@myescambia.com>
> **Subject: floodwater plan 5312 Pale Moon**
>
> Dear Mr. Tolbert, Mr. Jones, Mr.Day, and other whom this subject may concern,
>
> Attached you will find an engineering report that I was forced to commission when the county did not sufficiently protect my property. It is obvious to all but the permit reviewers that the Mindrebo's filling in the property 3-4 feet higher than the adjacent properties will cause all the surrounding areas higher flooding risks.
>
> You will see that in the submitted proposals there are insufficient and incorrect data
>
> There has been no provisions made for the pre-exsting flow of the water from Pale Moon Drive to Perdido Bay. The existing homes have been engineered with the original elevations which allowed water to flow to the bay. It was filled illegally and with out any consideration of the impact that the changed elevations would cause. Mr. Mindrebo stated he was only concerned with his dream home and did not need to consider the neighbors. I believe this is exactly why we have a permitting process. Unfortunately, Mr. Banes, failed to make proper consideration and granted a permit with out a required floodwater plan. Ms. Roza of the LDC approved a retro actively submitted floodwater plan based on figures submitted from Jerry Maguire, but I have found his figures to be incorrect. Please review the attached report from Sigma to confirm.
>
> I also maintain that more than 1800 cu. yds. was hauled in. (could you not reverse the permit based upon false statements in the after-the-fact application? because you certainly can add existing landscape wall to the list of falsehoods. I have a dozen neighbors to attest to this fact that it was not existing. Is the truth irrelevant?.) Please, let's verify this information with the dirt company. I think we can fairly say that the the Mindrebos and Rick Classic Homes have a blatant disregard for the surrounding area. Please protect us.
>
> Several additional questions are also posed on this report. I strongly request that the permitting dept. halts the progress of this ongoing build until these significant questions have been answered.
>
> Regards,
> Fran Ogden
>
> --

Fran Ogden
850-737-3436

SIGMA CONSULTING GROUP, INC.
ENGINEERING CONSULTANTS

3298 Summit Boulevard, Suite 32
Pensacola, FL 32503
Phone (850) 332-7912
Fax (850) 432-8870
www.sigmacg.com

May 15, 2018

Ms. Fran Ogden
5330 Pale Moon Drive
Pensacola, FL 32507

RE: 5312 Pale Moon Drive
Stormwater Management Plan Review and Reporting
Draft Submittal

Dear Ms. Ogden:

Per our contract initiated on April 27, 2018, SIGMA has provided the following services:

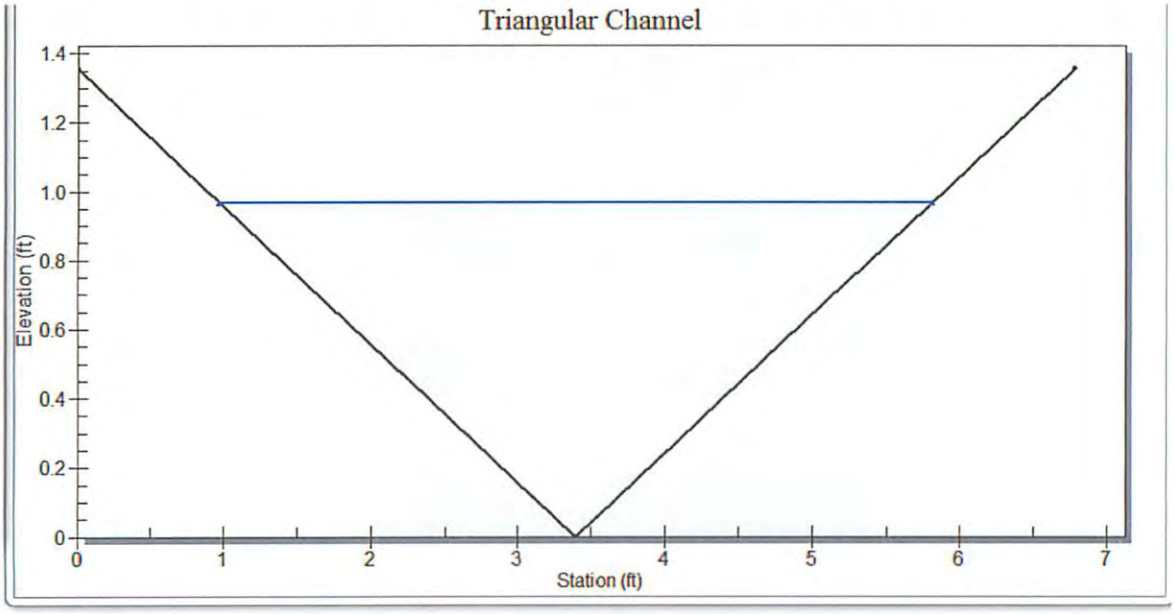
Task 100 Site Investigation
SIGMA visited the site and inspected the ongoing construction activities at 5312 Pale Moon Drive. Initial inspection revealed that the site has approximately 3'-4' fill on the project site, a wooden retaining wall built on the north side of the property and silt fence was installed along the south boundary adjoining the property at 5330 Pale Moon Drive. The silt fence was not installed properly and the fill located on the construction site was eroding and depositing onto the property located at 5330 Pale Moon Drive.

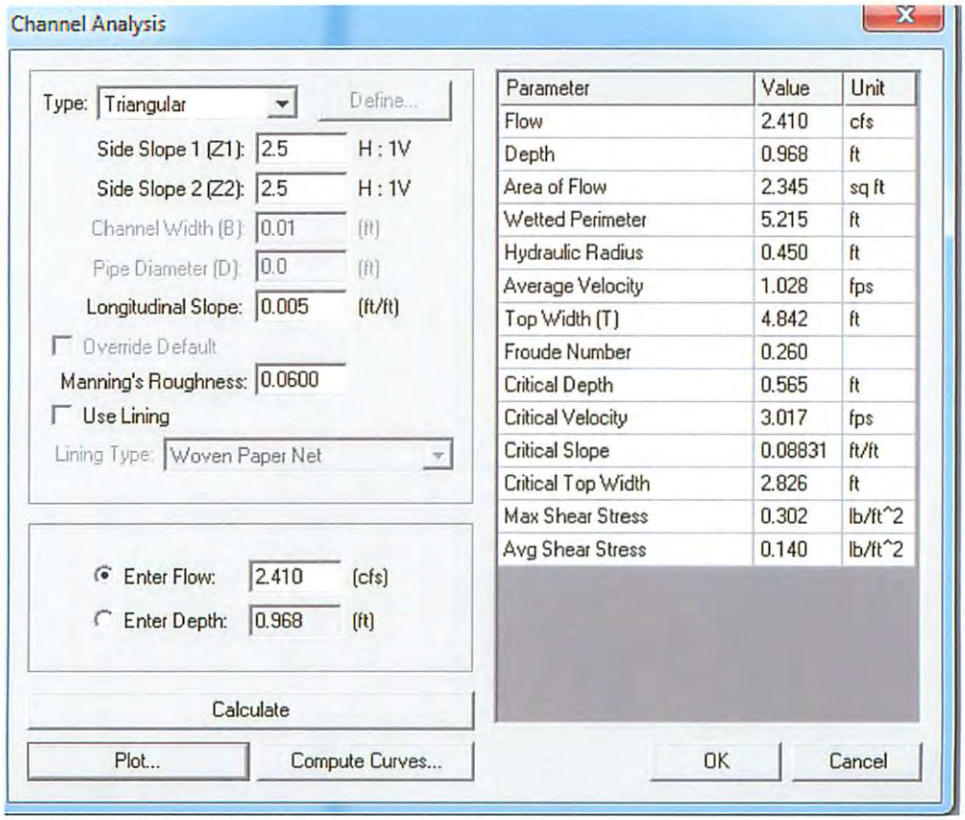
Task 200 Site Review and Reporting
SIGMA has reviewed the following information relative to the stormwater management plan for the residential construction activities at 5312 Pale Moon Drive. The items list as follows:

Stormwater Management Plan Calculations
SIGMA has reviewed the stormwater management plan calculations for the proposed swale and grading plan at 5312 Pale Moon Drive. The review comments list as follows:

1. The section noted as "SURROUNDING PROEPRTY IMPACTS" states that "the landscape timber wall along the north boundary of 5312 Pale Moon Drive will prevent any runoff to discharge to the north. Therefore, this project will not negatively impact any surrounding lots." The aforementioned retaining wall will change the runoff characteristics for the adjoining north lot. Stormwater flowing in a westerly manner across this lot will concentrate on the retaining wall which in turn will increase flow velocity and the likelihood of erosion.

2. The section noted as "SWALE DESIGN" provides calculations for a proposed swale on the south side of 5312 Pale Moon Drive. The swale calculations utilize an 'n' factor of .015 which is too high for a typical sodded swale that would be used in these conditions. An 'n' factor of .06 should have been used for this situation. Below is a revised ditch calculation utilizing the n-factor of .06.





The proposed swale will have a maximum flow depth of approximately 1.0' for the 100 year storm event based upon the stormwater management plan calculations. The original calculations indicated that the flow depth was 0.58 feet utilizing an n-factor of .015. As designed, the proposed swale does not have any freeboard or additional flow capacity.

Stormwater Management Plan Drawings
SIGMA has reviewed the stormwater management plan drawings. The review comments list as follows:

1. How does the homebuilder propose to build the private drainage easement swale and not encroach into the adjoining property at 5330 Pale Moon Drive? The plans do not account for this and it is likely that a temporary construction easement will be necessary.

2. Will the homeowner at 5312 Pale Moon Drive be allowed to landscape the private drainage easement swale or will this not be allowed? The proposed swale design does not have any freeboard and it is imperative that it is constructed and maintained properly. Any reduction in the swale size will impact the swales ability to collect both onsite and offsite stormwater.

3. How is the lot grading plan going to address the stormwater that previously flowed in a westerly direction from Pale Moon Drive across the lot to Perdido Bay? With approximately 4' of fill the current grading plan diverts this stormwater onto the two (2) adjoining lots.

To summarize, the fill placed on the lot at 5312 Pale Moon Drive will impact and change the existing drainage patterns for all adjoining property owners. The proposed lot grading plan and stormwater management plan for the subject property does not address all of the impacts created by the fill placement at 5312 Pale Moon Drive.

If you have any questions or comments with regards to this, please feel free to contact us at your earliest convenience.

Sincerely yours,

SIGMA CONSULTING GROUP

Jason L. Lashley

Jason L. Lashley, PE,
Vice President/ Senior Project Manager

Attachments:

Stormwater Management Plan for 5312 Pale Moon Drive
5312 Pale Moon Drive Lot Grading Plan

Stormwater Management Plan
For
5312 Pale Moon Drive
For
Escambia County, Florida

JMA # - 2018.5312PM.00

Prepared By:

JMA
Engineering Services, Inc.
• Civil Engineering • Planning •

P.O. Box 4348
Milton, Florida 32572-4348

Phone: (850) 995-7323
Fax: (850) 995-7236

E-mail: jma@mcguire-assoc.com

Engineering Business # 00028905

Certification Page

5312 Pale Moon Drive

JMA # - 2018.5312PM.00

4/5/2018

Gerald W. McGuire, P.E. #39572

6 pages

5312 Pale Moon Drive

Stormwater Management Plan
March 2018 Rev.

Project Scope & Existing Conditions

The 0.72 acre site is an undeveloped lot in the Perdido Bay subdivision located at 5312 Pale Moon Drive. The parcel is bounded on the south by an existing residence, to the north by a vacant lot, the right of way of Pale Moon Drive on the east, and Perdido Bay to the west. Natural topography for the site prior to home construction gently sloped from the east at an elevation of 5+' at Pale Moon Drive gently to the west into Perdido Bay. The mean high water elevation at this point in Perdido Bay is 0.87' (NAVD88).

Several years back, the lot was purchased for the construction of a single family home with driveways, carport and a pool/lanai. Prior to this report, the lot has been filled to roughly an elevation of 7' to elevate the house slab above the flood plain. The lot fill is placed to grade most of the front part of the lot to Pale Moon Drive, with the rear of the lot graded toward Perdido Bay and stops approximately 50' back from the permitted seawall ().

Permits have been pulled from Escambia County or the State WMD for the following:

- Land and Tree Permit (Permit No. 1802404PLM) to clear trees and fill the lot;
- ERP Permit No. 0359395-001-002-EE for a seawall located landward of the established mean high water along Perdido Bay (permitted by Wetland Sciences, Inc.); Please note that Wetland Sciences has also furnished a letter stating there were no wetlands on the lot impacted by the existing fill (see attached letter and ERP Permit)
- A permit for the wall along the northern boundary of the lot is in process through the Escambia County Building Inspections Department.

PROPOSED WORK

The owner proposes to construct a new 6,250 SF home on the lot with a 1,300 SF pool/lanai area, and 2,240 SF driveway and other concrete work. The balance of the lot will either be sodded or along the shoreline and to the east of the seawall left in its natural state.

Side lot drainage will collected in a swale 0.5' to 1' deep along the southerly 5' wide strip the south side, and along an existing landscape wall that will prevent all flows to the north lot. The existing landscape wall is being permitted through Escambia County Building Inspections and has a top elevation of 7'. This wall prevents any water from leaving the site and flowing onto the lot to the north. The proposed swale along the

south boundary will collect and convey runoff from both this lot and the flows from the lot to the south.

SURROUNDING PROPERTY IMPACTS

The lot to the south drains approximately 50% of its runoff on to 5312 Pale Moon Drive. So as not to block this runoff and create an impact on the lot to the south, a swale is proposed along the property line between the lots that will collect the runoff from both lots and convey it westerly toward the Bay. This swale will be totally on 5312 Pale Moon and will collect water from the contributing area as seen on the attached aerial:

AERIAL OF BASINS (Existing Lot to South and 5312 Pale Moon Drive Lot)

As was stated earlier in this report, the landscape timber wall along the north boundary of 5312 Pale Moon Drive will prevent any runoff to discharge to the north. Therefore, this project will not negatively impact any surrounding lots.

Swale Sizing Along Southern Boundary of Lot:

From the above, we can see the following areas contributing to the swale's flow:

Contributing Lot area to south	14,558.46 SF
Contributing Lot for this lot	10,431.81 SF
Total Area Contributing	**24,990.27 SF = 0.57 Acres**

The weighted Rational Coefficient calculated for pre-development versus post-development conditions is as follows:

Pervious C	0.25
Impervious C	0.90

Composite c Calculations

Pre-Development		
c-pre	0.25	
Onsite area	0.75	acres
Offsite	0.69	acres
Total Basin	1.44	

Post Development Prior to Home Construction				
	Impervious Area =		SF	Acres
		Building	0.00	0.00
		Asphalt	0.00	0.00
		Conc. Curb/walks	0.00	0.00
		Offsite	11,950.78	0.27
			11,951	0.27
c-per.	0.25	1.17		
c-imp.	0.9	0.27		
	Cpost			
	=	0.37		
	Cpost prior to additions = 0.37			

Post Development After Home Construction				
	Impervious Area =		SF	Acres
		Building	6,251.00	0.14
		Pool/Lanai	1,300.00	0.03
		Concrete Drives	2,240.00	0.05
		Offsite	11,950.78	0.27
			21,741.78	0.50
c-per.	0.25	0.94		
c-imp.	0.9	0.50		
	Cpost =			
	=	0.47		
	Cpost after additions = 0.47			

Based on the Cpost, contributing acreage and a 100-year storm, we see the following:

Calculate Area Contributing to Swale Along South Boundary

	SF	Acres
OnSite	10431.8	0.24
OffSite	14558.5	0.33
Total Area	24990.3	0.57

Rainfall Intensity 9 inches/hour

Q = c*i*A 2.41 cfs

SWALE DESIGN:

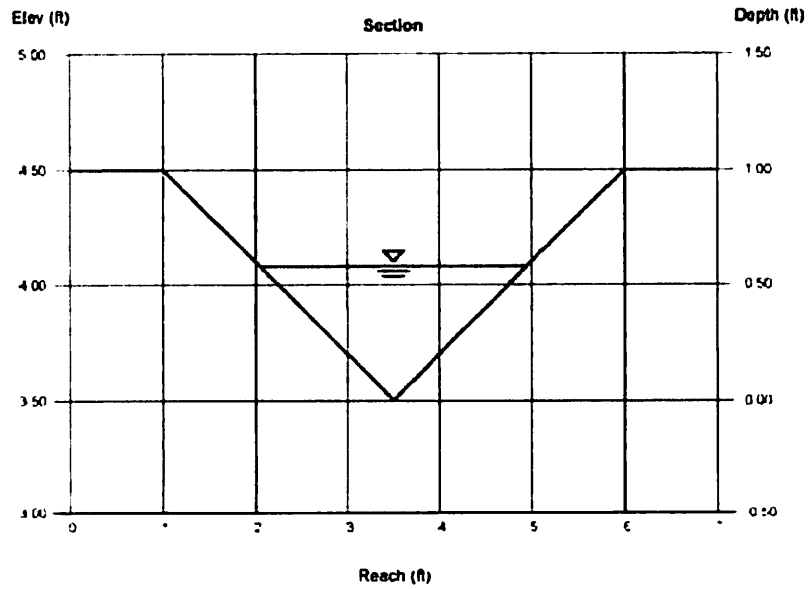
The runoff collected in the proposed swale along the boundary between the lots will be 0.6' deep at its maximum depth and will carry the runoff generated by the contributing acreage from both lots. See attached swale calculations for the swale functioning.

Channel Report

Hydraflow Express Extension for Autodesk® AutoCAD® Civil 3D® by Autodesk, Inc. Friday, Apr 6 2018

<Name>

Triangular		**Highlighted**	
Side Slopes (z 1)	= 2.50, 2.50	Depth (ft)	= 0.58
Total Depth (ft)	= 1.00	Q (cfs)	= 2.410
		Area (sqft)	= 0.84
Invert Elev (ft)	= 3.50	Velocity (ft/s)	= 2.87
Slope (%)	= 0.50	Wetted Perim (ft)	= 3.12
N-Value	= 0.015	Crit Depth, Yc (ft)	= 0.57
		Top Width (ft)	= 2.90
Calculations		EGL (ft)	= 0.71
Compute by	Known Q		
Known Q (cfs)	= 2.41		



Based on the above, the inclusion of the swale along the boundary with the lot to the south will prevent runoff from leaving our site and impacting the southerly lot, as well as collect runoff from the south lot to 5312 Pale Moon without blocking the flows.

Soil Map—Escambia County, Florida
(Web Soil Survey)

Map Scale: 1:1,850 if printed on A landscape (11" x 8.5") sheet.

Meters: 0 25 50 100 150

Feet: 0 50 100 200 300

N

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 16N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Escambia County, Florida
Survey Area Data: Version 16, Nov 21, 2017

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Dec 31, 2009—Mar 7, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
4	Pickney sand	0.8	5.9%
9	Leon sand, 0 to 2 percent slopes	2.2	16.2%
11	Hurricane sand, 0 to 5 percent slopes	4.4	32.4%
19	Foxworth sand, 0 to 5 percent slopes	3.5	25.3%
100	Waters of the Gulf of Mexico	2.8	20.3%
Totals for Area of Interest		13.7	100.0%

Escambia County, Florida

19—Foxworth sand, 0 to 5 percent slopes

Map Unit Setting

National map unit symbol: 2ttkk
Elevation: 20 to 250 feet
Mean annual precipitation: 59 to 68 inches
Mean annual air temperature: 63 to 72 degrees F
Frost-free period: 209 to 295 days
Farmland classification: Not prime farmland

Map Unit Composition

Foxworth and similar soils: 95 percent
Minor components: 5 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Foxworth

Setting

Landform: Ridges on marine terraces
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Interfluve
Down-slope shape: Convex
Across-slope shape: Linear
Parent material: Eolian or sandy marine deposits

Typical profile

A - 0 to 6 inches: sand
C - 6 to 67 inches: sand
Cg - 67 to 80 inches: sand

Properties and qualities

Slope: 0 to 5 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Moderately well drained
Runoff class: Negligible
Capacity of the most limiting layer to transmit water (Ksat): High to very high (5.95 to 19.98 in/hr)
Depth to water table: About 42 to 72 inches
Frequency of flooding: None
Frequency of ponding: None
Salinity, maximum in profile: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Sodium adsorption ratio, maximum in profile: 4.0
Available water storage in profile: Low (about 4.8 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 3s
Hydrologic Soil Group: A

Ecological site: Longleaf Pine-Turkey Oak Hills (R133AY002FL)
Forage suitability group: Sandy soils on rises, knolls, and ridges of mesic uplands (G133AA121FL)
Hydric soil rating: No

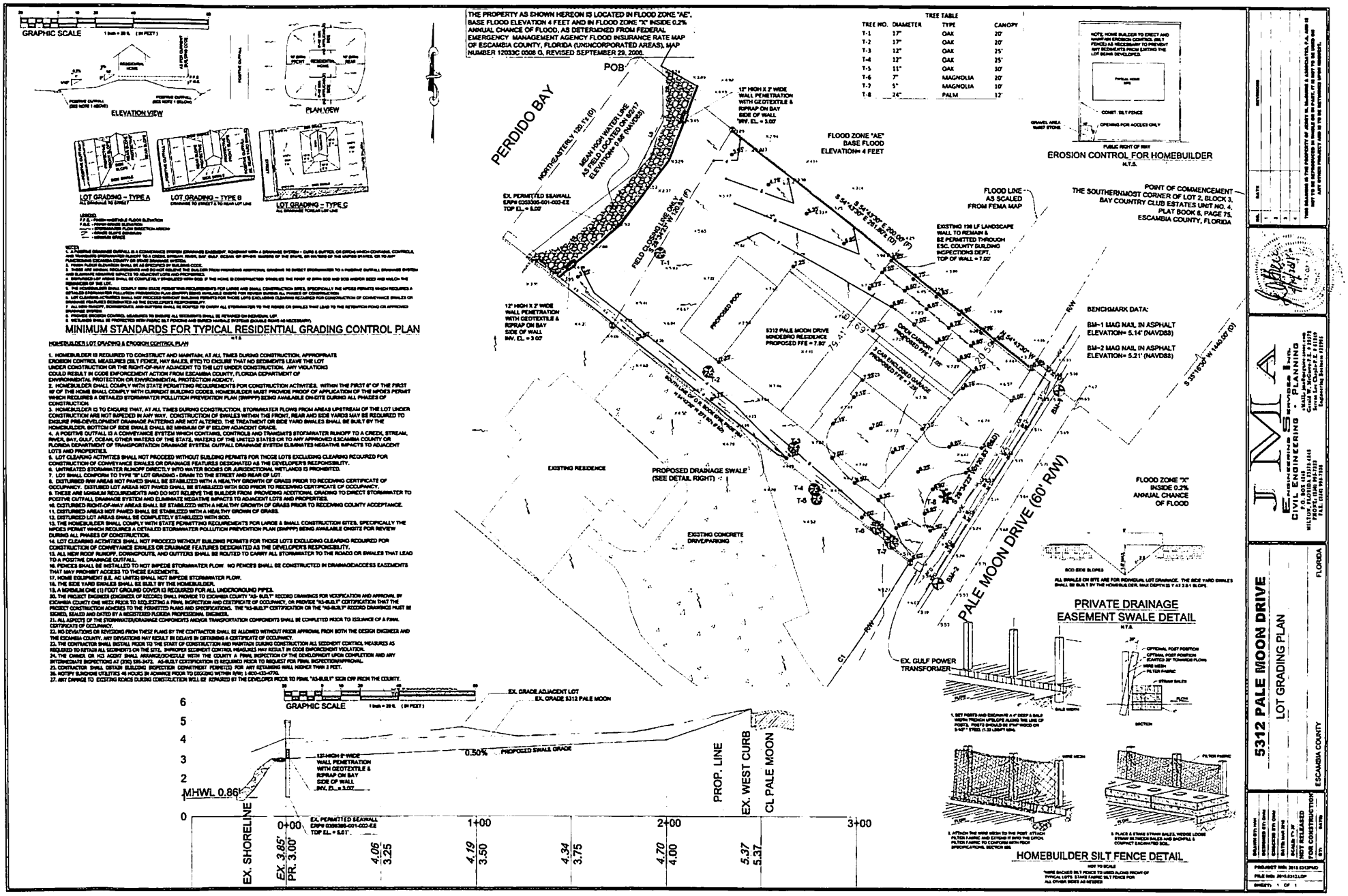
Minor Components

Lakeland
Percent of map unit: 4 percent
Landform: Hills on marine terraces
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Interfluve
Down-slope shape: Convex
Across-slope shape: Linear
Other vegetative classification: Longleaf Pine-Turkey Oak Hills (R133AY002FL)
Hydric soil rating: No

Chipley
Percent of map unit: 1 percent
Landform: Ridges on marine terraces
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Interfluve
Down-slope shape: Convex
Across-slope shape: Linear
Hydric soil rating: No

Data Source Information

Soil Survey Area: Escambia County, Florida
Survey Area Data: Version 16, Nov 21, 2017


GRAPHIC SCALE
ELEVATION VIEW
PLAN VIEW
LOT GRADING - TYPE A
LOT GRADING - TYPE B
LOT GRADING - TYPE C
MINIMUM STANDARDS FOR TYPICAL RESIDENTIAL GRADING CONTROL PLAN
HOMEBUILDER'S LOT GRADING & EROSION CONTROL PLAN
THE PROPERTY AS SHOWN HEREON IS LOCATED IN FLOOD ZONE "AE", BASE FLOOD ELEVATION 4 FEET AND IN FLOOD ZONE "X" INSIDE 0.2% ANNUAL CHANCE OF FLOOD, AS DETERMINED FROM FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP OF ESCAMBIA COUNTY, FLORIDA (UNINCORPORATED AREAS), MAP NUMBER 12033C 0508 G, REVISED SEPTEMBER 29, 2006.
TREE TABLE
TREE NO. DIAMETER TYPE CANOPY
T-1 17" OAK 20'
T-2 17" OAK 20'
T-3 12" OAK 25'
T-4 12" OAK 25'
T-5 11" OAK 30'
T-6 7" MAGNOLIA 20'
T-7 5" MAGNOLIA 10'
T-8 24" PALM 12'
POB
PERDIDO BAY
NORTHEASTERLY 120.1'± (D)
MEAN HIGH WATER LINE AS FIELD LOCATED ON 9/21/17 ELEVATION= 0.86' (NAVD88)
EX. PERMITTED SEAWALL ERP# 0393365-001-EE TOP EL. = 8.00'
12" HIGH X 3' WIDE WALL PENETRATION WITH GEOTEXTILE & RIPRAP ON BAY SIDE OF WALL INV. EL. = 3.00'
FLOOD ZONE "AE" BASE FLOOD ELEVATION= 4 FEET
FLOOD LINE AS SCALED FROM FEMA MAP
POINT OF COMMENCEMENT THE SOUTHERNMOST CORNER OF LOT 2, BLOCK 3, BAY COUNTRY CLUB ESTATES UNIT NO. 4, PLAT BOOK 8, PAGE 75, ESCAMBIA COUNTY, FLORIDA
EXISTING 196 LF LANDSCAPE WALL TO REMAIN & BE PERMITTED THROUGH ESC. COUNTY BUILDING INSPECTIONS DEPT. TOP OF WALL = 7.00'
FIELD CLOSED LINE ONLY
PROPOSED POOL
5312 PALE MOON DRIVE MINDEBRO RESIDENCE PROPOSED FFE = 7.80'
3 CAR ENCLOSED GARAGE PROPOSED FFE = 7.25'
OPEN CARPORT PROPOSED FFE = 7.05'
EXISTING RESIDENCE
PROPOSED DRAINAGE SWALE (SEE DETAIL RIGHT)
EXISTING CONCRETE DRIVE/PARKING
PALE MOON DRIVE (60' R/W)
R/W
BENCHMARK DATA:
BM-1 MAG NAIL IN ASPHALT ELEVATION= 5.14' (NAVD88)
BM-2 MAG NAIL IN ASPHALT ELEVATION= 5.21' (NAVD88)
FLOOD ZONE "X" INSIDE 0.2% ANNUAL CHANCE OF FLOOD
EROSION CONTROL FOR HOMEBUILDER
PRIVATE DRAINAGE EASEMENT SWALE DETAIL
EX. GULF POWER TRANSFORMER
HOMEBUILDER SILT FENCE DETAIL
EX. GRADE ADJACENT LOT
EX. GRADE 5312 PALE MOON
0.50% PROPOSED SWALE GRADE
MHWL 0.86'
EX. SHORELINE
EX. 3.85'
PR. 3.00'
PROP. LINE
EX. WEST CURB
CL PALE MOON
0+00
1+00
2+00
3+00
4.06 3.25
4.19 3.50
4.34 3.75
4.70 4.00
5.37 5.37
JMA
CIVIL ENGINEERING
5312 PALE MOON DRIVE
LOT GRADING PLAN
ESCAMBIA COUNTY
FLORIDA

5312 PALE MOON DRIVE

DRAINAGE BASIN MAP

ESCAMBIA COUNTY — FLORIDA

JMA
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CIVIL ENGINEERING
P.O. BOX 4243
MILTON, FLORIDA 32572-4243
PHONE: (850) 995-7333
FAX: (850) 995-7334

PALE MOON DRIVE (60' R/W)

PERDIDO BAY

POB

FLOOD ZONE "AE" BASE FLOOD ELEVATION = 4 FEET

FLOOD LINE AS SCALED FROM FEMA MAP

EXISTING 180 LF LANDSCAPE WALL TO REMAIN & BE PROTECTED DURING ESC. COUNTY BUILDING INSPECTIONS DEPT. TOP OF WALL = 7.22'

EX. GULF POWER TRANSFORMER

PROPOSED DRAINAGE SWALE (SEE DETAIL #3/#7)

BENCHMARK DATA:

BM-1 MAG NAIL IN ASPHALT
ELEVATION= 5.25' (NAVD88)

BM-2 MAG NAIL IN ASPHALT
ELEVATION= 5.37' (NAVD88)

GRAPHIC SCALE

Karla N Moreno

From: Horace L Jones
Sent: Wednesday, May 16, 2018 9:52 AM
To: Tim Tolbert
Cc: Fran Ogden; Timothy R. Day; Alison A. Rogers; Jack R. Brown
Subject: Re: floodwater plan 5312 Pale Moon

We have received the report.

Sent from my iPhone

On May 16, 2018, at 9:21 AM, Tim Tolbert <JTTOLBERT@myescambia.com> wrote:

> Hi Mrs. Ogden thank you for your email. The permit issued at 5312 Pale Moon Dr. was issued based on the project meeting minimum requirements. At this time there is no legal standing to resend or inactivate the building permit. As I stated in an earlier email Building Inspections is charged with enforcing the Florida Building Code which applies to the structure or system(s) that permits have been issued and does not apply to adjacent properties. In short the intent of the Florida Building Code is to ensure the safety of all future occupants of the home being built. Any requirements that would apply to adjacent properties is outside of my authority and may or may not be the responsibility of other agencies. However, if another agency or department having jurisdiction resends or reverses their approval on a particular project, Building Inspections has the authority to inactivate permits if warranted.
>
> Thank you,
>
> Tim Tolbert, Building Official
> Director of Building Services
> Escambia County
> 3363 West Park Place
> Pensacola, Florida 32505-5250
> jttolbert@myescambia.com
> Office (850) 595-3550
> Cell (850) 554-4059
>
> On May 15, 2018, at 4:15 PM, Fran Ogden <franogdenrd@gmail.com> wrote:
>
> > Dear Mr. Tolbert, Mr. Jones, Mr.Day, and other whom this subject may concern,
> >
> > Attached you will find an engineering report that I was forced to commission when the county did not sufficiently protect my property. It is obvious to all but the permit reviewers that the Mindrebo's filling in the property 3-4 feet higher than the adjacent properties will cause all the surrounding areas higher flooding risks.
> >
> > You will see that in the submitted proposals there are insufficient and incorrect data
> >
> > There has been no provisions made for the pre-exsting flow of the water from Pale Moon Drive to Perdido Bay. The existing homes have been engineered with the original elevations which allowed water to flow to the bay. It was filled illegally and with out any consideration of the impact that the changed elevations would cause. Mr.

Mindrebo stated he was only concerned with his dream home and did not need to consider the neighbors. I believe this is exactly why we have a permitting process. Unfortunately, Mr. Banes, failed to make proper consideration and granted a permit with out a required floodwater plan. Ms. Roza of the LDC approved a retro actively submitted floodwater plan based on figures submitted from Jerry Maguire, but I have found his figures to be incorrect. Please review the attached report from Sigma to confirm.

I also maintain that more than 1800 cu. yds. was hauled in. (could you not reverse the permit based upon false statements in the after-the-fact application? because you certainly can add existing landscape wall to the list of falsehoods. I have a dozen neighbors to attest to this fact that it was not existing. Is the truth irrelevant?.) Please, let's verify this information with the dirt company. I think we can fairly say that the the Mindrebos and Rick Classic Homes have a blatant disregard for the surrounding area. Please protect us.

Several additional questions are also posed on this report. I strongly request that the permitting dept. halts the progress of this ongoing build until these significant questions have been answered.

Regards,
Fran Ogden
--
Fran Ogden
850-737-3436

<180406.Pale Moon Drive Draft Writeup.05.15.18 with attachments(2).pdf>

Karla N Moreno

From: Jerry McGuire <jerry@mcguire-assoc.com>
Sent: Wednesday, May 16, 2018 2:33 PM
To: Roza I. Sestnov
Subject: RE: floodwater plan 5312 Pale Moon
Attachments: Aerial Contouring Pale Moon Drive.pdf; C factor table.pdf

Roza,

We have reviewed the report from the neighbor's engineer and offer the following:

1. **Page 1 of report – regarding the lot drainage to the north of 5312 Pale Moon Drive** - the adjacent lot to the north mainly drains to the center of the lot based on the attached aerial with contouring. During the development of this lot the lot owner should be afforded the same benefits of the lot we permitted and they can install a swale on their south property line through the Stormwater Permitting Management Permitting process. I don't see additional erosion concerns if they design it property and stabilize it.
2. **Regarding the C factor used:** attached is a table of common C factors used. The soil based on the soil survey is a Type A soil, and is a very well drained sand, and on a gentle slope. The C factor used could be up to 0.30, but a well maintained lawn could be down to 0.10. I would never use a c = 0.60 for this soil condition. Let me say, that the engineer for the owner to the south, when using a c=0.60 still calculates and shows the swale does not overtop in a 100-year event. I know of no freeboard required for drainage swales under the LDC DSM.
3. **Location of swale:** Please note that the swale is totally located on 5312 Pale Moon Drive. None of the swale is on the lot the south. WE are receiving water/runoff from the yard to the south and it is accounted for in the swale design. Furthermore, this is a grassed swale and not to be landscaped with any impediments that would hinder flow along the ditch.
4. **Lot Grading Plan addressing adjacent lots:** The Lot Grading Plan does indeed take into account the flows from the south lot in the swale design. The north lot mainly drains to the center of the lto, but one someone develops they can follow the same requirements as 5312 Pale Moon Drive had to follow. At that time they can install a swale along their lot lines.

Thanks,
Jerry

From: Roza I. Sestnov <risestnov@myescambia.com>
Sent: Wednesday, May 16, 2018 8:49 AM
To: Jerry's JMA <jerry@mcguire-assoc.com>
Subject: FW: floodwater plan 5312 Pale Moon

FYI.

Thank you!

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Horace L Jones
Sent: Tuesday, May 15, 2018 4:20 PM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: Fwd: floodwater plan 5312 Pale Moon

Sent from my iPhone

Begin forwarded message:

> **From:** "Fran Ogden" <franogdenrd@gmail.com>
> **To:** "Tim Tolbert" <JTTOLBERT@myescambia.com>, "Timothy R. Day" <TRDAY@myescambia.com>, "Horace L Jones" <HLJONES@myescambia.com>
> **Cc:** "Alison A. Rogers" <aarogers@co.escambia.fl.us>, "Jack R. Brown" <jrbrown@myescambia.com>
> **Subject: floodwater plan 5312 Pale Moon**
>
> Dear Mr. Tolbert, Mr. Jones, Mr.Day, and other whom this subject may concern,
>
> Attached you will find an engineering report that I was forced to commission when the county did not sufficiently protect my property. It is obvious to all but the permit reviewers that the Mindrebo's filling in the property 3-4 feet higher than the adjacent properties will cause all the surrounding areas higher flooding risks.
>
> You will see that in the submitted proposals there are insufficient and incorrect data
>
> There has been no provisions made for the pre-exsting flow of the water from Pale Moon Drive to Perdido Bay. The existing homes have been engineered with the original elevations which allowed water to flow to the bay. It was filled illegally and with out any consideration of the impact that the changed elevations would cause. Mr. Mindrebo stated he was only concerned with his dream home and did not need to consider the neighbors. I believe this is exactly why we have a permitting process. Unfortunately, Mr. Banes, failed to make proper consideration and granted a permit with out a required floodwater plan. Ms. Roza of the LDC approved a retro actively submitted floodwater plan based on figures submitted from Jerry Maguire, but I have found his figures to be incorrect. Please review the attached report from Sigma to confirm.
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> I also maintain that more than 1800 cu. yds. was hauled in. (could you not reverse the permit based upon false statements in the after-the-fact application? because you certainly can add existing landscape wall to the list of falsehoods. I have a dozen neighbors to attest to this fact that it was not existing. Is the truth irrelevant?.) Please, let's verify this information with the dirt company. I think we can fairly say that the the Mindrebos and Rick Classic Homes have a blatant disregard for the surrounding area. Please protect us.
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> Several additional questions are also posed on this report. I strongly request that the permitting dept. halts the progress of this ongoing build until these significant questions have been answered.
>
> Regards,
> Fran Ogden
>
> --
> Fran Ogden
> 850-737-3436

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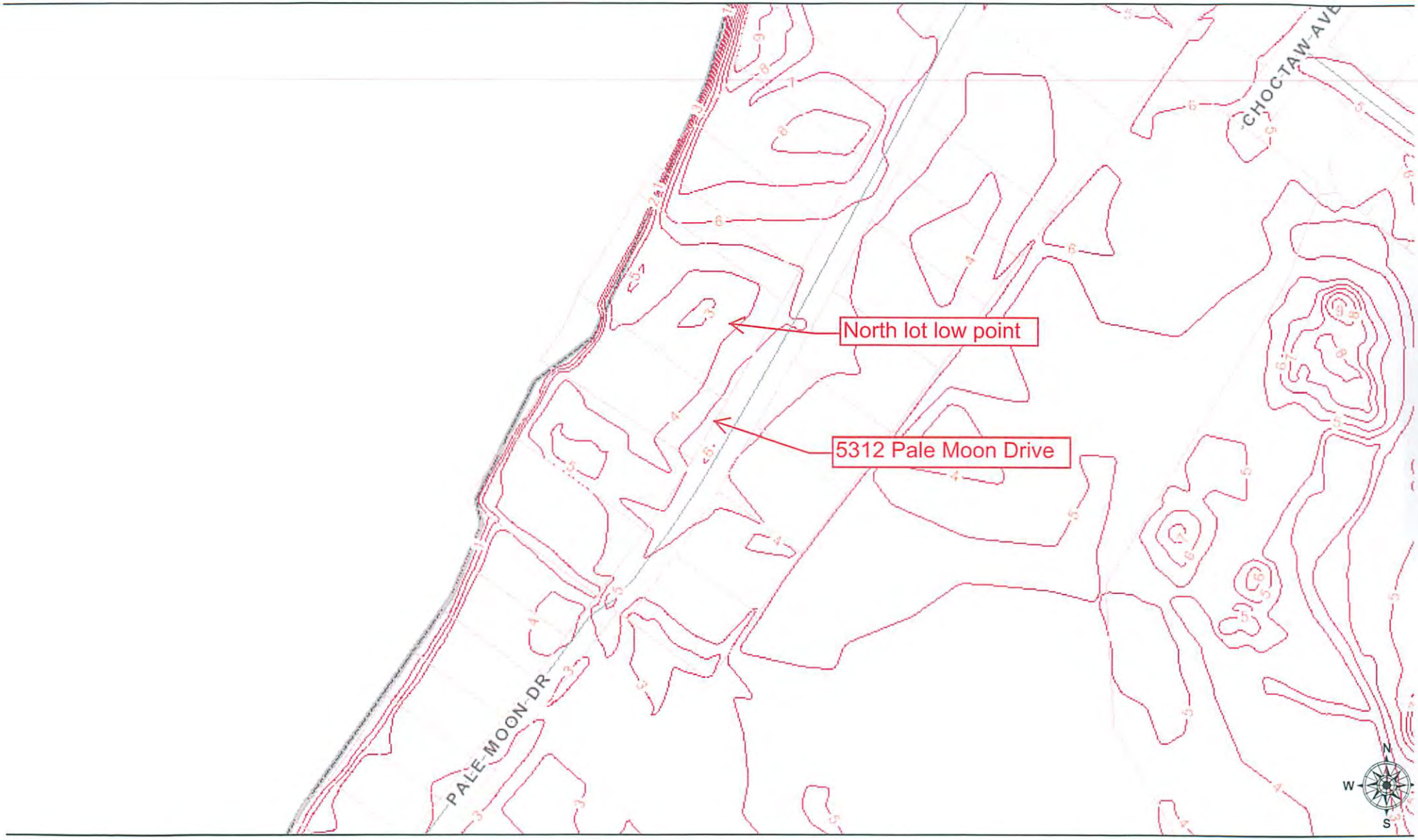
Aerial Contours



ay 16, 2018

treets

- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- Parcels
- Contours - Elevation
- County Outline

1:2,892

0 0.0225 0.045 0.09 mi

0 0.0375 0.075 0.15 km

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Es Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community

Table 1: Runoff coefficients for the Rational method

Hydrologic Soil Group	A			B			C			D		
Recurrence Interval	5	10	100	5	10	100	5	10	100	5	10	100
Land Use Or Surface Characteristics												
Business:												
A. Commercial Area	.75	.80	.95	.80	.85	.95	.80	.85	.95	.85	.90	.95
B. Neighborhood Area	.50	.55	.65	.55	.60	.70	.60	.65	.75	.65	.70	.80
Residential:												
A. Single Family	.25	.25	.30	.30	.35	.40	.40	.45	.50	.45	.50	.55
B. Multi-Unit (Detached)	.35	.40	.45	.40	.45	.50	.45	.50	.55	.50	.55	.65
C. Multi-Unit (Attached)	.45	.50	.55	.50	.55	.65	.55	.60	.70	.60	.65	.75
D. 1/2 Lot Or Larger	.20	.20	.25	.25	.25	.30	.35	.40	.45	.40	.45	.50
E. Apartments	.50	.55	.60	.55	.60	.70	.60	.65	.75	.65	.70	.80
Industrial												
A. Light Areas	.55	.60	.70	.60	.65	.75	.65	.70	.80	.70	.75	.90
B. Heavy Areas	.75	.80	.95	.80	.85	.95	.80	.85	.95	.80	.85	.95
Parks, Cemeteries												
Playgrounds	.10	.10	.15	.20	.20	.25	.30	.35	.40	.35	.40	.45
Schools	.30	.35	.40	.40	.45	.50	.45	.50	.55	.50	.55	.65
Railroad Yard Areas	.20	.20	.25	.30	.35	.40	.40	.45	.45	.45	.50	.55
Streets												
A. Paved	.85	.90	.95	.85	.90	.95	.85	.90	.95	.85	.90	.95
B. Gravel	.25	.25	.30	.35	.40	.45	.40	.45	.50	.40	.45	.50
Drives, Walks, & Roofs	.85	.90	.95	.85	.90	.95	.85	.90	.95	.85	.90	.95
Lawns												
A. 50%-75% Grass (Fair Condition)	.10	.10	.15	.20	.20	.25	.30	.35	.40	.30	.35	.40
B. 75% Or More Grass (Good Condition)	.05	.05	.10	.15	.15	.20	.25	.25	.30	.30	.35	.40
Undeveloped Surface[1] (By Slope)[2]												
A. Flat (0-1%)	0.04-0.09			0.07-0.12			0.11-0.16			0.15-0.20		
B. Average (2-6%)	0.09-0.14			0.12-0.17			0.16-0.21			0.20-0.25		
C. Steep	0.13-0.18			0.18-0.24			0.23-0.31			0.28-0.38		

Karla N Moreno

From: Horace L Jones
Sent: Thursday, May 17, 2018 12:41 PM
To: Roza I. Sestnov
Subject: Re: 5312 Pale Moon Sigma Report

Is jerry going to send a separate response. It would very beneficial if he did.

Thanks tremendously

Sent from my iPhone

On May 17, 2018, at 12:37 PM, Roza I. Sestnov <risestnov@myescambia.com> wrote:

Horace,

Based on **Stormwater Management Plan Review and Reporting** prepared by Jason Lashley with Sigma Consulting Group, we offer the following:

Responses to Sigma Report.

Stormwater Management Plan Calculations.

1. The approved drawings have a proposed drainage swale which is offset from the retaining wall, along the north property line. The purpose of this swale is to divert runoffs from the north portion of the property towards the open water, to the west. The plan indicates elevations at the retaining wall are being higher than the bottom of the proposed swale. Please note that property adjacent to the north shall have to be elevated when developed based on the current LDC FFE requirements. So, finished elevations of this lot will match +/- 5312 Pale Moon Drive elevations. Additionally, this lot to the north mainly drains to the center of the lot, away from the developing lot, based on attached map provided by the EOR. Therefore, no negative impact to this lot after construction is anticipated.

2. The County LDC does not have any specific requirements for the 'n' factor. So, it is up to the EOR what Manning Roughness Coefficient to choose. However, United States Department of Transportation- Federal Highway Administration Engineering website recommends this coefficient for open short grass areas to be 0.025-0.035, and not as suggested 0.06 in the report. Additionally, LDC DSM 1-1.5 requires that conveyance systems shall be designed for a 25-year storm event, not 100-year storm event. Based on the above, the proposed swale actually has a freeboard (a minimum of 0.25' for 100-year storm).

Stormwater Management Plan Drawings

1. The entire swale is proposed on the developing property. No disturbance of the adjacent property at 5330 Pale Moon is proposed.

2. The swale shall stay as designed and constructed. There are several notes (##4, 9, 16, and 17) on the drawings that restrict any additional improvements in the conveyance swales. Any negative impact to adjacent property could be reported to the County. Additionally, based on response above, the swale has a freeboard.

3. Pale Moon Drive has curb and gutter. Stormwater from Pale Moon Drive was never flowing in the westerly direction. It was and will be collected by curb and gutter and then further by inlet/piping system and will be discharged to the open water/bay via an existing open ditch. The runoffs from proposed lot will not be discharged to adjacent lots, but will be diverted by two proposed swales to the open water, and the front portion of the lot will be discharging to the Pale Mood Drive curb, gutter, inlet/piping system.

Conclusion

Based on all listed above, the proposed and permitted Stormwater Management Plan satisfies the County Land Development Code and Design Standard Manual.

Please note that the EOR, Jerry McGuire, sent his responses to some of the items listed in the Sigma Report (see attached). Please let me know if you have any questions.

Thank you,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

<mime-attachment>

<180406.Pale Moon Drive Draft Writeup.05.15.18 with attachments(2).pdf>

<Aerial Contouring Pale Moon Drive.pdf>

Karla N Moreno

From: Horace L Jones
Sent: Friday, May 18, 2018 2:14 PM
To: Horace L Jones
Subject: FW: 5312 Pale Moon Drive EOR

From: Roza I. Sestnov
Sent: Friday, May 18, 2018 10:59 AM
To: Horace L Jones <HLJONES@myescambia.com>
Cc: Jerry McGuire <jerry@mcguire-assoc.com>
Subject: FW: 5312 Pale Moon Drive EOR

Horace,

Below is Jerry's statement.

Thank you,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Jerry McGuire [mailto:jerry@mcguire-assoc.com]
Sent: Friday, May 18, 2018 10:57 AM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: 5312 Pale Moon Drive EOR

Roza,

The work I have performed for the Stormwater Management Permit on the above referenced lot I stand behind as the EOR.

Could you forward to Horace Jones? I got a new computer and do not have all the email addresses forwarded to my new one.

Let me know if you need anything else.

Thanks,
Jerry McGuire, P.E.

Karla N Moreno

From: Horace L Jones
Sent: Friday, May 18, 2018 2:16 PM
To: Horace L Jones
Subject: FW: floodwater plan 5312 Pale Moon
Attachments: Swale Calculations 25-Year Event.pdf

From: Roza I. Sestnov
Sent: Thursday, May 17, 2018 2:46 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: FW: floodwater plan 5312 Pale Moon

Horace,

E-mail below was sent from Jerry with additional clarifications on Item #2. Please read below and see attached.

Thank you,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

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From: Jerry McGuire [mailto:jerry@mcguire-assoc.com]
Sent: Thursday, May 17, 2018 2:34 PM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: RE: floodwater plan 5312 Pale Moon

Roza,

You are correct, they are referring to the n-factor. Attached is a page from the FDOT Drainage Manual for various factors. You will note the FDOT recommends a design "n" of 0.025 to 0.035 for grass swales for this case. Also, note that we calculated the flow from a 100-year storm. Since we know from the report generated by Sigma that a 100-year storm will not exceed the swale, we decided to run a 25-year storm as required by County Code. We will use a n-factor of 0.03.

25-Year Storm Event:
Area = 0.57 Acres
Intensity = 6.00 inches/hour (FDOT Zone 1)
Cw = 0.47
Q=cia = 0.47 x 6 x 0.57 = 1.61 cfs

Based on the County DSM for a 25-year storm, the depth of flow for the swale would be 0.63'. That leaves a freeboard in the swale of 0.37'. Combine this with the sandy soils, we see no problems with the swale as designed meeting and exceeding the County requirements.

Jerry

From: Roza I. Sestnov <risestnov@myescambia.com>
Sent: Thursday, May 17, 2018 9:09 AM
To: Jerry McGuire <jerry@mcguire-assoc.com>
Subject: RE: floodwater plan 5312 Pale Moon

Jerry,

Thank you so much for your response and input in this matter. As per our phone conversation please review your response #2. I think that Sigma report was referring to n-factor, roughness coefficient, and not to C-factor. Please respond.

Thanks again,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

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From: Jerry McGuire [mailto:jerry@mcguire-assoc.com]
Sent: Wednesday, May 16, 2018 2:33 PM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: RE: floodwater plan 5312 Pale Moon

Roza,

We have reviewed the report from the neighbor's engineer and offer the following:

1. **Page 1 of report – regarding the lot drainage to the north of 5312 Pale Moon Drive** - the adjacent lot to the north mainly drains to the center of the lot based on the attached aerial with contouring. During the development of this lot the lot owner should be afforded the same benefits of the lot we permitted and they can install a swale on their south property line through the Stormwater Permitting Management Permitting process. I don't see additional erosion concerns if they design it property and stabilize it.
2. **Regarding the C factor used:** attached is a table of common C factors used. The soil based on the soil survey is a Type A soil, and is a very well drained sand, and on a gentle slope. The C factor used could be up to 0.30, but a well maintained lawn could be down to 0.10. I would never use a c = 0.60 for this soil condition. Let me say, that the engineer for the owner to the south, when using a c=0.60 still calculates and shows the swale does not overtop in a 100-year event. I know of no freeboard required for drainage swales under the LDC DSM.
3. **Location of swale:** Please note that the swale is totally located on 5312 Pale Moon Drive. None of the swale is on the lot the south. WE are receiving water/runoff from the yard to the south and it is accounted

for in the swale design. Furthermore, this is a grassed swale and not to be landscaped with any impediments that would hinder flow along the ditch.

4. **Lot Grading Plan addressing adjacent lots:** The Lot Grading Plan does indeed take into account the flows from the south lot in the swale design. The north lot mainly drains to the center of the lto, but one someone develops they can follow the same requirements as 5312 Pale Moon Drive had to follow. At that time they can install a swale along their lot lines.

Thanks,
Jerry

From: Roza I. Sestnov <risestnov@myescambia.com>
Sent: Wednesday, May 16, 2018 8:49 AM
To: Jerry's JMA <jerry@mcguire-assoc.com>
Subject: FW: floodwater plan 5312 Pale Moon

FYI.

Thank you!

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

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From: Horace L Jones
Sent: Tuesday, May 15, 2018 4:20 PM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: Fwd: floodwater plan 5312 Pale Moon

Sent from my iPhone

Begin forwarded message:

> **From:** "Fran Ogden" <franogdenrd@gmail.com>
> **To:** "Tim Tolbert" <JTTOLBERT@myescambia.com>, "Timothy R. Day" <TRDAY@myescambia.com>, "Horace L Jones" <HLJONES@myescambia.com>
> **Cc:** "Alison A. Rogers" <aarogers@co.escambia.fl.us>, "Jack R. Brown" <jrbrown@myescambia.com>
> **Subject: floodwater plan 5312 Pale Moon**
>
> Dear Mr. Tolbert, Mr. Jones, Mr.Day, and other whom this subject may concern,
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> Attached you will find an engineering report that I was forced to commission when the county did not sufficiently protect my property. It is obvious to all but the permit reviewers that the Mindrebo's filling in the property 3-4 feet higher than the adjacent properties will cause all the surrounding areas higher flooding risks.

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Fran Ogden

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Fran Ogden
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Channel Report 25-Year Event

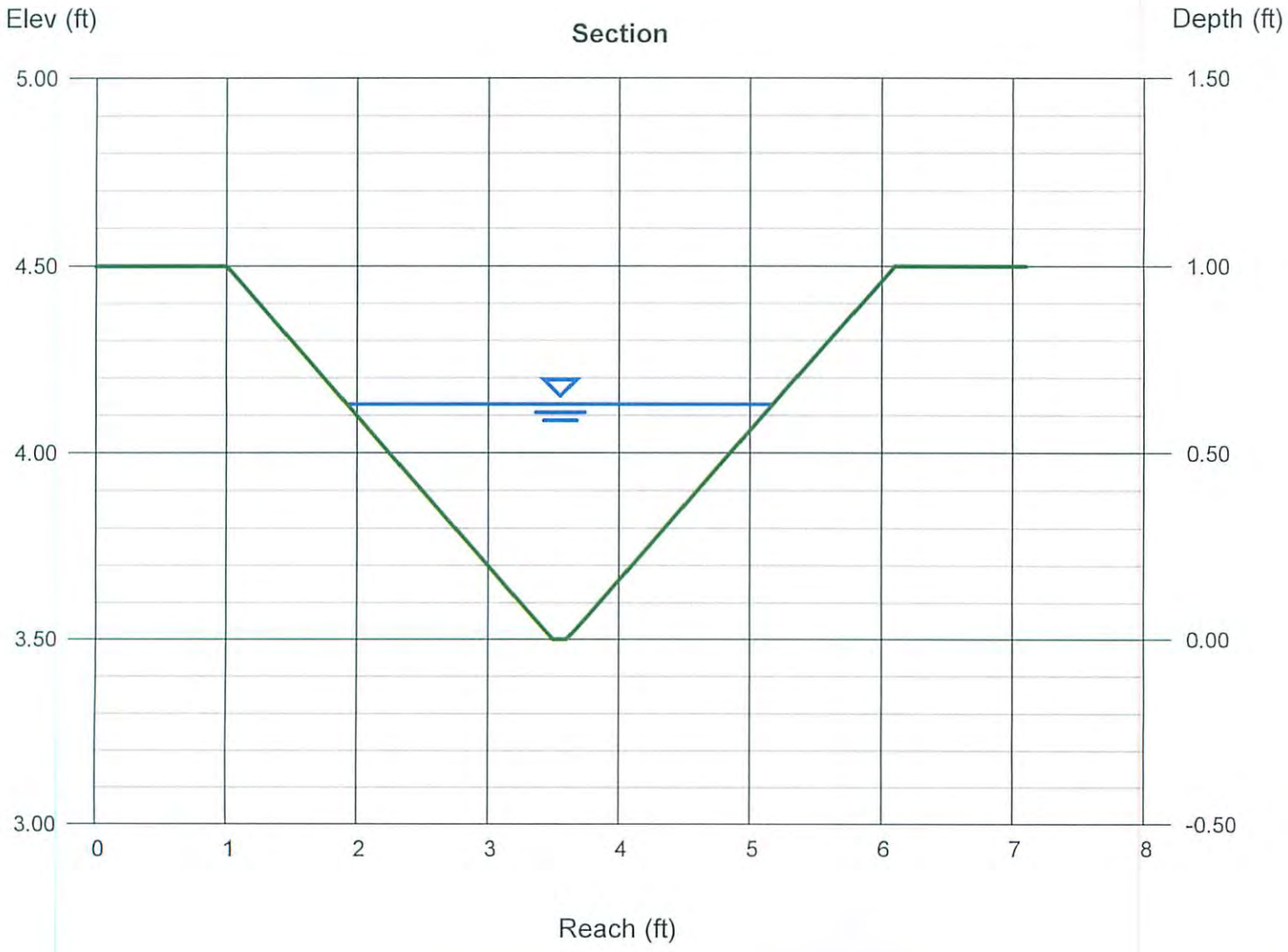
Hydraflow Express Extension for Autodesk® AutoCAD® Civil 3D® by Autodesk, Inc. Thursday, May 17 2018

<Name>

Trapezoidal	
Bottom Width (ft)	= 0.10
Side Slopes (z:1)	= 2.50, 2.50
Total Depth (ft)	= 1.00
Invert Elev (ft)	= 3.50
Slope (%)	= 0.50
N-Value	= 0.030

Calculations	
Compute by:	Known Q
Known Q (cfs)	= 1.60

Highlighted	
Depth (ft)	= 0.63
Q (cfs)	= 1.600
Area (sqft)	= 1.06
Velocity (ft/s)	= 1.52
Wetted Perim (ft)	= 3.49
Crit Depth, Yc (ft)	= 0.47
Top Width (ft)	= 3.25
EGL (ft)	= 0.67



Karla N Moreno

From: Horace L Jones
Sent: Friday, May 18, 2018 2:21 PM
To: Horace L Jones
Subject: FW: 5312 Pale Moon Sigma Report
Attachments: RE: floodwater plan 5312 Pale Moon; 180406.Pale Moon Drive Draft Writeup.05.15.18 with attachments(2).pdf; Aerial Contouring Pale Moon Drive.pdf

From: Roza I. Sestnov
Sent: Thursday, May 17, 2018 12:34 PM
To: Horace L Jones <HLJONES@myescambia.com>
Cc: Jerry McGuire <jerry@mcguire-assoc.com>
Subject: 5312 Pale Moon Sigma Report

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Responses to Sigma Report.

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Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

Karla N Moreno

From: Horace L Jones
Sent: Friday, May 18, 2018 2:26 PM
To: Horace L Jones
Subject: FW: floodwater plan 5312 Pale Moon/clarification
Attachments: Swale Calculations 25-Year Event.pdf

From: Horace L Jones
Sent: Friday, May 18, 2018 2:16 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: FW: floodwater plan 5312 Pale Moon

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Sent: Thursday, May 17, 2018 2:46 PM
To: Horace L Jones <HLJONES@myescambia.com>
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Development Services Department
Phone (850) 595-3411
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Sent: Thursday, May 17, 2018 2:34 PM
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Jerry

From: Roza I. Sestnov <risestnov@myescambia.com>
Sent: Thursday, May 17, 2018 9:09 AM
To: Jerry McGuire <jerry@mcguire-assoc.com>
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Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

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From: Jerry McGuire [mailto:jerry@mcguire-assoc.com]
Sent: Wednesday, May 16, 2018 2:33 PM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: RE: floodwater plan 5312 Pale Moon

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Sent: Wednesday, May 16, 2018 8:49 AM
To: Jerry's JMA <jerry@mcguire-assoc.com>
Subject: FW: floodwater plan 5312 Pale Moon

FYI.

Thank you!

Roza Sestnov
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Please consider the environment before printing this e-mail. Think Green.

From: Horace L Jones
Sent: Tuesday, May 15, 2018 4:20 PM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: Fwd: floodwater plan 5312 Pale Moon

Sent from my iPhone

Begin forwarded message:

From: "Fran Ogden" <franogdenrd@gmail.com>
To: "Tim Tolbert" <JTTOLBERT@myescambia.com>, "Timothy R. Day" <TRDAY@myescambia.com>, "Horace L Jones" <HLJONES@myescambia.com>
Cc: "Alison A. Rogers" <aarogers@co.escambia.fl.us>, "Jack R. Brown" <jrbrown@myescambia.com>
Subject: floodwater plan 5312 Pale Moon

Dear Mr. Tolbert, Mr. Jones, Mr.Day, and other whom this subject may concern,

Attached you will find an engineering report that I was forced to commission when the county did not sufficiently protect my property. It is obvious to all but the permit reviewers that the Mindrebo's filling in the property 3-4 feet higher than the adjacent properties will cause all the surrounding areas higher flooding risks.

You will see that in the submitted proposals there are insufficient and incorrect data

There has been no provisions made for the pre-exsting flow of the water from Pale Moon Drive to Perdido Bay. The existing homes have been engineered with the original elevations which allowed water to flow to the bay. It was filled illegally and with out any consideration of the impact that the changed elevations would cause. Mr. Mindrebo stated he was only concerned with his dream home and did not need to consider the neighbors. I believe this is exactly why we have a permitting process. Unfortunately, Mr. Banes, failed to make proper consideration and granted a permit with out a required floodwater plan. Ms. Roza of the LDC approved a retro actively submitted floodwater plan based on figures submitted from Jerry Maguire, but I have found his figures to be incorrect. Please review the attached report from Sigma to confirm.

I also maintain that more than 1800 cu. yds. was hauled in. (could you not reverse the permit based upon false statements in the after-the-fact application? because you certainly can add existing landscape wall to the list of falsehoods. I have a dozen neighbors to attest to this fact that it was not existing. Is the truth irrelevant?.) Please, let's verify this information with the dirt company. I think we can fairly say that the the Mindrebos and Rick Classic Homes have a blatant disregard for the surrounding area. Please protect us.

Several additional questions are also posed on this report. I strongly request that the permitting dept. halts the progress of this ongoing build until these significant questions have been answered.

Regards,
Fran Ogden

--
Fran Ogden
850-737-3436

Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.
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Channel Report 25-Year Event

Hydraflow Express Extension for Autodesk® AutoCAD® Civil 3D® by Autodesk, Inc. Thursday, May 17 2018

<Name>

Trapezoidal

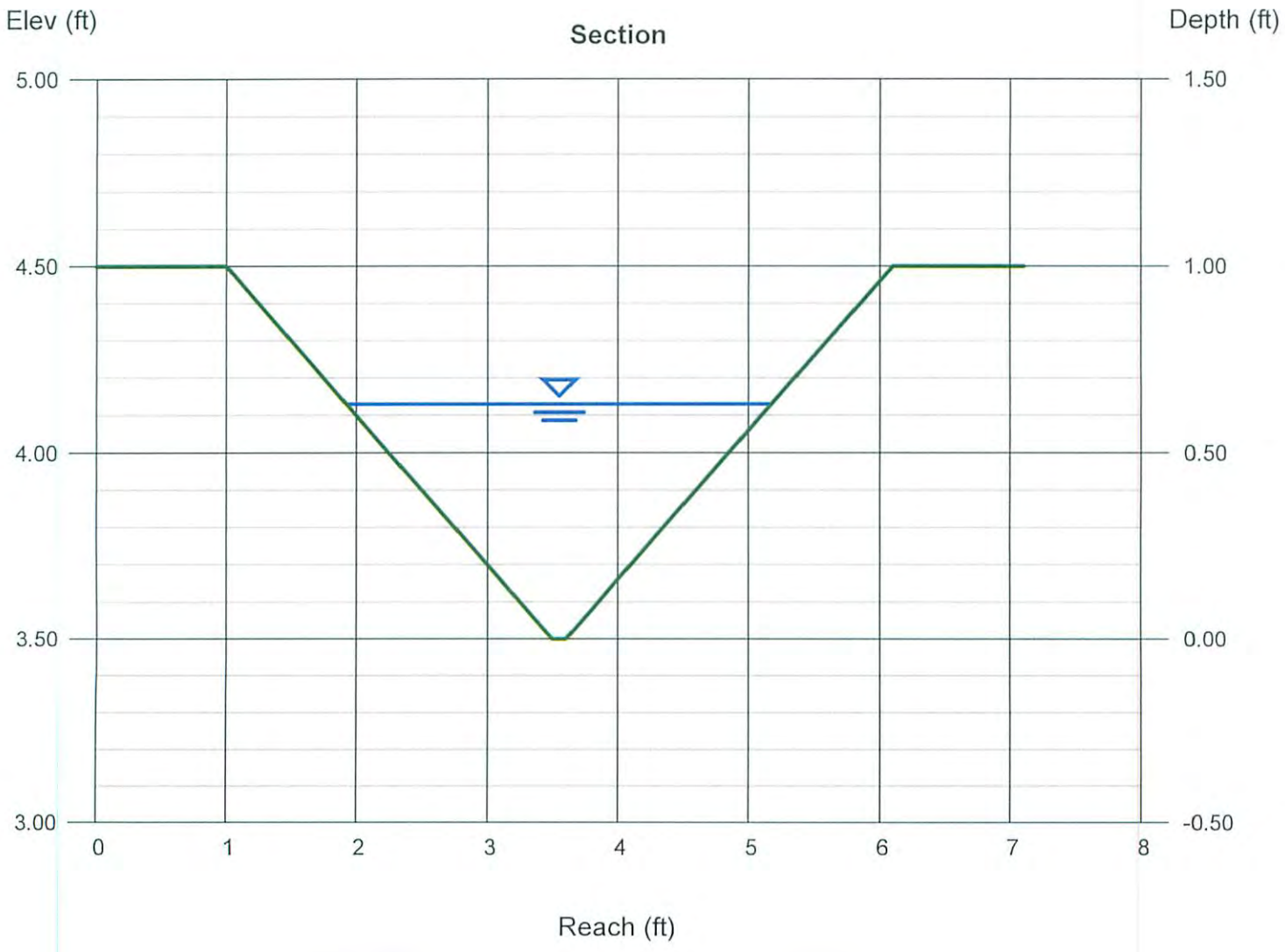
Bottom Width (ft)	= 0.10
Side Slopes (z:1)	= 2.50, 2.50
Total Depth (ft)	= 1.00
Invert Elev (ft)	= 3.50
Slope (%)	= 0.50
N-Value	= 0.030

Calculations

Compute by:	Known Q
Known Q (cfs)	= 1.60

Highlighted

Depth (ft)	= 0.63
Q (cfs)	= 1.600
Area (sqft)	= 1.06
Velocity (ft/s)	= 1.52
Wetted Perim (ft)	= 3.49
Crit Depth, Yc (ft)	= 0.47
Top Width (ft)	= 3.25
EGL (ft)	= 0.67



Karla N Moreno

From: Horace L Jones
Sent: Friday, May 18, 2018 2:31 PM
To: Horace L Jones
Subject: RE: 5312 Plane Moon Drive Stormwater Permit

From: Horace L Jones
Sent: Thursday, April 12, 2018 11:07 AM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: Re: 5312 Plane Moon Drive Stormwater Permit

All documents that you for Palemoon

Sent from my iPhone

On Apr 12, 2018, at 10:43 AM, Roza I. Sestnov <risestnov@myescambia.com> wrote:

> Horace,
>
> Please specify what you mean "all documents". We have a lot of e-mails, communications with EOR, wetlands specific survey, also originally submitted drawings and documents. Do you want to send all of them? It is more than 20 documents total.
>
> Please advise.
>
> Roza Sestnov
> Engineer
> Development Review Division
> Development Services Department
> Phone (850) 595-3411
> Fax (850) 595-3703
>
> **Please consider the environment before printing this e-mail. Think Green.**

From: Horace L Jones
Sent: Thursday, April 12, 2018 10:29 AM
To: Roza I. Sestnov <risestnov@myescambia.com>
Cc: Fran Ogden <franogdenrd@gmail.com>; Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>
Subject: Re: 5312 Plane Moon Drive Stormwater Permit

Send all the documents

Sent from my iPhone

On Apr 12, 2018, at 9:46 AM, Roza I. Sestnov <risestnov@myescambia.com> wrote:

> Mrs. Ogden,
>
> Please find attached approved stormwater permit and approved drawings for the referenced address. Please let me know if you have any questions.
>
> Regards,
>
> Roza Sestnov
> Engineer
> Development Review Division
> Development Services Department
> Phone (850) 595-3411
> Fax (850) 595-3703
>
> **Please consider the environment before printing this e-mail. Think Green.**

From: Horace L Jones
Sent: Thursday, April 12, 2018 8:54 AM
To: Fran Ogden <franogdenrd@gmail.com>; Roza I. Sestnov

<risestnov@myescambia.com>
Cc: Timothy R. Day
<TRDAY@myescambia.com>;
Alison A. Rogers
<aarogers@co.escambia.fl.us>;
Jack R. Brown
<jrbrown@myescambia.com>
Subject: Re: 5312 Plane Moon Drive Stormwater Permit

Roza

Please sent Mrs. Fran the sign stormwater permit and all the plans associated with that ASAP

Terry & Jennifer
Please send her the all the approved plans and site plans.

Sent from my iPhone

On Apr 12, 2018, at 8:35 AM, Fran Ogden <franogdenrd@gmail.com> wrote:

> Good Morning,
>
> Please note that 2 weeks have passed since the stormwater comments were issued. Has the revised stormwater plan been submitted? I believe it is past due and is now time to move forward on revoking retroactive land clearing permit. Time is of the essence, my home remains injured by their arrogant unpermitted activities and I expect the county to move to protect me.
>
> If the contractor has happened to comply, please forward to me the revised plan. I would like to hire my own engineer to ensure that I am protected.

We still do not know the land ability to absorb water. the excessive amount of dirt piled on the lot makes it impossible to be sure without taking core samples. Excessive concrete on the land that has high water saturation levels prior to the illegal dirt being added will impact the stormwater plan and I do not believe that is being considered.

Thank you,
Fran Ogden

On Wed, Apr 4, 2018 at 7:28 PM, Fran Ogden <franogdenrd@gmail.com> wrote:

> Thank-you kindly,
>
> The comments were attached to this email but I could not find it on your 2 previous emails. I appreciate you taking the time to resend it.

I did receive the wetland assessment I know that the land is buildable but I do not believe that it is 100% free from the poor wetland status. This absolutely has to be established behind a shadow of a doubt because it will dictate how saturated the land is prior to having all that dirt on it. The size of the home/and other paved over percolation ground may need to be restricted. The 3500 sq ft. home may be okay, but what about the rest of the outbuildings, garages, carports, lanai, pool areas If we are assuming that the land is high upland, then we are saying that we know the land will absorb run off. We do not know for sure if that is the case. *Only borings will confirm this at this stage of the game.* It would have been easier if they had bothered to do due diligence before the dirt went on the lot. 2000+ cubic yards hides a lot of saturated lands. Additionally, I want to be sure that the plan reflects a 500-year plan since we so recently had such an event.

Best,
Fran

On Wed, Apr 4, 2018 at 3:03 PM, Horace L Jones <HLJONES@myescambia.com> wrote:

Mrs. Ogden

Here is roza's comments again.

From: Roza I. Sestnov
Sent: Thursday, March 29, 2018 12:04 PM
To: Jerry's JMA <jerry@mcguire-assoc.com>
Cc: Horace L Jones <HLJONES@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Christina L. Smith <clsmith1@myescambia.com>
Subject: 5312 Plane Moon Drive Stormwater Permit

Jerry,

Please find attached stormwater comments for the referenced stormwater management permit/application. Please let me know if you have any questions.

Regards,

Roza Sestnov

Engineer

Development Review Division

Development Services Department

Phone (850) 595-3411

Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.

Fran Ogden
850-737-3436

--
Fran Ogden
850-737-3436
<Pale Moon Permit SW.PDF>
<Drawing-Pale Moon.pdf>

Thank-you,
Fran Ogden

On Tue, Mar 13, 2018 at 9:38 AM, Fran Ogden <franogdenrd@gmail.com> wrote:

> To whom it may concern:
>
> Please provide a copy of the permit application for the home the Mindrebo's plan to build on their undesignated lot. I am especially interested in the grading/ floodwater plan.
>
> Please let me know the earliest I could pick up the copies
>
> Thank-you
>
> --
> Fran Ogden
> 850-737-3436

--
Fran Ogden
850-737-3436

Karla N Moreno

From: Christina L. Smith
Sent: Tuesday, March 27, 2018 1:52 PM
To: Horace L Jones
Subject: Pale Moon
Attachments: Lot Grading Plan 5312 Pale Moon Drive.pdf

All documents are in mypermitnow.

Christina Smith
Development Review Coordinator
Development Services Department
3363 West Park Place, Pensacola, FL 32505
(850) 595-3472

Karla N Moreno

From: Horace L Jones
Sent: Tuesday, March 27, 2018 11:38 AM
To: Terry D Williams
Cc: Andrew D. Holmer; Timothy R. Day
Subject: FW: 5200 Pale Moon Mindrebo lot -correction on the estimate of cu yds.

Terry,

Please be aware of this e-mail as well. I would suggest that you back into the PLU Number for this project and put an additional note in the permitting system regarding the **alleged discrepancy as indicated below.**

From: Fran Ogden [mailto:franogdenrd@gmail.com]
Sent: Wednesday, March 21, 2018 9:43 AM
To: Bradley D Bane <BDBANE@myescambia.com>; Timothy R. Day <TRDAY@myescambia.com>; Horace L Jones <HLJONES@myescambia.com>; Richard E. Craig <RECRAIG@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Dianne C. Simpson <dcsimpso@myescambia.com>; Jeff Bergosh <JWBERGOSH@myescambia.com>
Subject: Re: 5200 Pale Moon Mindrebo lot -correction on the estimate of cu yds.

To whom it may concern:

It appears that the Mindrebo's have used staked the Survey Markers one foot inside my property line. Apparently, the legal description overlaps my legal description. But my survey was established first and I claim it. This will change their setbacks by 1 ft.

The Mindrebo's are well aware of this conflict but have failed to bring it to the light. This behavior is consistent with land clearing permitting behavior. I hope that their presumptions behavior is not rewarded with a small fine but they are made to respect the law.

Please do not issue any more permits until this dispute is resolved. Consider this your notice of the situation.

Thank-you,

Fran Ogden

On Fri, Mar 9, 2018 at 7:05 PM, Fran Ogden <franogdenrd@gmail.com> wrote:

> To whom it may concern:
>
> It has been brought to my attention that my math is wrong.
>
> I have measured the portion of the lot that has fill on top and it is larger than 170 x 105 which is 17850 sq ft. (I only measured the tallest part of the fill, leaving out the slopes
>
> The fill is at *least* 3.5 ft. (some areas are much higher than 3.5 ft) as evidenced by the wall height. This gives us 62,475 sq feet which translates to 2313. cubic yards. *(I had divided by 9 rather than 27)* But even with this error and recalculation, there is a lot more dirt than claimed. Remember that the lot was way below my lot grade and water

would stand for a while after heavy rains. Of course, you do not know because they covered it up. Several neighbors have claimed that there were over 100 truck loads.

I apologize for the mistake but maintain that the fill brought in was underestimated by Mr. Facione. And I remain injured by the increased flooding risk.

--
Fran Ogden
850-737-3436

--
Fran Ogden
850-737-3436

Karla N Moreno

From: Horace L Jones
Sent: Tuesday, March 27, 2018 2:10 PM
To: Horace L Jones
Subject: FW: 5200 Pale Moon Mindrebo lot -correction on the estimate of cu yds.

From: Horace L Jones
Sent: Tuesday, March 27, 2018 11:38 AM
To: Terry D Williams <TDWILLIA@myescambia.com>
Cc: Andrew D. Holmer <ADHOLMER@myescambia.com>; Timothy R. Day <TRDAY@myescambia.com>
Subject: FW: 5200 Pale Moon Mindrebo lot -correction on the estimate of cu yds.

Terry,

Please be aware of this e-mail as well. I would suggest that you back into the PLU Number for this project and put an additional note in the permitting system regarding the **alleged discrepancy as indicated below.**

From: Fran Ogden [mailto:franogdenrd@gmail.com]
Sent: Wednesday, March 21, 2018 9:43 AM
To: Bradley D Bane <BDBANE@myescambia.com>; Timothy R. Day <TRDAY@myescambia.com>; Horace L Jones <HLJONES@myescambia.com>; Richard E. Craig <RECRAIG@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Dianne C. Simpson <dcsimpso@myescambia.com>; Jeff Bergosh <JWBERGOSH@myescambia.com>
Subject: Re: 5200 Pale Moon Mindrebo lot -correction on the estimate of cu yds.

To whom it may concern:

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Apparently, the legal description overlaps my legal description. But my survey was established first and I claim it.
This will change their setbacks by 1 ft.

The Mindrebo's are well aware of this conflict but have failed to bring it to the light. This behavior is consistent with land clearing permitting behavior. I hope that their presumptions behavior is not rewarded with a small fine but they are made to respect the law.

Please do not issue any more permits until this dispute is resolved. Consider this your notice of the situation.

Thank-you,

Fran Ogden

On Fri, Mar 9, 2018 at 7:05 PM, Fran Ogden <franogdenrd@gmail.com> wrote:

> To whom it may concern:
>
> It has been brought to my attention that my math is wrong.

I have measured the portion of the lot that has fill on top and it is larger than 170 x 105 which is 17850 sq ft. (I only measured the tallest part of the fill, leaving out the slopes

The fill is at *least* 3.5 ft. (some areas are much higher than 3.5 ft) as evidenced by the wall height. This gives us 62,475 sq feet which translates to 2313. cubic yards. *(I had divided by 9 rather than 27)* But even with this error and recalculation, there is a lot more dirt than claimed. Remember that the lot was way below my lot grade and water would stand for a while after heavy rains. Of course, you do not know because they covered it up. Several neighbors have claimed that there were over 100 truck loads.

I apologize for the mistake but maintain that the fill brought in was underestimated by Mr. Facione. And I remain injured by the increased flooding risk.

--

Fran Ogden
850-737-3436

--

Fran Ogden
850-737-3436

Karla N Moreno

From: Horace L Jones
Sent: Tuesday, March 27, 2018 2:19 PM
To: Timothy R. Day; Andrew D. Holmer; Terry D Williams; Juan C. Lemos; Roza I. Sestnov; Tim Tolbert; Jennifer A. Hampton
Cc: Jack R. Brown; Alison A. Rogers; Meredith D. Crawford
Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001
Attachments: 5312 Pale Moon; FW: 5200 Pale Moon Mindrebo lot -correction on the estimate of cu yds.

Tracking:

Recipient	Delivery	Read
Timothy R. Day		
Andrew D. Holmer		Read: 3/27/2018 2:50 PM
Terry D Williams		
Juan C. Lemos		
Roza I. Sestnov		Read: 3/27/2018 3:31 PM
Tim Tolbert		Read: 3/27/2018 2:56 PM
Jennifer A. Hampton		
Jack R. Brown		
Alison A. Rogers	Delivered: 3/27/2018 2:19 PM	Read: 3/27/2018 4:10 PM
Meredith D. Crawford		

Tim and All,

The required Stormwater Mangement Plans for the referenced parcel have been submitted per the timeframe as indicated below. The plans were submitted to our office on 3/26/18. **By the way, staff have not performed the necessary reviews which will include a detailed review of the necessary documents as of March 27th 2018.**
For information, another issue has been raised by Mrs Fran regarding an alleged discrepancy with markers. Please see attached e-mail on new issue raised on the survey markers.

From: Horace L Jones
Sent: Tuesday, March 27, 2018 2:09 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

From: Horace L Jones
Sent: Tuesday, March 13, 2018 3:42 PM
To: Jack R. Brown <jrbrown@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Angela D. Crawley <adcrawle@myescambia.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Chips Kirschenfeld <JTKIRSCHE@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>
Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

FYI

From: Horace L Jones
Sent: Tuesday, March 13, 2018 3:38 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

To All:
FYI
I did received a phone call from Mr Faciane today. Briefly, he stated that he will be communicating with his attorney Lisa Minshew.

Additionally, please see attached e-mail referencing the LDC requirement. It appears that the LDC is quite clear on what is required.

From: Horace L Jones
Sent: Tuesday, March 13, 2018 2:17 PM
To: 'rickfaciane50@yahoo.com' <rickfaciane50@yahoo.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Chips Kirschenfeld <JTKIRSCHE@myescambia.com>; Jack R. Brown <jrbrown@myescambia.com>; Angela D. Crawley <adcrawle@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Dianne C. Simpson <dcsimpso@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>; Karla N Moreno <KNMORENO@myescambia.com>
Subject: 5312 Palemoon Drive #11-3S-32-3000-000-001

Good Afternoon, Rick

It is my understanding, from a phone call discussion that you had with Mrs. Roza this morning on 3/13/13, that you will be submitting a detailed Stormwater Plan for the referenced lot for the construction of a single-family dwelling on the lot in question. Please note that a stormwater management plan must be submitted to the Development Services Department for review **within two-weeks from this notification**. If the stormwater management plan is not received during the time as specified, the County will revoke the Land Disturbance permit and Code Enforcement will schedule this property to be heard at the next available Special Magistrate date to address any outstanding code issues.

The submitted building plans and *all the supporting documents* and/or plans {including the stormwater management plan) must be reviewed and approved prior to the issuance of any building permits or any other land use development and/or activities on the lot in question.

If you have any questions, please do not hesitate call me or e-mail me

This e-mail is to serve as notification. Please reply with an acknowledgement that you received this e-mail. Failure to acknowledge receipt does not nullify this notification.

Respectfully submitted.

Horace Jones
Department Director
Development Services Department
33363 West Park Place, *Pensacola, FL*
850-595-3625 or 554-8210
hljones@myescambia.com

Horace Jones
Department Director
Development Services Department
33363 West Park Place, *Pensacola, FL*
850-595-3625 or 554-8210
hljones@myescambia.com

Karla N Moreno

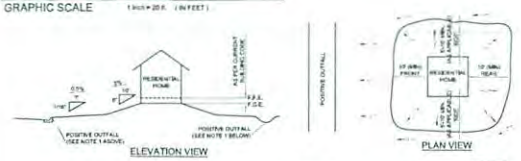
From: Horace L Jones
Sent: Tuesday, March 27, 2018 2:20 PM
To: Roza I. Sestnov
Subject: FW: Pale Moon
Attachments: Lot Grading Plan 5312 Pale Moon Drive.pdf

From: Christina L. Smith
Sent: Tuesday, March 27, 2018 1:52 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: Pale Moon

All documents are in mypermitnow.

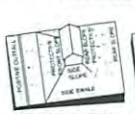
Christina Smith
Development Review Coordinator
Development Services Department
3363 West Park Place, Pensacola, FL 32505
(850) 595-3472

GRAPHIC SCALE 1 inch = 20 ft. (IN FEET)

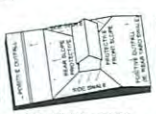


ELEVATION VIEW

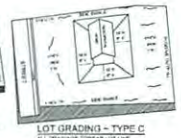
PLAN VIEW



LOT GRADING - TYPE A
N.T.S. DRAINAGE TO STREET



LOT GRADING - TYPE B
DRAINAGE TO STREET & TO REAR LOT LINE



LOT GRADING - TYPE C
ALL DRAINAGE TO REAR LOT LINE

LEGEND:
F.F.E. - FINISH HABITABLE FLOOR ELEVATION
F.G.E. - FINISH GRADE ELEVATION
--- - STORMWATER FLOW DIRECTION ARROW
G - GRADE SLOPE (MINIMUM)
- MINIMUM GRADE

NOTES:
1. A POSITIVE DRAINAGE OUTFALL IS A CONVEYANCE SYSTEM (DRAINAGE EASEMENT, ROADWAY WITH A DRAINAGE SYSTEM - CURB & GUTTER, OR DITCH WHICH CONTAINS, CONTROLS AND TRANSMITS STORMWATER RUNOFF TO A CREEK, STREAM, RIVER, BAY, GULF, OCEAN, OR OTHER WATERS OF THE STATE, OR WATERS OF THE UNITED STATES, OR TO ANY FUNCTIONING ESCAMBIA COUNTY OR STATE DRAINAGE SYSTEM.
2. FINISH FLOOR ELEVATION SHALL BE AS SPECIFIED BY BUILDING CODE.
3. THESE ARE MINIMAL REQUIREMENTS AND DO NOT RELIEVE THE BUILDER FROM PROVIDING ADDITIONAL GRADING TO DIRECT STORMWATER TO A POSITIVE OUTFALL DRAINAGE SYSTEM AND ELIMINATE NEGATIVE IMPACTS TO ADJACENT LOTS AND PROPERTIES.
4. DISTURBED LOT AREAS SHALL BE COMPLETELY STABILIZED WITH SOD, IF THE HOME IS CONSTRUCTED. STABILIZE THE FIRST 10' WITH SOD AND SOD ANCHOR SOD AND MULCH THE REMAINDER OF THE LOT.
5. THE HOMEBUILDER SHALL COMPLY WITH STATE PERMITTING REQUIREMENTS FOR LARGE AND SMALL CONSTRUCTION SITES, SPECIFICALLY THE NPDES PERMITS WHICH REQUIRES A DETAILED STORMWATER POLLUTION PREVENTION PLAN (SWPPP) BEING AVAILABLE ON-SITE FOR REVIEW DURING ALL PHASES OF CONSTRUCTION.
6. LOT CLEARING ACTIVITIES SHALL NOT PROCEED WITHOUT BUILDING PERMITS FOR THOSE LOTS EXCLUDING CLEARING REQUIRED FOR CONSTRUCTION OF CONVEYANCE SWALES OR DRAINAGE FEATURES DESIGNATED AS THE DEVELOPER'S RESPONSIBILITY.
7. ALL NEW ROOFS, DOWNSPOUTS, AND GUTTERS SHALL BE ROUTED TO CARRY ALL STORMWATER TO THE ROADS OR SWALES THAT LEAD TO THE RETENTION POND OR APPROVED DRAINAGE SYSTEM.
8. PROPER EROSION CONTROL MEASURES TO ENSURE ALL SEDIMENTS SHALL BE RETAINED ON BOUNDARY LOT.
9. WETLANDS SHALL BE PROTECTED WITH FABRIC SILT FENCING AND SILTATION BARRIER SYSTEMS (DOUBLE ROWS AS NECESSARY).

MINIMUM STANDARDS FOR TYPICAL RESIDENTIAL GRADING CONTROL PLAN

N.T.S.

HOMEBUILDER LOT GRADING & EROSION CONTROL PLAN

1. HOMEBUILDER IS REQUIRED TO CONSTRUCT AND MAINTAIN, AT ALL TIMES DURING CONSTRUCTION, APPROPRIATE EROSION CONTROL MEASURES (SILT FENCE, HAY BALES, ETC) TO ENSURE THAT NO SEDIMENTS LEAVE THE LOT UNDER CONSTRUCTION OR THE RIGHT-OF-WAY ADJACENT TO THE LOT UNDER CONSTRUCTION. ANY VIOLATIONS COULD RESULT IN CODE ENFORCEMENT ACTION FROM ESCAMBIA COUNTY, FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OR ENVIRONMENTAL PROTECTION AGENCY.
2. HOMEBUILDER SHALL COMPLY WITH STATE PERMITTING REQUIREMENTS FOR CONSTRUCTION ACTIVITIES, WITHIN THE FIRST 6" OF THE FIRST 10' OF THE HOME SHALL COMPLY WITH CURRENT BUILDING CODES. HOMEBUILDER MUST PROVIDE PROOF OF APPLICATION OF THE NPDES PERMIT WHICH REQUIRES A DETAILED STORMWATER POLLUTION PREVENTION PLAN (SWPPP) BEING AVAILABLE ON-SITE DURING ALL PHASES OF CONSTRUCTION.
3. HOMEBUILDER IS TO ENSURE THAT, AT ALL TIMES DURING CONSTRUCTION, STORMWATER FLOWS FROM AREAS UPSTREAM OF THE LOT UNDER CONSTRUCTION ARE NOT IMPEDED IN ANY WAY. CONSTRUCTION OF SWALES WITHIN THE FRONT, REAR AND SIDE YARDS MAY BE REQUIRED TO ENSURE PRE-DEVELOPMENT DRAINAGE PATTERNS ARE NOT ALTERED. THE TREATMENT OR SIDE YARD SWALES SHALL BE BUILT BY THE HOMEBUILDER, BOTTOM OF SIDE SWALE SHALL BE MINIMUM OF 6" BELOW ADJACENT GRADE.
4. A POSITIVE OUTFALL IS A CONVEYANCE SYSTEM WHICH CONTAINS, CONTROLS AND TRANSMITS STORMWATER RUNOFF TO A CREEK, STREAM, RIVER, BAY, GULF, OCEAN, OTHER WATERS OF THE STATE, WATERS OF THE UNITED STATES OR TO ANY APPROVED ESCAMBIA COUNTY OR FLORIDA DEPARTMENT OF TRANSPORTATION DRAINAGE SYSTEM. OUTFALL DRAINAGE SYSTEM ELIMINATES NEGATIVE IMPACTS TO ADJACENT LOTS AND PROPERTIES.
5. LOT CLEARING ACTIVITIES SHALL NOT PROCEED WITHOUT BUILDING PERMITS FOR THOSE LOTS EXCLUDING CLEARING REQUIRED FOR CONSTRUCTION OF CONVEYANCE SWALES OR DRAINAGE FEATURES DESIGNATED AS THE DEVELOPER'S RESPONSIBILITY.
6. UNTREATED STORMWATER RUNOFF DIRECTLY INTO WATER BODIES OR JURISDICTIONAL WETLANDS IS PROHIBITED.
7. AS A GUIDELINE, THE MINIMUM FINISHED HABITABLE FLOOR ELEVATION (FFE) FOR LOTS SHALL TYPICALLY BE 8" (CODED AROUND BUILDING) OR 12" (UNSODDED) ABOVE FINISHED GRADES OF LOTS, UNLESS OTHERWISE DICTATED BY FLOOD ZONE. FINISHED GRADES SHALL SLOPE FROM THE FOUNDATION 6" WITHIN 10' (5% GRADE), INCLUDING SIDEWALKS, PATIOS AND DRIVEWAYS AND THEN SLOPED AT A MINIMUM 1/16" PER FOOT (0.5% GRADE) TO A POSITIVE OUTFALL (FFE EXCLUDES BASEMENT ELEVATIONS).
8. LOT SHALL CONFORM TO TYPE "B" LOT GRADING - DRAIN TO THE STREET AND REAR OF LOT.
9. DISTURBED R/W AREAS NOT PAVED SHALL BE STABILIZED WITH A HEALTHY GROWTH OF GRASS PRIOR TO RECEIVING CERTIFICATE OF OCCUPANCY. DISTUBED LOT AREAS NOT PAVED SHALL BE STABILIZED WITH SOD PRIOR TO RECEIVING CERTIFICATE OF OCCUPANCY.
10. THESE ARE MINIMUM REQUIREMENTS AND DO NOT RELIEVE THE BUILDER FROM PROVIDING ADDITIONAL GRADING TO DIRECT STORMWATER TO POSITIVE OUTFALL DRAINAGE SYSTEM AND ELIMINATE NEGATIVE IMPACTS TO ADJACENT LOTS AND PROPERTIES.
11. FINISHED FLOOR ELEVATIONS (EXCLUDING BASEMENT ELEVATIONS) SHALL BE SET A MINIMUM 8-INCHES ABOVE THE ADJACENT TOP OF CURB ELEVATION OR (WHEN APPLICABLE) TOP OF REAR YARD CONVEYANCE SWALE ELEVATION UNLESS MORE RESTRICTIVE BUILDING CODES OR FLOOD ZONE RESTRICTIONS APPLY.
12. DISTURBED RIGHT-OF-WAY AREAS SHALL BE STABILIZED WITH A HEALTHY GROWTH OF GRASS PRIOR TO RECEIVING COUNTY ACCEPTANCE.
13. DISTURBED AREAS NOT PAVED SHALL BE STABILIZED WITH A HEALTHY GROWN OF GRASS.
14. DISTURBED LOT AREAS SHALL BE COMPLETELY STABILIZED WITH SOD.
15. THE HOMEBUILDER SHALL COMPLY WITH STATE PERMITTING REQUIREMENTS FOR LARGE & SMALL CONSTRUCTION SITES, SPECIFICALLY THE NPDES PERMIT WHICH REQUIRES A DETAILED STORMWATER POLLUTION PREVENTION PLAN (SWPPP) BEING AVAILABLE ONSITE FOR REVIEW DURING ALL PHASES OF CONSTRUCTION.
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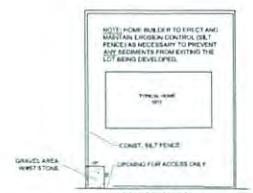
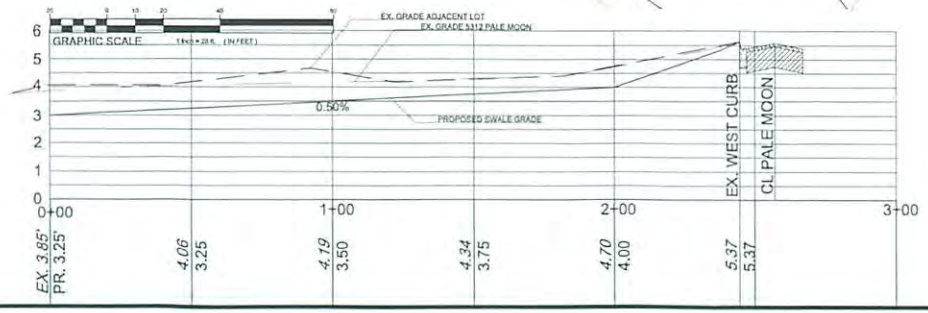
17. ALL NEW ROOF RUNOFF, DOWNSPOUTS, AND GUTTERS SHALL BE ROUTED TO CARRY ALL STORMWATER TO THE ROADS OR SWALES THAT LEAD TO A POSITIVE DRAINAGE OUTFALL.
18. FENCES SHALL BE INSTALLED TO NOT IMPEDE STORMWATER FLOW. NO FENCES SHALL BE CONSTRUCTED IN DRAINAGE/ACCESS EASEMENTS THAT MAY PROHIBIT ACCESS TO THESE EASEMENTS.
19. HOME EQUIPMENT (I.E. AC UNITS) SHALL NOT IMPEDE STORMWATER FLOW.
20. THE SIDE YARD SWALES SHALL BE BUILT BY THE HOMEBUILDER.
21. A MINIMUM OAIF (1) FOOT GROUND COVER IS REQUIRED FOR ALL UNDERGROUND PIPES.



EROSION CONTROL FOR HOMEBUILDER

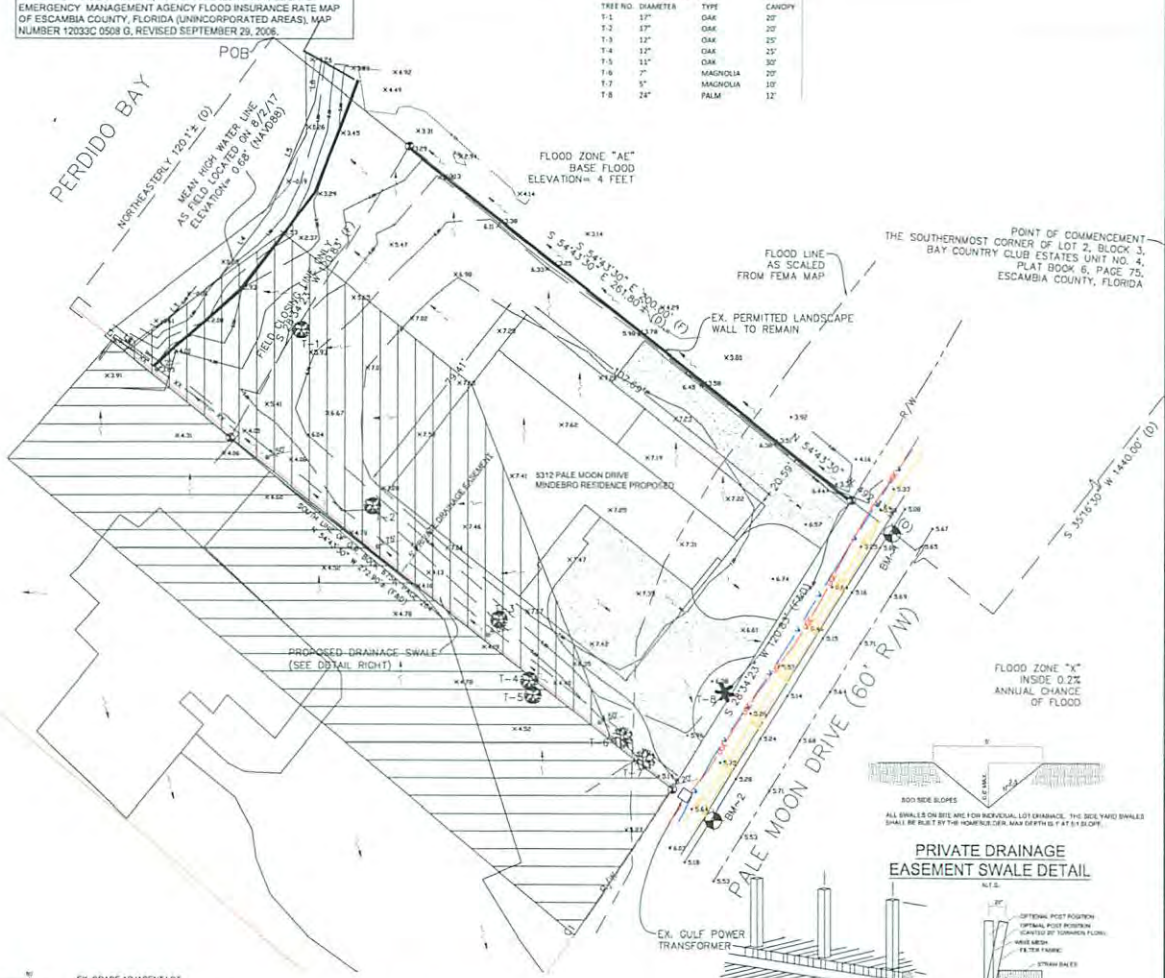
N.T.S.



THE PROPERTY AS SHOWN HEREON IS LOCATED IN FLOOD ZONE "AE", BASE FLOOD ELEVATION 4 FEET AND IN FLOOD ZONE "X" INSIDE 0.2% ANNUAL CHANCE OF FLOOD, AS DETERMINED FROM FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP OF ESCAMBIA COUNTY, FLORIDA (UNINCORPORATED AREAS), MAP NUMBER 12033C 0508 G, REVISED SEPTEMBER 29, 2006.

TREE TABLE

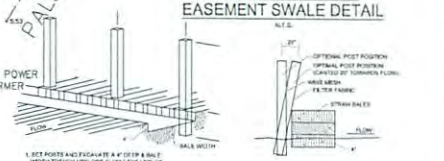
TREE NO.	DIAMETER	TYPE	CANOPY
T-1	17"	OAK	20'
T-2	17"	OAK	20'
T-3	12"	OAK	25'
T-4	12"	OAK	25'
T-5	11"	OAK	30'
T-6	7"	MAGNOLIA	20'
T-7	5"	MAGNOLIA	10'
T-8	24"	PALM	12'



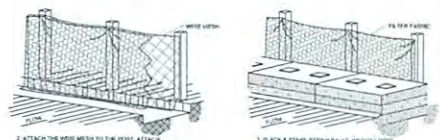
ALL SWALES ON SITE ARE FOR INDIVIDUAL LOT DRAINAGE. THE SIDE YARD SWALES SHALL BE BUILT BY THE HOMEBUILDER, MAX DEPTH IS 1' AT 3:1 SLOPE.

PRIVATE DRAINAGE EASEMENT SWALE DETAIL

N.T.S.



1. SET POSTS AND EXCAVATE A 4" DEEP X BALE WIDTH TRENCH UPSLOPE ALONG THE LINE OF POSTS. POSTS SHALL BE 2"X4" WOOD OR 1-1/2" STEEL (1.33 LB/FT MIN).



2. ATTACH THE WIRE MESH TO THE POST. ATTACH FILTER FABRIC AND EXTEND IT INTO THE DITCH. FILTER FABRIC TO CONFORM WITH FDOT SPECIFICATIONS, SECTION 985.

3. PLACE & STAKE STRAW BALES. WEDGE LOOSE STRAW BETWEEN BALES AND BACKFILL & COMPACT EXCAVATED SOIL.

HOMEBUILDER SILT FENCE DETAIL

NOT TO SCALE

*WIRE BACKED SILT FENCE TO BE USED ALONG FRONT OF TYPICAL LOTS. STAKE FABRIC SILT FENCE FOR ALL OTHER SIDES AS NEEDED.

NO.	DATE	REVISIONS
1		
2		
3		
4		

THIS DRAWING IS THE PROPERTY OF JERRY R. McGUIRE & ASSOCIATES, P.A. AND IS NOT TO BE REPRODUCED OR MADE OR IN PART, IT IS NOT TO BE USED ON ANY OTHER PROJECT AND IS TO BE RETURNED UPON REQUEST.

JMA
JERRY R. McGUIRE & ASSOCIATES, P.A.
CIVIL ENGINEERING PLANNING
P.O. BOX 4848
MILTON, FLORIDA 32572-4848
PHONE: (850) 623-2233
FAX: (850) 983-7340
eMAIL: jma@gulfnet.com
Gerald W. McGuire, P.E. #39329
Jerry R. McGuire, P.E. #43317
Engineering Business #00002

5312 PALE MOON DRIVE

LOT GRADING PLAN

ESCAMBIA COUNTY FLORIDA

DRAWN BY: MW
DESIGNED BY: GWM
CHECKED BY: GWM
DATE: MAY 2018
SCALE: 1"= 20'
NOT RELEASED FOR CONSTRUCTION BY:
DATE:

PROJECT NO: 2018.5312PMO
FILE NO: 2018.5312 LGP
SHEET: 1 OF 1

Karla N Moreno

From: Horace L Jones
Sent: Tuesday, March 27, 2018 2:32 PM
To: Timothy R. Day; Andrew D. Holmer; Terry D Williams; Juan C. Lemos; Roza I. Sestnov; Tim Tolbert; Jennifer A. Hampton
Cc: Jack R. Brown; Alison A. Rogers; Meredith D. Crawford
Subject: Re: 5312 Palemoon Drive #11-3S-32-3000-000-001

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Karla N Moreno

From: Horace L Jones
Sent: Tuesday, March 27, 2018 4:08 PM
To: 'franogdenrd@gmail.com'
Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001
Attachments: Pale Moon

Mrs. Ogden,

Here is a copy of the stormwater management plan /lot grading plan as requested today. Please understand that additional documents that may be needed once Mrs. Roza, our EOR, initiated the review.

horace

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Karla N Moreno

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Sent: Tuesday, March 27, 2018 4:11 PM
To: Horace L Jones; Timothy R. Day; Andrew D. Holmer; Terry D Williams; Roza I. Sestnov; Tim Tolbert; Jennifer A. Hampton
Cc: Harry T. Gibson
Subject: RE: 5312 Palemoon Drive #11-3S-32-3000-000-001
Attachments: Pale Moon Construction Drawings-(5312).pdf

Horace,

I have reviewed the initial Elevation Certificate (FEMA Form 086-0-33), signed and sealed by Fred R. Thompson, dated 3/14/18, submitted with the site plan. The certificate does reflect the **AE 4'** FEMA SFHA designation. Based on the information provided in the elevation certificate, the proposed finished floor elevation in C2. a), is listed at **7.5'**. That height will meet the FEMA minimum standards and the Escambia County 3-foot freeboard additional requirement. All additional floodplain management standards for this specific project directly relate to management of stormwater on-site. Stormwater Management Plan will be reviewed by Ms. Roza Sestnov.
The two supplementary required elevation certificates, at foundation inspection and a final inspection prior to CO, are received, reviewed for accuracy and approved thru the Building Inspections Department staff.

Thank you,

Juan C. Lemos, CFM
Senior Planner
Development Services Department
Escambia County BCC
3363 West Park Place, Pensacola, FL 32505
(850) 595-3475 Main
(850) 595-3481 Fax

Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person. **Please consider the environment before printing this e-mail. Think Green.**

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U.S. DEPARTMENT OF HOMELAND SECURITY
Federal Emergency Management Agency
National Flood Insurance Program

OMB No. 1660-0008
Expiration Date: November 30, 2018

ELEVATION CERTIFICATE

Important: Follow the instructions on pages 1–9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A – PROPERTY INFORMATION		FOR INSURANCE COMPANY USE
A1. Building Owner's Name DONNA AND SCOTT MINDREBO		Policy Number:
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 5312 PALE MOON DRIVE		Company NAIC Number:
City PENSACOLA	State Florida	ZIP Code 32507

A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.)
113S323000000001

A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) RESIDENTIAL

A5. Latitude/Longitude: Lat. 30°19'45.5" Long. 87°26'11.2" Horizontal Datum: ☐ NAD 1927 ☒ NAD 1983

A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.

A7. Building Diagram Number 1

A8. For a building with a crawlspace or enclosure(s):

a) Square footage of crawlspace or enclosure(s) 0 sq ft

b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade 0

c) Total net area of flood openings in A8.b 0 sq in

d) Engineered flood openings? ☐ Yes ☒ No

A9. For a building with an attached garage:

a) Square footage of attached garage 0 sq ft

b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade 0

c) Total net area of flood openings in A9.b 0 sq in

d) Engineered flood openings? ☐ Yes ☒ No

SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP Community Name & Community Number	B2. County Name	B3. State
ESCAMBIA COUNTY 120080	ESCAMBIA	Florida

B4. Map/Panel Number	B5. Suffix	B6. FIRM Index Date	B7. FIRM Panel Effective/ Revised Date	B8. Flood Zone(s)	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth)
12033C 0508	G	09/29/2006	09/29/2006	AE	4 FEET

B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9:
☐ FIS Profile ☒ FIRM ☐ Community Determined ☐ Other/Source: _____

B11. Indicate elevation datum used for BFE in Item B9: ☐ NGVD 1929 ☒ NAVD 1988 ☐ Other/Source: _____

B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? ☐ Yes ☒ No
Designation Date: _____ ☐ CBRS ☐ OPA

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expiration Date: November 30, 2018

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 5312 PALE MOON DRIVE			Policy Number:
City PENSACOLA	State Florida	ZIP Code 32507	Company NAIC Number

SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: ☒ Construction Drawings* ☐ Building Under Construction* ☐ Finished Construction

*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO. Complete Items C2.a–h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: ESC 4075 Vertical Datum: NAVD88

Indicate elevation datum used for the elevations in items a) through h) below.

☐ NGVD 1929 ☒ NAVD 1988 ☐ Other/Source: _____

Datum used for building elevations must be the same as that used for the BFE.

		Check the measurement used.
a) Top of bottom floor (including basement, crawlspace, or enclosure floor)	7.5	☒ feet ☐ meters
b) Top of the next higher floor	N/A	☒ feet ☐ meters
c) Bottom of the lowest horizontal structural member (V Zones only)	N/A	☒ feet ☐ meters
d) Attached garage (top of slab)	N/A	☒ feet ☐ meters
e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments)	7.5	☒ feet ☐ meters
f) Lowest adjacent (finished) grade next to building (LAG)	3.85	☒ feet ☐ meters
g) Highest adjacent (finished) grade next to building (HAG)	5.13	☒ feet ☐ meters
h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support	3.85	☒ feet ☐ meters

SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. *I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.*

Were latitude and longitude in Section A provided by a licensed land surveyor? ☒ Yes ☐ No ☒ Check here if attachments.

Certifier's Name FRED R. THOMPSON	License Number 3027	
Title PRESIDENT		
Company Name NORTHWEST FLORIDA LAND SURVEYING, INC.		
Address 7142 BELGIUM CIRCLE		
City PENSACOLA	State Florida	ZIP Code 32526
Signature Fred R. Thompson	Date 03/14/2018	Telephone (850) 432-1052

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including type of equipment and location, per C2(e), if applicable)

THIS SURVEYOR ONLY CERTIFIES TO SECTIONS C AND D, AND OR SECTION PERTAINING TO SURVEYING MATTERS ONLY. SECTIONS A AND B ARE NOT INCLUDED. THE ELEVATIONS SHOWN HEREON ARE REFERENCED TO NORTH AMERICAN VERTICAL DATUM OF 1988 FROM ESCAMBIA COUNTY GEODETIC CONTROL POINT ESC 4075. THE ELEVATION SHOWN IN SECTION C2e REFERS TO TOP OF A/C PAD. PROJECT # 21324

Karla N Moreno

From: Horace L Jones
Sent: Tuesday, March 27, 2018 5:45 PM
To: Roza I. Sestnov
Subject: Fwd: 5312 Palemoon Drive #11-3S-32-3000-000-001

Sent from my iPhone

Begin forwarded message:

> **From:** Fran Ogden <franogdenrd@gmail.com>
> **Date:** March 27, 2018 at 5:25:31 PM CDT
> **To:** Horace L Jones <HLJONES@myescambia.com>, "Timothy R. Day" <TRDAY@co.escambia.fl.us>, aarogers@co.escambia.fl.us, "Jack R. Brown" <jrbrown@myescambia.com>
> **Subject: Re: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001**
>
> Dear Mr Jones et al
>
> Again I bring it to your attention that the survey they are using has discrepancies in it (see survey general info. box). The Mindrebos have ignored this just like they ignored the requirements that would allow them to bring MORE than 1800 cubic. yds of dirt. Our shared lot line is one foot overstated in their survey. This discrepancy exists along the entire length of the lot. I do not give the Mindrebo's permission to impose on my lot. This discrepancy is clearly noted in the originally submitted survey for the LDC permit that Brad Banes gave on Feb 2, without any stormwater plan (which I maintain should be revoked).
>
> I maintain that they brought more than 1800 cubic yards of dirt,
>
> I maintain that the status of the wetlands (albeit poor) was hidden due to the unauthorized clearing and filling of the lot.
>
> I maintain that Brad Banes should have demanded clarification on boundries since it was clearly stated on the submitted documents that there was a discrepancy.
>
> I maintain that there is still not a viable floodwater plan and the 2-week extension has passed.
>
> I do not believe that this grading plan is sufficient proof that stormwater will not be diverted to my property. Spring is here. Time is of the essence to insist that the Mindrebo's do not continue to jepordize my home with their stormwater.
>
> They have had more than enough time to fix the situation but Scott Mindrebo has stated that he does not care about neighboring property. It seems that they have tried to razzle-dazzle their way out of a real stormwater plan because they cannot remove the stormwater because of the massive amount of ground that is planned to be covered
>
> Additionally, Mr. Jones has forwarded this to me but I beleive he is aware that it is incomplete, so the requirement to submit a plan by today has been NOT been met.

The retroactive LDC permit granted by Brad Banes on the owner's agent's word, without verification of facts, is long past time be to revoked.

I continue to be injured and I do hope that the code enforcement will begin immediately.

Sincerely,
Fran Ogden

On Tue, Mar 27, 2018 at 4:08 PM, Horace L Jones <HLJONES@myescambia.com> wrote:

> Mrs. Ogden,
>
> Here is a copy of the stormwater management plan /lot grading plan as requested today. Please understand that additional documents that may be needed once Mrs. Roza, our EOR, initiated the review.
>
> horace
>
> ---
>
> **From:** Horace L Jones
> **Sent:** Tuesday, March 27, 2018 2:32 PM
> **To:** Timothy R. Day <TRDAY@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Terry D Williams <TDWILLIA@myescambia.com>; Juan C. Lemos <JCLEMOS@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>
> **Cc:** Jack R. Brown <jrbrown@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Meredith D. Crawford <mdcrawford@myescambia.com>
> **Subject:** Re: 5312 Palemoon Drive #11-3S-32-3000-000-001
>
> I should have said that a lot grading plan was submitted. For clarification, the lot grading plan is part of a storm water management plan; but additional documents may be needed once the review initiated.
>
> Sent from my iPhone
>
> On Mar 27, 2018, at 2:18 PM, Horace L Jones <HLJONES@myescambia.com> wrote:
>
> > Tim and All,
> >
> > The required Stormwater Mangement Plans for the referenced parcel have been submitted per the timeframe as indicated

below. The plans were submitted to our office on 3/26/18. **By the way, staff have not performed the necessary reviews, which will include a detailed review of the necessary documents as well, as of March 27th 2018.**

For information, another issue has been raised by Mrs Fran regarding an alleged discrepancy with markers. Please see attached e-mail on new issue raised on the survey markers.

From: Horace L Jones
Sent: Tuesday, March 27, 2018 2:09 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

From: Horace L Jones
Sent: Tuesday, March 13, 2018 3:42 PM
To: Jack R. Brown <jrbrown@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Angela D. Crawley <adcrawle@myescambia.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Chips Kirschenfeld <JTKIRSCHE@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>
Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

FYI

From: Horace L Jones
Sent: Tuesday, March 13, 2018 3:38 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

To All:

FYI

I did received a phone call from Mr Faciane today. Briefly, he stated that he will be communicating with his attorney Lisa Minshew.

Additionally, please see attached e-mail referencing the LDC requirement. It appears that the LDC is quite clear on what is required.

From: Horace L Jones
Sent: Tuesday, March 13, 2018 2:17 PM
To: 'rickfaciane50@yahoo.com' <rickfaciane50@yahoo.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Chips Kirschenfeld <JTKIRSCHE@myescambia.com>; Jack R. Brown <jrbrown@myescambia.com>; Angela D. Crawley <adcrawle@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Dianne C. Simpson <dcsimpso@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>; Karla N Moreno <KNMORENO@myescambia.com>
Subject: 5312 Palemoon Drive #11-3S-32-3000-000-001

Good Afternoon, Rick

It is my understanding, from a phone call discussion that you had with Mrs. Roza this morning on 3/13/13, that you will be submitting a detailed Stormwater Plan for the referenced lot for the construction of a single-family dwelling on the lot in question. Please note that a stormwater management plan must be submitted to the Development Services Department for review **within two-weeks from this notification**. If the stormwater management plan is not received during the time as specified, the County will revoke the Land Disturbance permit and Code Enforcement will schedule this property to be heard at the next available Special Magistrate date to address any outstanding code issues.

The submitted building plans and *all the supporting documents* and/or plans {including the stormwater management plan) must be reviewed and approved prior to the issuance of any building permits or any other land use development and/or activities on the lot in question.

If you have any questions, please do not hesitate call me or e-mail me

This e-mail is to serve as notification. Please reply with an acknowledgement that you received this e-mail. Failure to acknowledge receipt does not nullify this notification.

Respectfully submitted.

Horace Jones

Department Director

Development Services Department

33363 West Park Place, *Pensacola, FL*

850-595-3625 or 554-8210

hljones@myescambia.com

Horace Jones

Department Director

Development Services Department

33363 West Park Place, *Pensacola, FL*

850-595-3625 or 554-8210

hljones@myescambia.com

<mime-attachment>

<mime-attachment>

Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.

---------- Forwarded message ----------
From: "Christina L. Smith" <clsmith1@myescambia.com>
To: Horace L Jones <HLJONES@myescambia.com>
Cc:
Bcc:
Date: Tue, 27 Mar 2018 18:51:46 +0000
Subject: Pale Moon

All documents are in mypermitnow.

Christina Smith

Development Review Coordinator

Development Services Department

3363 West Park Place, Pensacola, FL 32505
(850) 595-3472

--
Fran Ogden
850-737-3436

Karla N Moreno

From: Horace L Jones
Sent: Wednesday, March 28, 2018 8:55 AM
To: Denise Halstead
Subject: Fwd: Pale Moon Dr Stormwater Management Permit
Attachments: 5312 Pale Moon Dr - 1803956PLM.pdf; ATT00001.htm

Thank you immensely!!!

Sent from my iPhone

Begin forwarded message:

From: "Denise Halstead" <DHALSTEA@myescambia.com>
To: "Horace L Jones" <HLJONES@myescambia.com>
Subject: Pale Moon Dr Stormwater Management Permit

Thanks,

Denise Halstead
Administrative Supervisor
Development Services Department
3363 West Park Place
Pensacola, FL 32505
Phone: 850.595.3442

ENTERED ON: / /
BY:

REC'D MAR 2 5 2018

JMA
Engineering Services, Inc.
• Civil Engineering • Planning •

March 26, 2018

Ms. Christina Smith
Escambia County Development Review
1090 W. Leonard Street
Pensacola, Florida 32503

RE: 5312 Pale Moon Drive
Stormwater Management Permit Submittal
JMA Project No. 2018.5312PM.00

Dear Christina:

Attached are the following items for the Stormwater Management Permit submittal:

1. One set of signed and sealed site plan for the stormwater improvements.
2. One signed and sealed copy of the Stormwater Management Permit plan with calculations.
3. One copy of miscellaneous supporting information.
4. One check in the amount of $216.75 for the review fees.
5. Once copy of all the above items on disc.

Should you require additional information, feel free to contact me.

Sincerely,
JMA ENGINEERING SERVICES, INC.

Jerry W. McGuire, P.E.
President

Attachments

Cc: Donna Mindebro, Homeowner (w/att.)
Rick Faciane, Classic Homes (w/att.)

P.O. Box 4348 • Milton, FL • 32572-4348
2726 Wallace Lake Road • Pace, FL • 32571
PHONE 850.995.7323 • FAX 850.995.7236 • e-MAIL jma@mcguire-assoc.com

ENTERED ON: 1 1
BY:

Stormwater Management Plan
For
5312 Pale Moon Drive
For
Escambia County, Florida

JMA # - 2018.5312PM.00

Prepared By:

JMA
Engineering Services, Inc.
• Civil Engineering • Planning •

P.O. Box 4348
Milton, Florida 32572-4348

Phone: (850) 995-7323
Fax: (850) 995-7236

E-mail: jma@mcguire-assoc.com

Engineering Business # 00028905

Certification Page

5312 Pale Moon Drive

JMA # - 2018.5312PM.00

Gerald W. McGuire, P.E. #39572 3/26/2018 6 pgs

5312 Pale Moon Drive

Stormwater Management Plan
March 2018

Project Scope & Existing Conditions

The 0.72 acre site is an undeveloped lot in the Perdido Bay subdivision located at 5312 Pale Moon Drive. The parcel is bounded on the south by an existing residence, to the north by a vacant, the right of way of Pale Moon Drive on the east, and Perdido Bay to the west. Natural topography for the site prior to home construction gently sloped from the east at an elevation of 5+' at Pale Moon Drive gently to the west into Perdido Bay. The mean high water elevation at this point in Perdido Bay is 0.68' (NAVD88).

Several years back, the lot was purchased for the construction of a single family home with driveways, carport and a pool/lanai. Prior to this report, the lot has been filled to roughly an elevation of 7' to elevate the house slab above the flood plain. The lot fill is placed to grade most of the front part of the lot to Pale Moon Drive, with the rear of the lot graded toward Perdido Bay. Side lot drainage will collected in a swale 0.6' deep on the south side, and along an existing landscape wall that will act as a curb type swale along the north side of the lot.

Permits have been pulled from Escambia County for landscaping 3' high timber landscape wall along the north boundary of the lot, a seawall located 5' landward of the established mean high water along Perdido Bay, and a Land and Tree Permit (Permit No. 1802404PLM) to clear trees and fill the lot. Wetland Sciences, Inc. has performed an onsite investigation for the presence of wetlands and stated there are none (see attached letter).

PROPOSED WORK

The owner proposes to construct a new 6,250 SF home on the lot with a 1,300 SF pool/lanai area, and 2,240 SF driveway and other concrete work. The balance of the lot will either be sodded or along the shoreline left in its natural state.

SURROUNDING PROPERTY IMPACTS

The lot to the south drains approximately 50% of its runoff to the north and floods on this lot located at 5312 Pale Moon Drive. So as not to block this runoff, a swale is proposed along the property line between the lots to collect the runoff from the lot to the south, plus the runoff from the new home construction. This swale will be totally on 5312 Pale Moon and will collect water from the contributing area as *seen on the* attached aerial:

AERIAL OF BASINS (Existing Lot to South and 5312 Pale Moon Drive Lot)

From the above, we can see the following areas contributing to the swale's flow:

Contributing Lot area to south	14,558.46 SF
Contributing Lot for this lot	10,431.81 SF
Total Area Contributing	**24,990.27 SF = 0.57 Acres**

The weighted Rational Coefficient calculated for pre-development versus post-development conditions is as follows:

Pervious C	0.25
Impervious C	0.90

Composite c Calculations

Pre-Development	
c-pre	0.25
Onsite area	0.75 acres
Offsite	0.69 acres
Total Basin	1.44

Post Development Prior to Home Construction				
	Impervious Area =		SF	Acres
		Building	0.00	0.00
		Asphalt	0.00	0.00
		Conc. Curb/walks	0.00	0.00
		Offsite	11,950.78	0.27
			11,951	0.27
c-per.	0.25	1.17		
c-imp.	0.9	0.27		
	Cpost =	0.37		
	Cpost prior to additions = 0.37			

Post Development After Home Construction				
	Impervious Area =		SF	Acres
		Building	6,251.00	0.14
		Pool/Lanai	1,300.00	0.03
		Concrete Drives	2,240.00	0.05
		Offsite	11,950.78	0.27
			21,741.78	0.50
c-per.	0.25	0.94		
c-imp.	0.9	0.50		
	Cpost =	0.47		
	Cpost after additions = 0.47			

Based on the Cpost, contributing acreage and a 100-year storm, we see the following:

Calculate Area Contributing to Swale Along South Boundary

	SF	Acres
OnSite	10431.8	0.24
OffSite	14558.5	0.33
Total Area	24990.3	0.57

Rainfall Intensity 9 inches/hour

Q = c*i*A 2.41 cfs

SWALE DESIGN:

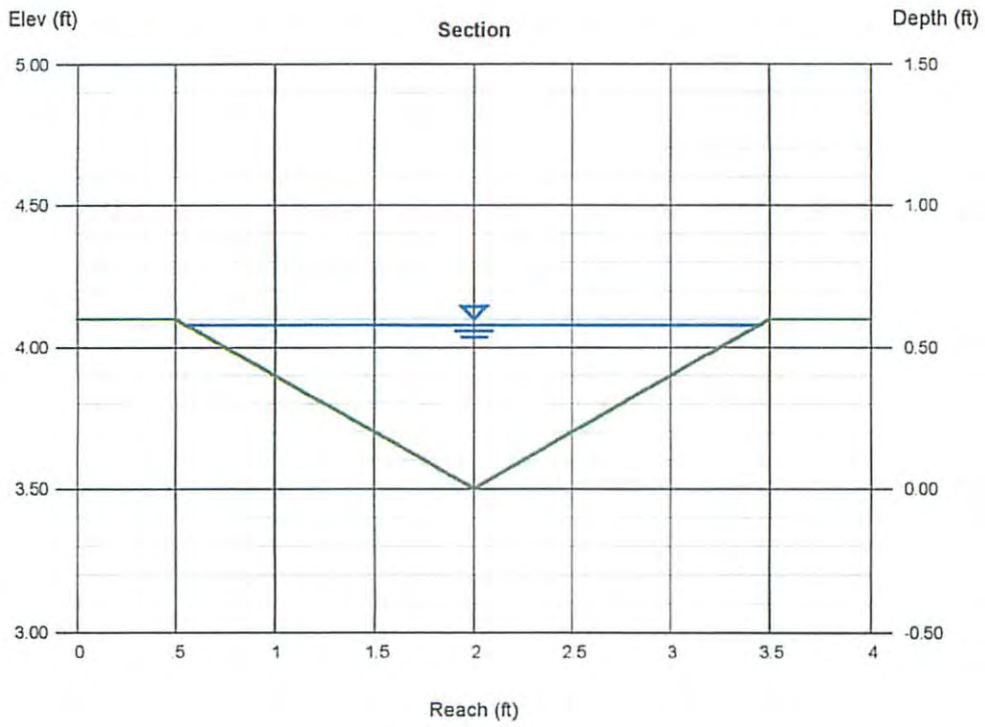
The runoff collected in the proposed swale along the boundary between the lots will be 0.6' deep at its maximum depth and will carry the runoff generated by the contributing acreage from both lots. See attached swale calculations for the swale functioning.

Channel Report

Hydraflow Express Extension for Autodesk® AutoCAD® Civil 3D® by Autodesk, Inc. Monday, Mar 26 2018

<Name>

Triangular		**Highlighted**	
Side Slopes (z:1)	= 2.50, 2.50	Depth (ft)	= 0.58
Total Depth (ft)	= 0.60	Q (cfs)	= 2.410
		Area (sqft)	= 0.84
Invert Elev (ft)	= 3.50	Velocity (ft/s)	= 2.87
Slope (%)	= 0.50	Wetted Perim (ft)	= 3.12
N-Value	= 0.015	Crit Depth, Yc (ft)	= 0.57
		Top Width (ft)	= 2.90
Calculations		EGL (ft)	= 0.71
Compute by:	Known Q		
Known Q (cfs)	= 2.41		



Based on the above, the inclusion of the swale along the boundary with the lot to the south will prevent runoff from leaving our site and impacting the southerly lot, as well as collect runoff from the south lot to 5312 Pale Moon without blocking the flows.

Escambia County Development Services Department
3363 West Park Place
Pensacola, FL 32505 (850)-595-3475

ENTERED in Accela on: 4/4

STORMWATER MANAGEMENT PERMIT

Activities Covered Under Permit: Activities such as converting agricultural land to non-agricultural uses; changing the use of land causing a change in natural flow patterns of predevelopment conditions; altering any ditches, dikes, terraces, berms, swales, or other stormwater management facility; filling, excavating, grading, and changing the natural topography are covered under this permit, provided such stormwater management activities do not result in adverse impacts to adjoining properties, waterbodies, watercourses, wetlands, adjacent roadways or drainage systems, etc. Construction of infrastructure or addition of impervious area is **not** covered under this permit.

PERMIT # 18039560 LM DATE ISSUED: _____ PERMIT EXPIRES: _____
(1-year expiration unless specified)

☐ DRAINAGE ALTERATION ☐ POND MODIFICATION

☐ MAINTENANCE REHABILITATION ☐ SPECIAL CONDITION

☐ Artificial Lakes/Ponds (Volume between 1,613 yd^3 (1 acre foot) and 80,000 yd^3 (50 acre feet))

OWNER/APPLICANT: Scott & Debra Mindrebo **DATE:** 3/16/2018

OWNERS ADDRESS: 5312 Pale Moon Drive, Pensacola, FL 32507 **PHONE #:** 713-882-7773

ENGINEER OF RECORD: Gerald W. McGuire, P.E. **PHONE #:** 850-995-7323

PROJECT NAME: 5312 Pale Moon Drive Stormwater Mgmt. Permit **OTHER PERMITS#:** N/A (if applicable)

SITE ADDRESS 5312 Pale Moon Drive, Pensacola, FL 32507 **ACREAGE:** 0.75

SITE PROPERTY REFERENCE #: Section 11 Township 3S Range 32 Subd 3000 Lot 000 Block 001

Provide: ___ Site Plan ___ Vicinity Map X Stormwater Management Plan ___ Narrative

DESCRIBE ACTIVITIES PROPOSED (for land shown on attached site plan): Stormwater Management Plan for single family home.

REVIEW FEES: $216.75 (fee includes $5 technical fee) **INSPECTION FEES:** (office use only)_____

☐ **APPROVED** ☐ **DENIED** _____ **DATE:** _____
Drainage Engineer

☐ **APPROVED** ☐ **DENIED** _____ **DATE:** _____
Joy D. Blackmon, P.E.; County Engineer

☐ Permit Condition: ☐ Reason for Denial: _____

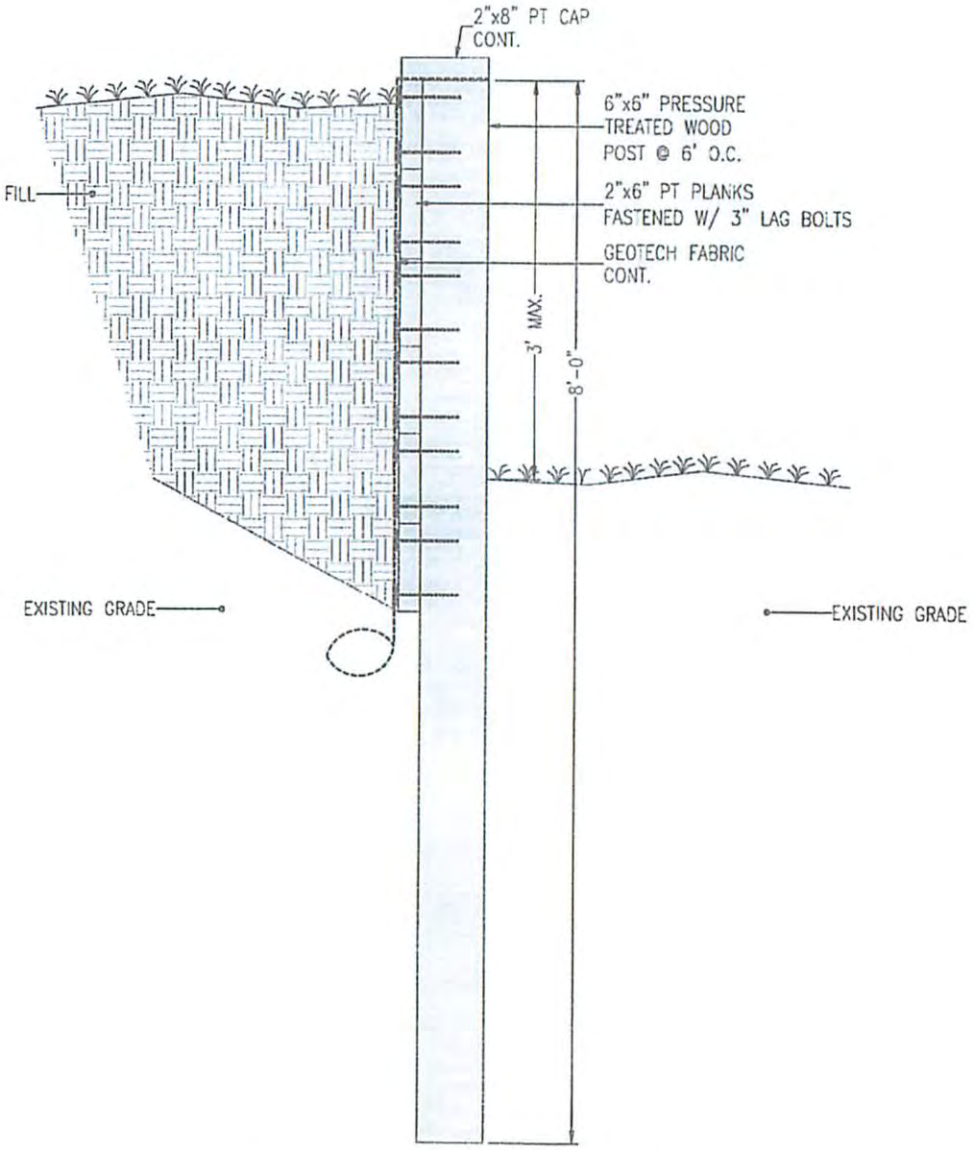
Responsibility of Owner/Applicant: As necessary the owner/applicant shall incorporate measures to prevent erosion, sedimentation, and/or flooding which may result from stormwater management activities. Silt fences, temporary sediment traps, temporary holding ponds, stabilization of disturbed areas with grass may be required to control erosion, sedimentation and/or flooding. The undersigned is fully aware of these responsibilities and will comply with these requirements.

SIGNATURE OF OWNER/APPLICANT X _____ **DATE:** 3/26/18

When completed, call Roza Sestnov (850) 595-3411 to schedule inspection.

Disclaimer: Escambia County shall not be held responsible for any losses or damages in the event that activities covered under this permit negatively impact adjacent properties, waterbodies, watercourses, wetlands, adjacent roadways or drainage systems, etc.

ENTERED ON: 1 1
BY:



LANDSCAPE RETAINING WALL

N.T.S.

NO.	DATE	REVISIONS
1	-	-
2	-	-
3	-	-
4	-	-

THIS DRAWING IS THE PROPERTY OF GARY S. BISHOP, P.E. AND IS NOT TO BE REPRODUCED IN WHOLE OR IN PART. IT IS NOT TO BE USED ON ANY OTHER PROJECT AND IS TO BE RETURNED UPON REQUEST.

GARY S. BISHOP LICENSE No. 25357 STATE OF FLORIDA PROFESSIONAL ENGINEER

GARY S. BISHOP, P.E.
CONSULTING ENGINEERING
6010 JAMESON CIRCLE PACE, FL 32571
PHONE: (850) 712-7618
E-MAIL: gsbishop@yahoo.com & gsbishop.engineering@gmail.com

CLASSIC HOMES
PENSACOLA, FL

DESIGNED BY: GSB
CHECKED BY: GSB
DATE: FEBRUARY 2018
SCALE: AS NOTED

PROJECT NO: N/A
FILE NO: 2018-RETAINING.dwg
SHEET NO:

GARY S. BISHOP LICENSE No. 25357 STATE OF FLORIDA

7/25/18

5312 Pale Moon Drive

DSD received 2-5-18 (9YA)
" " payment 2-12-18

Development Services Department, 3363 West Park Place, Pensacola, Florida 32505 (phone) 850-595-3475 (fax) 850-595-3703

PERMIT WILL EXPIRE ONE YEAR AFTER DATE OF ISSUE

LAND AND TREE MANAGEMENT PERMIT

Activities Covered Under Permit: Activities such as clearing, cutting, *excavating, *filling, protected tree removal, grading of land, or any other activity that alters land topography or vegetative cover is covered under this permit, where noted, provided such land disturbing activities do not result in adverse impacts to adjoining properties, waterbodies, watercourses, wetlands, environmentally sensitive lands, adjacent roadways or drainage systems, etc. Construction of infrastructure or addition of impervious area is not covered under this permit.

PERMIT # 180~~5~~ 2404 PLM DATE ISSUED: 2-12-18

~~☐~~ After-the-fact ☒ LAND DISTURBING ☐ TREE ☐ BARRIER ISLAND SAND ☐ BEACH MOUSE

OWNER/AGENT Classic Homes of Pcola & Rick Fragale PHONE # 8506985186

Agent
OWNER'S ADDRESS 6833 Cedar Ridge Dr Pcola FL 32526 FAX # 8509447261

PROJECT NAME Weis Dress Residence ZONING AE

SITE ADDRESS(S) 5200 Blk Pale Moon Dr. Lot 23 Blk 2 Pinehurst Beach C. Club Estates ACREAGE .72 Ac

PROPERTY REFERENCE #(s) 11-35-32-3000-000-001 ACREAGE TO BE DISTURBED .6

AMOUNT OF FILL MATERIAL(s) 180 cuyd SOURCE OF FILL MATERIAL(s) Sawdy loam pile

Note, a separate Barrier Island Sand Evaluation &/or "prohibited material" removal Permit may also be required per current Escambia County Land Development Code requirements.

(NO PROTECTED TREES)

DESCRIBE ALL ACTIVITIES PROPOSED (land disturbance & protected tree removal locations shown on site map) Clear lot of most trees, after Wetland determination for Bay C Wetlands Service. Clear & fill lot as existing. 5200 has a Mean High water table for Wetlands Service use & County.

NUMBER of PROTECTED TREES PROPOSED for REMOVAL Unknown, site cleared prior to authorization/permitted ??? FEES (office use only) $ 867

Land Disturbing: $216.75, Trees: ~~2 trees @ $165 + $25~~ each additional tree, Sand Placement: $55, Beach Mouse: $216.75

☑ APPROVED ☐ DENIED ~~Timothy R Day, Environmental Programs Manager~~ DATE 2-12-18

COMMENTS After-the-fact Land Disturbing Permit for 11-35-32-3000-000-001 (5200 Blk Pale Moon is generic address). All adequate erosion controls shall be installed, including along southwestern property line, sufficiently maintained in good working order until site is stabilized. MERS Provisions also apply for setbacks

Responsibility of Owner/Agent: ~~If necessary~~ the owner/applicant shall incorporate measures to prevent erosion, sedimentation and/or flooding which may result from land disturbance activities. Silt fences, temporary sediment traps, temporary holding ponds, stabilization of disturbed areas with grass may be required to control erosion, sedimentation and/or flooding. The undersigned is fully aware of these responsibilities and will comply with these requirements. ****The Owner/Agent shall have a copy of the approved permit on the job site at all times.****

Other permits may also be required, such as for the retaining wall, house, or other features.

The undersigned agrees to grant permission ~~for authorized~~ Escambia County personnel to conduct all necessary site inspections associated with this permit.

SIGNATURE OF OWNER/AGENT [signature] DATE 1/30/18

***A signed letter authorizing agent to act on the property owner's behalf will be required prior to processing.**

Disclaimer: Escambia County shall not be held responsible for any losses or damages in the event that activities covered under this permit negatively impact adjacent properties, waterbodies, watercourses, wetlands, environmentally sensitive lands, adjacent roadways or drainage systems, etc.

WETLAND SCIENCES
INCORPORATED

ENTERED ON: / /
BY:

April 24, 2017

Fred Thompson
Northwest Florida Land Surveying
7142 Belgium Circle
Pensacola, FL 32526

Re: Wetland Assessment Report
5200 Block Pale Moon Drive
WSI Project # 2017-282

Dear Mr. Thompson,

As requested, Wetland Sciences, Inc. has completed a flagged wetland determination on Lot 23 Block 2 Perdido Bay Country Club Estates located on ~~Block 5200~~ 5312 Pale Moon Drive in Pensacola, Florida. Escambia County Property Appraiser identifies the subject property with the following identification number #09-3S-32-1000-023-002. During this assessment, Wetland Sciences, Inc. did not identify any wetlands within the subject property that would fall within the regulatory jurisdiction of the US Army Corps of Engineers (Corps) under 33 CFR 320-330, the Florida Department of Environmental Protection under 62-340, Florida Administrative Code, or Escambia County per the land development code.

Please be advised, the information presented within this report represents the professional opinion of the scientist that performed the work and is intended to furnish the client with a rough approximation of the status of wetland resources on the site under consideration.

Finally, I have included a statement of our firm for services rendered and expenses incurred associated with this effort. If you find this statement in order, please place it in line for payment. If you have any questions, please do not hesitate to contact me or my partner, Craig Martin, at (850) 453-4700.

If you have any questions, please do not hesitate to me at (850) 453-4700.
Respectfully,

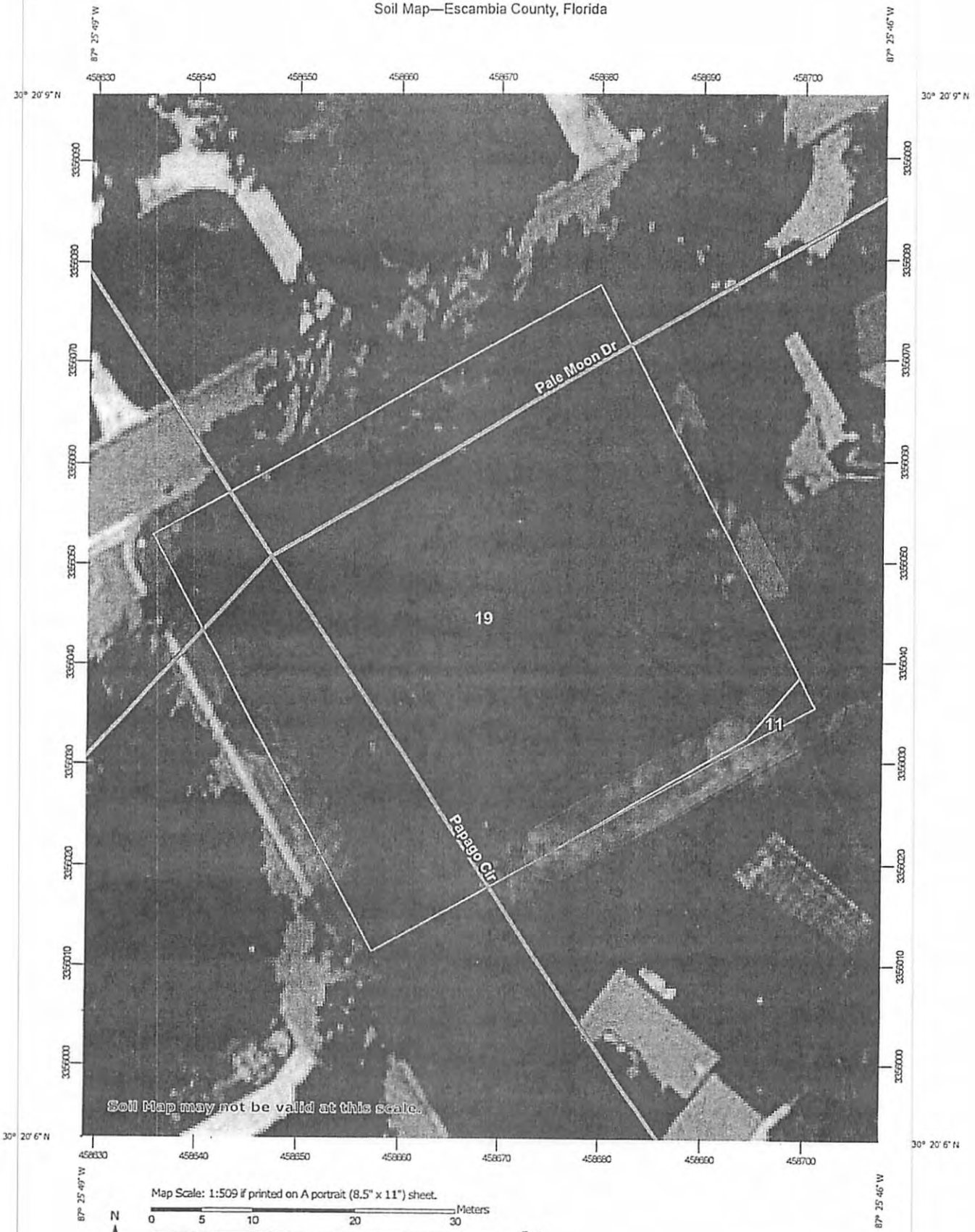
WETLAND SCIENCES, INC.

Craig Martin
Environmental Scientist

Enclosures: As indicated

3308 Gulf Beach Highway | Pensacola, Florida 32507 | 850.453.4700 | keith@wetlandsciences.com

Soil Map—Escambia County, Florida



Map Scale: 1:509 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 5 10 20 30

Feet: 0 20 40 80 120

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 16N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Escambia County, Florida
Survey Area Data: Version 14, Sep 23, 2016

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Data not available.

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Escambia County, Florida (FL033)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
11	Hurricane sand, 0 to 5 percent slopes	0.0	0.8%
19	Foxworth sand, 0 to 5 percent slopes	0.6	99.2%
Totals for Area of Interest		0.6	100.0%

1802404 PLM

AFFIDAVIT OF OWNERSHIP AND LIMITED POWER OF ATTORNEY

(Please print clearly)

As owner of the property located at 5203 Lake Moon Dr., Pensacola, Florida, property reference number(s) _____, I hereby designate (company) _____ (personal representative) Scott & Donna Mirabito for the sole purpose of completing this Escambia County Development Review or Permitting Application and to act on my behalf during the County's processing of the Development Review or Permitting Application on the above referenced property.

This Limited Power of Attorney is granted on this 8 day of February the year of 2018 and is effective until the County 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 Escambia County Development Services Department.

Signature of Property Owner	Date	Printed Name of Owner
	2/8/18	Donna Mirabito, Scott Mirabito

STATE of Texas

COUNTY of Brazoria

The forgoing instrument was acknowledged before me this 8 day of February, year of 2018 by Donna Mirabito & Scott Mirabito who ( ) did ( ) did not take an oath. He/she is ( ) personally known to me, ( ) produced current Florida/Other driver's license, and/or ( )produced current driver license as identification.

Signature of Notary Public	Date	Printed Name of Notary
	02/08/2018	Joshua Sultan

My Commission Expires	Commission No. (Notary seal must be affixed)
11/25/2018	130037477

JOSHUA SULTAN
Notary Public, State of Texas
Comm. Expires 11-25-2018
Notary ID 130037477

P. Bay - Mail Info Resources

ENTERED ON ___/___/___ BY

Subject: RE: MEAN HIGH WATER LINE SURVEY FILING REQUEST

From: Evers, Lamar (Lamar.Evers@dep.state.fl.us)

To: JAS@NWFLS.COM; rickfaciane50@yahoo.com; DMINDREBO@ATT.NET;

Date: Thursday, August 3, 2017 12:48 PM

Dear Jeff,

Attached is the Notice of Mean High Water Survey Filing for Project No. 21324.

Sincerely,

W. Lamar Evers, PSM

Professional Land Surveyor II

Bureau of Survey and Mapping

Ph. 850.245.2636

New Logo-2

From: JEFF SIMMONS [mailto:JAS@NWFLS.COM]
Sent: Thursday, August 03, 2017 1:20 PM
To: Evers, Lamar <Lamar.Evers@dep.state.fl.us>; rickfaciane50@yahoo.com; DMINDREBO@ATT.NET
Subject: MEAN HIGH WATER LINE SURVEY FILING REQUEST

SEE ATTACHED PDFS

JEFF SIMMONS

SURVEY TECHNICIAN

NORTHWEST FLORIDA LAND SURVEYING, INC

7142 BELGIUM CIRCLE

PENSACOLA, FL 32526

(850) 432 1052

FAX (850) 433 6049

JAS@NWFLS.COM

THE INFORMATION CONTAINED HEREIN MAY BE LEGALLY PRIVILEGED OR CONFIDENTIAL, AND IS INTENDED FOR THE NAMED RECIPIENT ONLY. ANY COPING, DISTRIBUTION OR DISSEMINATION OF THIS INFORMATION IS STRICTLY PROHIBITED. SHOULD YOU RECEIVE THIS MESSAGE IN ERROR, PLEASE NOTIFY THE SENDER IMMEDIATELY AND DELETE ALL COPIES OF THE EMAIL.

Attachments

- MHW6579 Notice of Filing.pdf (984.85KB)
- image001.jpg (7.09KB)

Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

Notice of Mean High Water Survey Filing

The Mean High Water Line Survey noted below has been filed in the Bureau of Survey and mapping public repository. Mean High Water Survey File Number: 6579

Survey Date: 8/2/2017

County: Escambia

Waterbody: Perdido Bay

Job Number: 21324

Project: Parcel described in O.R. Book 6756, Page 264

Section 11 Township 3S Range 32W

USGS 7.5 Minute Quad Map Name: Perdido Bay

Surveyor's Name: Fred R. Thompson PSM No. 3027

Business Name: Northwest Florida Land Surveying, Inc.

Address: 7142 Belgium Circle

Pensacola, FL 32526

Tel.: 850.432.1052

Email: jas@nwfls.com

W. Lamar Evers Digitally signed by W. Lamar Evers Date: 2017.08.03 13:45:31 -04'00'

For the Bureau of Survey and Mapping

8/3/2017

Date

Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

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W. Lamar Evers Digitally signed by W. Lamar Evers Date: 2017.08.03 13:45:31 -04'00'

For the Bureau of Survey and Mapping

8/3/2017

Date

Jerry's JMA

From: Rick Faciane <rickfaciane50@yahoo.com>
Sent: Wednesday, March 14, 2018 7:10 AM
To: Jerry McGuire; FRED THOMPSON
Subject: Fw: 5312 Pale Moon

Jerry ---confirm you recd this from yesterday...This owner ids: Scott & Donna Mindrebo -good folks they will need your help to wade thru the countys storm water review process now being requested. All this comes from a angry lot owner next door . I asked Rusty to send you the MEAN high water survey ,tree survey ,boundary survev and other docs related to what has been given to Escambia County to date....Id like to meet with you at Rusty asap and have Donna there as well...Im going to suggest she also engage Lisa Minschew as well if needed if you run into too many road blocks....with this owner from now on.
Call me when you get a moment, I know your busy aren't we all....

Rick Faciane
Classic Homes of Pensacola, LLC.
Office: 850-944-6805
Cell: 850-698-5186
Fax: 850-944-2261

- Wetland Surveyor (copy of file)
- Northwest Florida Water Management District (NWFWMD) for Permit
+ Revise plan on lot
- Geotech (print #)
- Landscape wall (~3')

----- Forwarded Message -----
From: Horace L Jones <HLJONES@myescambia.com>
To: '"rickfaciane50@yahoo.com"' <rickfaciane50@yahoo.com>
Cc: Terry D Williams <TDWILLIA@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Timothy R. Day <TRDAY@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>
Sent: Tuesday, March 13, 2018 3:48 PM
Subject: FW: 5312 Pale Moon

Rick,

Please see the e-mail below on the LDc requirement for a stormwater management plan submittal. This is the current regulation as of 3/13/18.

Respectfully.

From: Roza I. Sestnov
Sent: Tuesday, March 13, 2018 2:59 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: 5312 Pale Moon

Horace,

Here is the Section of LDC with applicable language:

Sec. 5-4.2 Stormwater impact review.

(a) Approval required. No land use or development activity may alter or disrupt existing stormwater runoff patterns or conditions without prior county review and approval for compliance with the standards of this article unless the use or activity is specifically identified in the LDC as exempt from these standards. Uses or activities that may alter or disrupt existing stormwater runoff sufficiently to require a stormwater management plan include the following:

(1) Land disturbance. Grading, digging, cutting, scraping, or excavating of soil; placement of fill materials; substantial removal of vegetation; the drainage of land; and any other forms of land disturbance that would significantly change stormwater runoff.

(2) Lot coverage. Construction of a structure or the non-*de minimis* alteration of the size of one or more structures; placement of aggregate and paving; and other constructed changes in the proportions of pervious, impervious, and semi-impervious lot coverage.

(3) Alterations. Alteration of the shoreline or bank of any watercourse or surface waterbody; or alteration of any ditches, dikes, terraces, berms, swales, piping, inlets, ponds, or other natural or manmade elements affecting the control or management of stormwater.

(4) Subdivision. The subdivision of land, including the replatting of a recorded subdivision.

Please let me know if you need any additional info.

Thank you.

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

P Please consider the environment before printing this e-mail. Think Green.

Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.

Jerry's JMA

From: Rick Faciane <rickfaciane50@yahoo.com>
Sent: Wednesday, March 14, 2018 7:16 AM
To: Jerry McGuire; FRED THOMPSON
Subject: Fw: 5312 Palemoon Drive #11-3S-32-3000-000-001

Rick Faciane
Classic Homes of Pensacola, LLC.
Office: 850-944-6805
Cell: 850-698-5186
Fax: 850-944-2261

----- Forwarded Message -----
From: Horace L Jones <HLJONES@myescambia.com>
To: '"rickfaciane50@yahoo.com"' <rickfaciane50@yahoo.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Chips Kirschenfeld <JTKIRSCHE@myescambia.com>; Jack R. Brown <jrbrown@myescambia.com>; Angela D. Crawley <adcrawle@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Dianne C. Simpson <dcsimpso@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>; Karla N Moreno <KNMORENO@myescambia.com>
Sent: Tuesday, March 13, 2018 2:17 PM
Subject: 5312 Palemoon Drive #11-3S-32-3000-000-001

Good Afternoon, Rick

It is my understanding, from a phone call discussion that you had with Mrs. Roza this morning on 3/13/13, that you will be submitting a detailed Stormwater Plan for the referenced lot for the construction of a single-family dwelling on the lot in question. Please note that a stormwater management plan must be submitted to the Development Services Department for review **within two-weeks from this notification**. If the stormwater management plan is not received during the time as specified, the County will revoke the Land Disturbance permit and Code Enforcement will schedule this property to be heard at the next available Special Magistrate date to address any outstanding code issues.

The submitted building plans and *all the supporting documents* and/or plans {including the stormwater management plan) must be reviewed and approved prior to the issuance of any building permits or any other land use development and/or activities on the lot in question.

If you have any questions, please do not hesitate call me or e-mail me

This e-mail is to serve as notification. Please reply with an acknowledgement that you received this e-mail. Failure to acknowledge receipt does not nullify this notification.

Respectfully submitted.

Horace Jones
Department Director
Development Services Department
33363 West Park Place, *Pensacola, FL*
850-595-3625 or 554-8210
hljones@myescambia.com

Horace Jones
Department Director
Development Services Department
33363 West Park Place, *Pensacola, FL*
850-595-3625 or 554-8210
hljones@myescambia.com

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Donna Mindebro
713-436-9150 home
713-882-7773 cell
email: dmindebro@att.net
2927 Covebrook Drive
Pearland, TX 77584

1802404 PL/B

Chris Jones
Escambia County Property Appraiser

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

Back

Navigate Mode ◉ Account ○ Reference

Printer Friendly Version

General Information

Reference:	113S323000000001
Account:	103229000
Owners:	MINDREBO SCOTT J & MINDREBO DONNA JEAN
Mail:	2927 COVEBROOK DR PEARLAND, TX 77584
Situs:	5200 BLK PALE MOON DR 32507
Use Code:	VACANT RESIDENTIAL
Taxing Authority:	COUNTY MSTU
Schools (Elem/Int/High):	HELLEN CARO/BAILEY/ESCAMBIA
Tax Inquiry:	Open Tax Inquiry Window

Tax Inquiry link courtesy of Scott Lunsford
Escambia County Tax Collector

Assessments

Year	Land	Imprv	Total	Cap Val
2017	$144,000	$0	$144,000	$144,000
2016	$144,000	$0	$144,000	$144,000
2015	$144,000	$0	$144,000	$144,000

Disclaimer

Amendment 1/Portability Calculations

File for New Homestead Exemption Online

Sales Data

Sale Date	Book	Page	Value	Type	Official Records (New Window)
08/18/2011	6756	264	$159,900	WD	View Instr
09/2001	4777	1502	$198,000	WD	View Instr
05/1999	4427	222	$151,000	WD	View Instr
11/1997	4192	1864	$165,000	WD	View Instr
01/1969	422	406	$100	WD	View Instr

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

2017 Certified Roll Exemptions

None

Legal Description

BEG AT SOUTHERNMOST COR OF LT 1 BLK 3 PERDIDO BAY COUNTRY CLUB EST #4 PB 6 P 75 S 35 DEG 16 MIN 30 SEC W 1440 FT N...

Extra Features

None

Parcel Information

Launch Interactive Map

Section Map Id: 10-3S-32

Approx. Acreage: 0.7287

Zoned: LDR

Evacuation & Flood Information Open Report

View Florida Department of Environmental Protection(DEP) Data

Buildings

Images

U.S. DEPARTMENT OF HOMELAND SECURITY
Federal Emergency Management Agency
National Flood Insurance Program

OMB No. 1660-0008
Expiration Date: November 30, 2018

ELEVATION CERTIFICATE

Important: Follow the instructions on pages 1–9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A – PROPERTY INFORMATION		FOR INSURANCE COMPANY USE
A1. Building Owner's Name DONNA AND SCOTT MINDREBO		Policy Number:
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 5312 PALE MOON DRIVE		Company NAIC Number:
City PENSACOLA	State Florida	ZIP Code 32507

A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.)
113S323000000001

A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) RESIDENTIAL

A5. Latitude/Longitude: Lat. 30°19'45.5" Long. 87°26'11.2" Horizontal Datum: ☐ NAD 1927 ☒ NAD 1983

A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.

A7. Building Diagram Number 1

A8. For a building with a crawlspace or enclosure(s):

a) Square footage of crawlspace or enclosure(s) 0 sq ft

b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade 0

c) Total net area of flood openings in A8.b 0 sq in

d) Engineered flood openings? ☐ Yes ☒ No

A9. For a building with an attached garage:

a) Square footage of attached garage 0 sq ft

b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade 0

c) Total net area of flood openings in A9.b 0 sq in

d) Engineered flood openings? ☐ Yes ☒ No

SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP Community Name & Community Number	B2. County Name	B3. State
ESCAMBIA COUNTY 120080	ESCAMBIA	Florida

B4. Map/Panel Number	B5. Suffix	B6. FIRM Index Date	B7. FIRM Panel Effective/ Revised Date	B8. Flood Zone(s)	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth)
12033C 0508	G	09/29/2006	09/29/2006	AE	4 FEET

B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9:
☐ FIS Profile ☒ FIRM ☐ Community Determined ☐ Other/Source: _____

B11. Indicate elevation datum used for BFE in Item B9: ☐ NGVD 1929 ☒ NAVD 1988 ☐ Other/Source: _____

B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? ☐ Yes ☒ No
Designation Date: _____ ☐ CBRS ☐ OPA

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expiration Date: November 30, 2018

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 5312 PALE MOON DRIVE			Policy Number:
City PENSACOLA	State Florida	ZIP Code 32507	Company NAIC Number

SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: ☒ Construction Drawings* ☐ Building Under Construction* ☐ Finished Construction

*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO. Complete Items C2.a–h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: ESC 4075 Vertical Datum: NAVD88

Indicate elevation datum used for the elevations in items a) through h) below.

☐ NGVD 1929 ☒ NAVD 1988 ☐ Other/Source: _____

Datum used for building elevations must be the same as that used for the BFE.

		Check the measurement used.
a) Top of bottom floor (including basement, crawlspace, or enclosure floor)	7.5	☒ feet ☐ meters
b) Top of the next higher floor	N/A	☒ feet ☐ meters
c) Bottom of the lowest horizontal structural member (V Zones only)	N/A	☒ feet ☐ meters
d) Attached garage (top of slab)	N/A	☒ feet ☐ meters
e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments)	7.5	☒ feet ☐ meters
f) Lowest adjacent (finished) grade next to building (LAG)	3.85	☒ feet ☐ meters
g) Highest adjacent (finished) grade next to building (HAG)	5.13	☒ feet ☐ meters
h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support	3.85	☒ feet ☐ meters

SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. *I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.*

Were latitude and longitude in Section A provided by a licensed land surveyor? ☒ Yes ☐ No ☒ Check here if attachments.

Certifier's Name	License Number	
FRED R. THOMPSON	3027	
Title PRESIDENT		
Company Name NORTHWEST FLORIDA LAND SURVEYING, INC.		
Address 7142 BELGIUM CIRCLE		
City PENSACOLA	State Florida	ZIP Code 32526
Signature Fred R Thompson	Date 03/14/2018	Telephone (850) 432-1052

Place Seal Here

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including type of equipment and location, per C2(e), if applicable)

THIS SURVEYOR ONLY CERTIFIES TO SECTIONS C AND D, AND OR SECTION PERTAINING TO SURVEYING MATTERS ONLY. SECTIONS A AND B ARE NOT INCLUDED. THE ELEVATIONS SHOWN HEREON ARE REFERENCED TO NORTH AMERICAN VERTICAL DATUM OF 1988 FROM ESCAMBIA COUNTY GEODETIC CONTROL POINT ESC 4075. THE ELEVATION SHOWN IN SECTION C2e REFERS TO TOP OF A/C PAD. PROJECT # 21324

Karla N Moreno

From: Horace L Jones
Sent: Wednesday, March 28, 2018 10:29 AM
To: 'franogdenrd@gmail.com'
Cc: Timothy R. Day; Andrew D. Holmer; Roza I. Sestnov; Terry D Williams; Juan C. Lemos
Subject: FW: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001
Attachments: Pale Moon Dr Stormwater Management Permit

Tracking:

Recipient	Delivery	Read
'franogdenrd@gmail.com'		
Timothy R. Day	Delivered: 3/28/2018 10:30 AM	Read: 3/28/2018 10:34 AM
Andrew D. Holmer	Delivered: 3/28/2018 10:30 AM	
Roza I. Sestnov	Delivered: 3/28/2018 10:30 AM	Read: 3/28/2018 10:49 AM
Terry D Williams	Delivered: 3/28/2018 10:30 AM	
Juan C. Lemos	Delivered: 3/28/2018 10:30 AM	Read: 3/28/2018 11:29 AM

Mrs. Fran,

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Respectfully,

Horace Jones
Department Director
Development Services Department
33363 West Park Place, *Pensacola, FL*
850-595-3625 or 554-8210
hljones@myescambia.com

From: Fran Ogden [mailto:franogdenrd@gmail.com]
Sent: Tuesday, March 27, 2018 5:26 PM
To: Horace L Jones <HLJONES@myescambia.com>; Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>
Subject: Re: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

Dear Mr Jones et al

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I maintain that they brought more than 1800 cubic yards of dirt,

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I maintain that Brad Banes should have demanded clarification on boundries since it was clearly stated on the submitted documents that there was a discrepancy.

I maintain that there is still not a viable floodwater plan and the 2-week extension has passed.

I do not believe that this grading plan is sufficient proof that stormwater will not be diverted to my property. Spring is here. Time is of the essence to insist that the Mindrebo's do not continue to jepordize my home with their stormwater.

They have had more than enough time to fix the situation but Scott Mindrebo has stated that he does not care about neighboring property. It seems that they have tried to razzle-dazzle their way out of a real stormwater plan because they cannot remove the stormwater because of the massive amount of ground that is planned to be covered

Additionally, Mr. Jones has forwarded this to me but I beleive he is aware that it is incomplete, so the requirement to submit a plan by today has been NOT been met.

The retroactive LDC permit granted by Brad Banes on the owner's agent's word, without verification of facts, is long past time be to revoked.

I continue to be injured and I do hope that the code enforcement will begin immediately.

Sincerely,
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On Tue, Mar 27, 2018 at 4:08 PM, Horace L Jones <HLJONES@myescambia.com> wrote:

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For information, another issue has been raised by Mrs Fran regarding an alleged discrepancy with markers. Please see attached e-mail on new issue raised on the survey markers.

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The submitted building plans and *all the supporting documents* and/or plans {including the stormwater management plan) must be reviewed and approved prior to the issuance of any building permits or any other land use development and/or activities on the lot in question.

If you have any questions, please do not hesitate call me or e-mail me

This e-mail is to serve as notification. Please reply with an acknowledgement that you received this e-mail. Failure to acknowledge receipt does not nullify this notification.

Respectfully submitted.

Horace Jones

Department Director

Development Services Department

33363 West Park Place, *Pensacola, FL*

850-595-3625 or 554-8210

hljones@myescambia.com

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From: "Christina L. Smith" <clsmith1@myescambia.com>
To: Horace L Jones <HLJONES@myescambia.com>
Cc:
Bcc:
Date: Tue, 27 Mar 2018 18:51:46 +0000
Subject: Pale Moon

All documents are in mypermitnow.

Christina Smith

Development Review Coordinator

Development Services Department

3363 West Park Place, Pensacola, FL 32505
(850) 595-3472

--

Fran Ogden
850-737-3436

Karla N Moreno

From: Horace L Jones
Sent: Wednesday, March 28, 2018 12:00 PM
To: Roza I. Sestnov
Subject: FW: FW: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

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Sent: Wednesday, March 28, 2018 11:51 AM
To: Horace L Jones <HLJONES@myescambia.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Jack R. Brown <jrbrown@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>
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Do you realize that the reason they put all that unpermitted dirt which devalued my home on the lot just because it was cheaper than building on pilings? They told me that before they even brought it in. Please note that my neighbor in Pale Moon Estates was forced to build on pilings. STORMWATER IS AN ISSUE HERE. Just reminding all involved that the stormwater removal in place by the county runs through my lot on 5334 Pale Moon which does not have an easement. I emphatically do not want their water draining through my lot. Divert it elsewhere.

On Wed, Mar 28, 2018 at 11:37 AM, Fran Ogden <franogdenrd@gmail.com> wrote:

> I am not an engineer but a four foot wide 7-inch deep ditch is not going to be enough to catch their stormwater. They will not be able to use the 1 foot of my property to divert their stormwater.
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> How do I get the favor curried on the irreverent Mindrebo's?They are laughing at what they think they can get away with. The problem is they should have been forced to remove the unpermitted dirt, submit a plan that was not full of misrepresentation and protect adjacent properties on the front end. But the Feb 12 permit that Mr. Banes gave with the minimum documentation changed all that, Revoke that and serve the existing improved properties which the

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Department Director

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To: Horace L Jones <HLJONES@myescambia.com>
Cc:
Bcc:
Date: Tue, 27 Mar 2018 18:51:46 +0000
Subject: Pale Moon

All documents are in mypermitnow.

Christina Smith

Development Review Coordinator

Development Services Department

3363 West Park Place, Pensacola, FL 32505
(850) 595-3472

--

Fran Ogden
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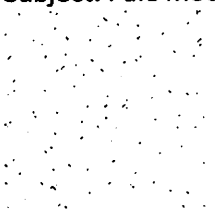
From: Denise Halstead <DHALSTEA@myescambia.com>
To: Horace L Jones <HLJONES@myescambia.com>
Cc:
Bcc:

Date: Wed, 28 Mar 2018 13:47:47 +0000
Subject: Pale Moon Dr Stormwater Management Permit



Thanks,

Denise Halstead

Administrative Supervisor

Development Services Department

3363 West Park Place

Pensacola, FL 32505

Phone: 850.595.3442

--
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Sent: Tuesday, March 27, 2018 5:26 PM

To: Horace L Jones <HLJONES@myescambia.com>; Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>
Subject: Re: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

Dear Mr Jones et al

Again I bring it to your attention that the survey they are using has discrepancies in it (see survey general info. box). The Mindrebos have ignored this just like they ignored the requirements that would allow them to bring MORE than 1800 cubic. yds of dirt. Our shared lot line is one foot overstated in their survey. This discrepancy exists along the entire length of the lot. I do not give the Mindrebo's permission to impose on my lot. This discrepancy is clearly noted in the originally submitted survey for the LDC permit that Brad Banes gave on Feb 2, without any stormwater plan (which I maintain should be revoked).

I maintain that they brought more than 1800 cubic yards of dirt,

I maintain that the status of the wetlands (albeit poor) was hidden due to the unauthorized clearing and filling of the lot.

I maintain that Brad Banes should have demanded clarification on boundries since it was clearly stated on the submitted documents that there was a discrepancy.

I maintain that there is still not a viable floodwater plan and the 2-week extension has passed.

I do not believe that this grading plan is sufficient proof that stormwater will not be diverted to my property. Spring is here. Time is of the essence to insist that the Mindrebo's do not continue to jepordize my home with their stormwater.

They have had more than enough time to fix the situation but Scott Mindrebo has stated that he does not care about neighboring property. It seems that they have tried to razzle-dazzle their way out of a real stormwater plan because they cannot remove the stormwater because of the massive amount of ground that is planned to be covered

Additionally, Mr. Jones has forwarded this to me but I beleive he is aware that it is incomplete, so the requirement to submit a plan by today has been NOT been met.

The retroactive LDC permit granted by Brad Banes on the owner's agent's word, without verification of facts, is long past time be to revoked.

I continue to be injured and I do hope that the code enforcement will begin immediately.

Sincerely,

Fran Ogden

On Tue, Mar 27, 2018 at 4:08 PM, Horace L Jones <HLJONES@myescambia.com> wrote:

Mrs. Ogden,

Here is a copy of the stormwater management plan /lot grading plan as requested today. Please understand that additional documents that may be needed once Mrs. Roza, our EOR, initiated the review.

horace

From: Horace L Jones
Sent: Tuesday, March 27, 2018 2:32 PM
To: Timothy R. Day <TRDAY@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Terry D Williams <TDWILLIA@myescambia.com>; Juan C. Lemos <JCLEMOS@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>
Cc: Jack R. Brown <jrbrown@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Meredith D. Crawford <mdcrawford@myescambia.com>
Subject: Re: 5312 Palemoon Drive #11-3S-32-3000-000-001

I should have said that a lot grading plan was submitted. For clarification, the lot grading plan is part of a storm water management plan; but additional documents may be needed once the review initiated.

Sent from my iPhone

On Mar 27, 2018, at 2:18 PM, Horace L Jones <HLJONES@myescambia.com> wrote:

> Tim and All,
>
> The required Stormwater Mangement Plans for the referenced parcel have been submitted per the timeframe as indicated below. The plans were submitted to our office on 3/26/18.
> **By the way, staff have not performed the necessary reviews, which will include a detailed review of the necessary documents as well, as of March 27th 2018.**
>
> For information, another issue has been raised by Mrs Fran regarding an alleged discrepancy with markers. Please see attached e-mail on new issue raised on the survey markers.

From: Horace L Jones
Sent: Tuesday, March 27, 2018 2:09 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

From: Horace L Jones
Sent: Tuesday, March 13, 2018 3:42 PM
To: Jack R. Brown <jrbrown@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Angela D. Crawley <adcrawle@myescambia.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Chips Kirschenfeld <JTKIRSCHE@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>
Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

FYI

From: Horace L Jones
Sent: Tuesday, March 13, 2018 3:38 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

To All:

FYI

I did received a phone call from Mr Faciane today. Briefly, he stated that he will be communicating with his attorney Lisa Minshew.

Additionally, please see attached e-mail referencing the LDC requirement. It appears that the LDC is quite clear on what is required.

From: Horace L Jones
Sent: Tuesday, March 13, 2018 2:17 PM
To: 'rickfaciane50@yahoo.com' <rickfaciane50@yahoo.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Chips Kirschenfeld <JTKIRSCHE@myescambia.com>; Jack R. Brown <jrbrown@myescambia.com>; Angela D. Crawley <adcrawle@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Dianne C. Simpson <dcsimpso@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>; Karla N Moreno <KNMORENO@myescambia.com>
Subject: 5312 Palemoon Drive #11-3S-32-3000-000-001

Good Afternoon, Rick

It is my understanding, from a phone call discussion that you had with Mrs. Roza this morning on 3/13/13, that you will be submitting a detailed Stormwater Plan for the referenced lot for the construction of a single-family dwelling on the lot in question. Please note that a stormwater management plan must be submitted to the Development Services Department for review **within two-weeks from this notification**. If the stormwater management plan is not received during the time as specified, the County will revoke the Land Disturbance permit and Code Enforcement will schedule this property to be heard at the next available Special Magistrate date to address any outstanding code issues.

The submitted building plans and *all the supporting documents* and/or plans {including the stormwater management plan) must be reviewed and approved prior to the issuance of any building permits or any other land use development and/or activities on the lot in question.

If you have any questions, please do not hesitate call me or e-mail me

This e-mail is to serve as notification. Please reply with an acknowledgement that you received this e-mail. Failure to acknowledge receipt does not nullify this notification.

Respectfully submitted.

Horace Jones

Department Director

Development Services Department

33363 West Park Place, *Pensacola, FL*

850-595-3625 or 554-8210

hljones@myescambia.com

Horace Jones

Department Director

Development Services Department

33363 West Park Place, *Pensacola, FL*

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<mime-attachment>

<mime-attachment>

Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.

---------- Forwarded message ----------
From: "Christina L. Smith" <clsmith1@myescambia.com>

To: Horace L Jones <HLJONES@myescambia.com>
Cc:
Bcc:
Date: Tue, 27 Mar 2018 18:51:46 +0000
Subject: Pale Moon

All documents are in mypermitnow.

Christina Smith

Development Review Coordinator

Development Services Department

3363 West Park Place, Pensacola, FL 32505
(850) 595-3472

--

Fran Ogden
850-737-3436

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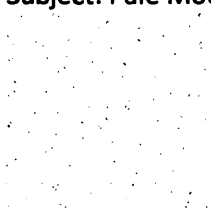
---------- Forwarded message ----------
From: Denise Halstead <DHALSTEA@myescambia.com>
To: Horace L Jones <HLJONES@myescambia.com>
Cc:
Bcc:
Date: Wed, 28 Mar 2018 13:47:47 +0000
Subject: Pale Moon Dr Stormwater Management Permit



Thanks,

Denise Halstead

Administrative Supervisor

Development Services Department

3363 West Park Place

Pensacola, FL 32505

Phone: 850.595.3442

--

Fran Ogden
850-737-3436

Karla N Moreno

From: Horace L Jones
Sent: Wednesday, March 28, 2018 2:41 PM
To: Terry D Williams; Andrew D. Holmer; Bradley D Bane
Cc: franogdenrd@gmail.com; Jerry's JMA; Andrew D. Holmer; Roza I. Sestnov; Terry D Williams; Juan C. Lemos
Subject: Re: 5312 Palemoon Drive #11-3S-32-3000-000-001

Please reach out to Fred or Jerry to get the information. I will be off the rest of the week.

Sent from my iPhone

On Mar 28, 2018, at 2:29 PM, Timothy R. Day <TRDAY@myescambia.com> wrote:

> Horace:
>
> The wetland determination letter that is included in the package for dated 24 April 2017 from Wetland Sciences to Fred Thompson is not for the subject site based on the property reference number and attachments within the wetland determination. Please request the applicant to provide the referenced document.
>
> Best Regards,
>
> Tim
>
> Timothy Day
> Senior Manager
> Natural Resources Management Department
> Escambia County Board of County Commissioiners
> 221 Palafox Place
> Pensacola, FL 32502
>
> trday@myescambia.com
> (850) 595-1144 (w)
> (850) 554-3073 (c)

From: Horace L Jones
Sent: Wednesday, March 28, 2018 10:29 AM
To: 'franogdenrd@gmail.com' <franogdenrd@gmail.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>; Terry D Williams <TDWILLIA@myescambia.com>; Juan C. Lemos <JCLEMOS@myescambia.com>
Subject: FW: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

Mrs. Fran,

For your information, here the remaining documents that are applicable to the Storm water review for a single-family home and ***that were submitted prior to the deadline***. ***Just to reiterate again,*** *there could be additional information/documents that may be needed from Mrs. Roza, our Engineer and other staff members that are essential for the site plan review process.* We allow our staff as the subject matter experts and based upon the applicable requirements of the Land Development Code and other pertinent regulations to determine if additional information/documents are needed. We will definitely request the needed information/documents as we continue the review process.

Respectfully,

Horace Jones
Department Director
Development Services Department
33363 West Park Place, *Pensacola, FL*
850-595-3625 or 554-8210
hljones@myescambia.com

From: Fran Ogden [mailto:franogdenrd@gmail.com]
Sent: Tuesday, March 27, 2018 5:26 PM
To: Horace L Jones <HLJONES@myescambia.com>; Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>
Subject: Re: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

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> horace
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> **Sent:** Tuesday, March 27, 2018 2:32 PM
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> **Subject:** Re: 5312 Palemoon Drive #11-3S-32-3000-000-001
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Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

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Cc: Timothy R. Day <TRDAY@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Chips Kirschenfeld <JTKIRSCHE@myescambia.com>; Jack R. Brown <jrbrown@myescambia.com>; Angela D. Crawley <adcrawle@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Dianne C. Simpson <dcsimpso@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>; Karla N Moreno <KNMORENO@myescambia.com>
Subject: 5312 Palemoon Drive #11-3S-32-3000-000-001

Good Afternoon, Rick

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If you have any questions, please do not hesitate call me or e-mail me

This e-mail is to serve as notification. Please reply with an acknowledgement that you received this e-mail. Failure to acknowledge receipt does not nullify this notification.

Respectfully submitted.

Horace Jones

Department Director

Development Services Department

33363 West Park Place, *Pensacola, FL*

850-595-3625 or 554-8210

hljones@myescambia.com

Horace Jones

Department Director

Development Services Department

33363 West Park Place, *Pensacola, FL*

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hljones@myescambia.com

<mime-attachment>

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---------- Forwarded message ----------
From: "Christina L. Smith" <clsmith1@myescambia.com>
To: Horace L Jones <HLJONES@myescambia.com>
Cc:
Bcc:
Date: Tue, 27 Mar 2018 18:51:46 +0000
Subject: Pale Moon

All documents are in mypermitnow.

Christina Smith

Development Review Coordinator

Development Services Department

3363 West Park Place, Pensacola, FL 32505
(850) 595-3472

--
Fran Ogden
850-737-3436

Karla N Moreno

From: Horace L Jones
Sent: Thursday, March 29, 2018 1:55 PM
To: Roza I. Sestnov
Subject: Fwd: PLANNERS

Please give Rick a copy of the comments for palemoon

Sent from my iPhone

Begin forwarded message:

> **From:** Betty Trawick <WBTRAWICK@myescambia.com>
> **Date:** March 29, 2018 at 2:18:44 PM EDT
> **To:** "Caleb G. MacCartee" <cgmaccartee@myescambia.com>, "Kim L. Wilson" <klwilson@myescambia.com>, Barbara Winns <BAWINNS@myescambia.com>
> **Cc:** Horace L Jones <HLJONES@myescambia.com>, Karla N Moreno <KNMORENO@myescambia.com>, Terry D Williams <TDWILLIA@myescambia.com>
> **Subject: PLANNERS**
>
> Rick from Classic Homes is going to P&Z.

Karla N Moreno

From: Horace L Jones
Sent: Monday, April 02, 2018 12:54 PM
To: Terry D Williams
Cc: Roza I. Sestnov; Andrew D. Holmer
Subject: FW: Mindrebo 5312 Pale Moon Drive; WSI #2017-687
Attachments: March 29 2018 letter to Brad Bane.pdf

Terry

Please put this with the plans that are yet under review. As we discussed earlier, do not grant land use approval until Roza has completed her stormwater review for compliance with all the pertinent regulations.

Lastly in speaking with Rick today, he told me that he will be submitted his site plan with from signed and sealed survey in order to address the 1' ft overlap issue with the adjoining properties. I believe that Roza is requiring a survey to help address this issue as well.

From: Bradley D Bane
Sent: Monday, April 02, 2018 10:06 AM
To: Keith Johnson <keith@wetlandsciences.com>; Timothy R. Day <TRDAY@myescambia.com>
Cc: 'FRED THOMPSON' <FRT@NWFLS.COM>; jerry@mcguire-assoc.com; dmindrebo@att.net; 'Craig Martin' <craig@wetlandsciences.com>; Horace L Jones <HLJONES@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>
Subject: Re: Mindrebo 5312 Pale Moon Drive; WSI #2017-687

Keith,

Thank you for providing a thorough report for 5312 Pale Moon Dr. noting Wetlands were not identified onsite. We will put this with the project file for any future review or discussion.

Regards,

Brad

Bradley D. Bane, Environmental Analyst
Escambia County Development Services Department
Environmental Services- Review, DRC & Permitting
3363 West Park Place
Pensacola, FL 32505
(850) 595-4572 Office
(850) 595-3557 Fax
bdbane@co.escambia.fl.us

Please consider the Environment before printing this e-mail. Reduce, reuse, recycle. Think Green.

From: Keith Johnson <keith@wetlandsciences.com>
Sent: Thursday, March 29, 2018 5:42 PM
To: Bradley D Bane; Timothy R. Day
Cc: 'FRED THOMPSON'; jerry@mcguire-assoc.com; dmindrebo@att.net; 'Craig Martin'
Subject: Mindrebo 5312 Pale Moon Drive; WSI #2017-687

Brad & Tim,

Please see attached letter regarding the above referenced property. Please feel free to call if any questions should arise.

Thanks,

Keith Johnson
Wetland Sciences, Inc.
3308 Gulf Beach Hwy
Pensacola, FL 32507
Tel: 850.453.4700

Virus-free. www.avast.com

Karla N Moreno

From: Fran Ogden <franogdenrd@gmail.com>
Sent: Monday, April 02, 2018 7:44 PM
To: Horace L Jones
Subject: Re: FW: 5312 Plane Moon Drive Stormwater Permit

Mr. Jones,

I hope you had a nice Easter holiday. Thank-you for the update.

I do not see the attachment with the comments from Ms. Roza. Could you please provide them?

Thank-you,
Fran Ogden

On Mon, Apr 2, 2018 at 12:21 PM, Horace L Jones <HLJONES@myescambia.com> wrote:

Good Afternoon,

Please see the update on the issue yet at hand.

1. Stromwater plans were submitted
2. County staff reviewed and responded with comments on the set of submitted documents via e-mail on 3/29/18. Comments were e-mailed to the Jerry the EOR.
3. County offices were on 3/30/18.
4. E-mail was sent to the contractor as well the EOR establishing a two-week timeframe. Please see below.

From: Horace L Jones
Sent: Monday, April 02, 2018 12:11 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: FW: 5312 Plane Moon Drive Stormwater Permit

From: Horace L Jones
Sent: Monday, April 02, 2018 12:06 PM
To: 'rickfaciane50@yahoo.com' <rickfaciane50@yahoo.com>; 'Jerry's JMA' <jerry@mcguire-assoc.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Terry D Williams <TDWILLIA@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Tim Tolbert

<JTTOLBERT@myescambia.com>; Meredith D. Crawford <mdcrawford@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>; Debbie Kenney <DSKENNEY@myescambia.com>
Subject: FW: 5312 Plane Moon Drive Stormwater Permit

Good Afternoon, Rick

In the e-mail(s) below, it shows that comments were sent to Jerry **on 3/29/18**, the Engineer of Record (EOR) for the proposed single-family, on the stormwater review plans that were submitted to the County for review. So that we can continue to move forward with the required review process, please respond ***and address all the comments in accordance with the all the applicable regulations within two-weeks from the March 29th e-mail that was previously sent to Jerry***.

If the stormwater management plan review comments have not been **received, addressed ,and approved as compliant with all the applicable regulations** as specified within designated timeframe as highlighted in red above, the County will revoke the Land Disturbance permit and Code Enforcement will schedule this property to be heard at the next available Special Magistrate date to address any outstanding code issues.

Please note that the submitted building plans and *all the supporting documents* and/or plans {including the stormwater management plan) must be reviewed and approved prior to the issuance of any building permits or any other land use development and/or activities on the lot in question.

If you have any questions, please do not hesitate to call me or e-mail me. Additionally, it is my understanding that set of the comments have been forwarded to you as well. If not please let us know immediately.

This e-mail is to serve as notification. Please reply with an acknowledgement that you received this e-mail. Failure to acknowledge receipt does not nullify this notification.

Respectfully submitted.

Horace Jones

Department Director

Development Services Department

33363 West Park Place, *Pensacola, FL*

850-595-3625 or 554-8210

hljones@myescambia.com

From: Jerry's JMA [mailto:jerry@mcguire-assoc.com]
Sent: Thursday, March 29, 2018 4:58 PM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: RE: 5312 Plane Moon Drive Stormwater Permit

Roza,

Been out all day. I'll get on these and I will forward to Rick Faciane.

Jerry

From: Roza I. Sestnov [mailto:risestnov@myescambia.com]
Sent: Thursday, March 29, 2018 12:04 PM
To: Jerry's JMA
Cc: Horace L Jones; Andrew D. Holmer; Christina L. Smith
Subject: 5312 Plane Moon Drive Stormwater Permit

Jerry,

Please find attached stormwater comments for the referenced stormwater management permit/application. Please let me know if you have any questions.

Regards,

Roza Sestnov

Engineer

Development Review Division

Development Services Department

Phone (850) 595-3411

Fax (850) 595-3703

P Please consider the environment before printing this e-mail. Think Green.

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From: Bradley D Bane <BDBANE@myescambia.com>
To: Keith Johnson <keith@wetlandsciences.com>, "Timothy R. Day" <TRDAY@myescambia.com>
Cc: "'FRED THOMPSON'" <FRT@nwfls.com>, "jerry@mcguire-assoc.com" <jerry@mcguire-assoc.com>, "dmindrebo@att.net" <dmindrebo@att.net>, "'Craig Martin'" <craig@wetlandsciences.com>, Horace L Jones <HLJONES@myescambia.com>, "Andrew D. Holmer" <ADHOLMER@myescambia.com>
Bcc:
Date: Mon, 2 Apr 2018 15:06:05 +0000
Subject: Re: Mindrebo 5312 Pale Moon Drive; WSI #2017-687
Keith,

Thank you for providing a thorough report for 5312 Pale Moon Dr. noting Wetlands were not identified onsite. We will put this with the project file for any future review or discussion.

Regards,
Brad

Bradley D. Bane, Environmental Analyst

Escambia County Development Services Department

Environmental Services- Review, DRC & Permitting

3363 West Park Place

Pensacola, FL 32505

(850) 595-4572 Office

(850) 595-3557 Fax

bdbane@co.escambia.fl.us

Please consider the Environment before printing this e-mail. Reduce, reuse, recycle.

Think Green.

From: Keith Johnson <keith@wetlandsciences.com>
Sent: Thursday, March 29, 2018 5:42 PM
To: Bradley D Bane; Timothy R. Day
Cc: 'FRED THOMPSON'; jerry@mcguire-assoc.com; dmindrebo@att.net; 'Craig Martin'
Subject: Mindrebo 5312 Pale Moon Drive; WSI #2017-687

Brad & Tim,

Please see attached letter regarding the above referenced property. Please feel free to call if any questions should arise.

Thanks,

Keith Johnson

Wetland Sciences, Inc.

3308 Gulf Beach Hwy

Pensacola, FL 32507

Tel: 850.453.4700

Virus-free. www.avast.com

--

Fran Ogden
850-737-3436

Karla N Moreno

From: Horace L Jones
Sent: Monday, April 02, 2018 8:09 PM
To: franogdenrd@gmail.com
Subject: Fwd: 5312 Plane Moon Drive Stormwater Permit

Sent from my iPhone

Begin forwarded message:

> **From:** Fran Ogden <franogdenrd@gmail.com>
> **Date:** April 2, 2018 at 7:44:25 PM CDT
> **To:** Horace L Jones <HLJONES@myescambia.com>
> **Subject: Re: FW: 5312 Plane Moon Drive Stormwater Permit**
>
> Mr. Jones,
>
> I hope you had a nice Easter holiday. Thank-you for the update.
>
> I do not see the attachment with the comments from Ms. Roza. Could you please provide them?
>
> Thank-you,
> Fran Ogden
>
> On Mon, Apr 2, 2018 at 12:21 PM, Horace L Jones <HLJONES@myescambia.com> wrote:
>
> > Good Afternoon,
> >
> > Please see the update on the issue yet at hand.
> >
> > 1. Stromwater plans were submitted
> > 2. County staff reviewed and responded with comments on the set of submitted documents via e-mail on 3/29/18. Comments were e-mailed to the Jerry the EOR.
> > 3. County offices were on 3/30/18.
> > 4. E-mail was sent to the contractor as well the EOR establishing a two-week timeframe. Please see below.
> >
> > ---
> >
> > **From:** Horace L Jones
> > **Sent:** Monday, April 02, 2018 12:11 PM
> > **To:** Horace L Jones <HLJONES@myescambia.com>
> > **Subject:** FW: 5312 Plane Moon Drive Stormwater Permit

From: Horace L Jones
Sent: Monday, April 02, 2018 12:06 PM
To: 'rickfaciane50@yahoo.com' <rickfaciane50@yahoo.com>; 'Jerry's JMA' <jerry@mcguire-assoc.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Terry D Williams <TDWILLIA@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Meredith D. Crawford <mdcrawford@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>; Debbie Kenney <DSKENNEY@myescambia.com>
Subject: FW: 5312 Plane Moon Drive Stormwater Permit

Good Afternoon, Rick

In the e-mail(s) below, it shows that comments were sent to Jerry **on 3/29/18**, the Engineer of Record (EOR) for the proposed single-family, on the stormwater review plans that were submitted to the County for review. So that we can continue to move forward with the required review process, please respond ***and address all the comments in accordance with the all the applicable regulations within two-weeks from the March 29th e-mail that was previously sent to Jerry***.

If the stormwater management plan review comments have not been **received, addressed ,and approved as compliant with all the applicable regulations** as specified within designated timeframe as highlighted in red above, the County will revoke the Land Disturbance permit and Code Enforcement will schedule this property to be heard at the next available Special Magistrate date to address any outstanding code issues.

Please note that the submitted building plans and *all the supporting documents* and/or plans {including the stormwater management plan) must be reviewed and approved prior to the issuance of any building permits or any other land use development and/or activities on the lot in question.

If you have any questions, please do not hesitate to call me or e-mail me. Additionally, it is my understanding that set of the comments have been forwarded to you as well. If not please let us know immediately.

This e-mail is to serve as notification. Please reply with an acknowledgement that you received this e-mail. Failure to acknowledge receipt does not nullify this notification.

Respectfully submitted.

Horace Jones

Department Director

Development Services Department

33363 West Park Place, *Pensacola, FL*

850-595-3625 or 554-8210

hljones@myescambia.com

From: Jerry's JMA [mailto:jerry@mcguire-assoc.com]
Sent: Thursday, March 29, 2018 4:58 PM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: RE: 5312 Plane Moon Drive Stormwater Permit

Roza,

Been out all day. I'll get on these and I will forward to Rick Faciane.

Jerry

From: Roza I. Sestnov [mailto:risestnov@myescambia.com]
Sent: Thursday, March 29, 2018 12:04 PM
To: Jerry's JMA
Cc: Horace L Jones; Andrew D. Holmer; Christina L. Smith
Subject: 5312 Plane Moon Drive Stormwater Permit

Jerry,

Please find attached stormwater comments for the referenced stormwater management permit/application. Please let me know if you have any questions.

Regards,

Roza Sestnov

Engineer

Development Review Division

Development Services Department

Phone (850) 595-3411

Fax (850) 595-3703

P Please consider the environment before printing this e-mail. Think Green.

Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.

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---------- Forwarded message ----------
From: Bradley D Bane <BDBANE@myescambia.com>
To: Keith Johnson <keith@wetlandsciences.com>, "Timothy R. Day" <TRDAY@myescambia.com>
Cc: "'FRED THOMPSON'" <FRT@nwfls.com>, "jerry@mcguire-assoc.com" <jerry@mcguire-assoc.com>, "dmindrebo@att.net" <dmindrebo@att.net>, "'Craig Martin'" <craig@wetlandsciences.com>, Horace L Jones <HLJONES@myescambia.com>, "Andrew D. Holmer" <ADHOLMER@myescambia.com>
Bcc:
Date: Mon, 2 Apr 2018 15:06:05 +0000
Subject: Re: Mindrebo 5312 Pale Moon Drive; WSI #2017-687
Keith,

Thank you for providing a thorough report for 5312 Pale Moon Dr. noting Wetlands were not identified onsite. We will put this with the project file for any future review or discussion.

Regards,
Brad

Bradley D. Bane, Environmental Analyst

Escambia County Development Services Department

Environmental Services- Review, DRC & Permitting

3363 West Park Place

Pensacola, FL 32505

(850) 595-4572 Office

(850) 595-3557 Fax

bdbane@co.escambia.fl.us

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Think Green.

From: Keith Johnson <keith@wetlandsciences.com>
Sent: Thursday, March 29, 2018 5:42 PM
To: Bradley D Bane; Timothy R. Day
Cc: 'FRED THOMPSON'; jerry@mcguire-assoc.com; dmindrebo@att.net; 'Craig Martin'
Subject: Mindrebo 5312 Pale Moon Drive; WSI #2017-687

Brad & Tim,

Please see attached letter regarding the above referenced property. Please feel free to call if any questions should arise.

Thanks,

Keith Johnson

Wetland Sciences, Inc.

3308 Gulf Beach Hwy

Pensacola, FL 32507

Tel: 850.453.4700

Virus-free. www.avast.com

--

Fran Ogden
850-737-3436

MESSAGE (Voice Mail)

FOR Horace DATE 4/3/18 TIME 12:47 p.m.

M Fran Ogden

OF

PHONE CELL 737-3436

MESSAGE Rec'd e mail; can open letter from Keith, Wetland Sciences, but not Rory's comments Wants just comments emailed so she can dissent the Ires. 4

- ☑ Telephoned
- ☐ Returned your call
- ☑ Please Call
- ☐ Came to see you
- ☐ Wants to see you
- ☐ Will call again

Signed Kim

Karla N Moreno

From: Horace L Jones
Sent: Monday, April 09, 2018 7:33 AM
To: Colby S. Brown
Subject: Re: 5312 Pale Moon Drive Stormwater Permit

Yes

Roza stated that she put the permit on your desk for your signature.

Sent from my iPhone

On Apr 9, 2018, at 7:28 AM, Colby S. Brown <CSBROWN@myescambia.com> wrote:

> To all
>
> Let me know if there is anything that you need from me. I presume that the address is Pale Moon Dr not Plane Moon Dr.
>
> Colby Brown, PE
> Asst. County Engineer
> Deputy Director Public Works
> Design and Transportation
> 3363 West Park Place
> Pensacola, FL 32505
> 850-554-3034 mobile
>
> ---
>
> **From:** Horace L Jones
> **Sent:** Monday, April 9, 2018 6:42 AM
> **To:** Colby S. Brown
> **Cc:** Roza I. Sestnov; Terry D Williams; Andrew D. Holmer; jerry@mcguire-assoc.com
> **Subject:** Fwd: 5312 Plane Moon Drive Stormwater Permit
>
> Please review the e-mail below regarding the stormwater permit.
>
> Terry,
>
> Please review the land use approval
>
> Sent from my iPhone
>
> Begin forwarded message:
>
> > **From:** Rick Faciane <rickfaciane50@yahoo.com>
> > **Date:** April 8, 2018 at 10:55:37 PM CDT
> > **To:** Horace L Jones <HLJONES@myescambia.com>
> > **Cc:** Tim Tolbert <jttolbert@myescambia.com>, Scott Donna Mindrebo <dmindrebo@att.net>, Jerry's JMA <jerry@mcguire-assoc.com>, "Terry D. Williams" <tdwillia@myescambia.com>, "Timothy R. Day" <trday@myescambia.com>

Subject: Re: 5312 Plane Moon Drive Stormwater Permit
Reply-To: Rick Faciane <rickfaciane50@yahoo.com>

Horace--I was at the county Friday about 3pm to pickup the signed release from Rosa but Tim/Cody wasn't there to sign off as well.. Ill be there on Monday around 11am to pickup the approved totally signed release for Classic Homes to permit this job with the building dept... call me on Monday am if this isn't going to be ready and extend the compliance date you keep on threating with...I believe everybody is ready to get this over with....and proceed with the process...Thks for your cooperation...

Rick Faciane
Classic Homes of Pensacola, LLC.
Office: 850-944-6805
Cell: 850-698-5186
Fax: 850-944-2261

From: Horace L Jones <HLJONES@myescambia.com>
To: 'Jerry's JMA' <jerry@mcguire-assoc.com>
Cc: Terry D Williams <TDWILLIA@myescambia.com>; '"rickfaciane50@yahoo.com"' <rickfaciane50@yahoo.com>
Sent: Friday, April 6, 2018 1:34 PM
Subject: RE: 5312 Plane Moon Drive Stormwater Permit

Jerry,

Please bring the most updated signed and sealed for Terry as well.

When does his sit plan review, the site plan should be delineated on the most updated Survey.

From: Jerry's JMA [mailto:jerry@mcguire-assoc.com]
Sent: Friday, April 06, 2018 1:30 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: RE: 5312 Plane Moon Drive Stormwater Permit

Horace,

Roza has done her final review of the data and is ready to sign off. I'll bring her signed and sealed copies in 1 hour.

Jerry

From: Horace L Jones [mailto:HLJONES@myescambia.com]
Sent: Monday, April 02, 2018 12:06 PM
To: 'rickfaciane50@yahoo.com'; 'Jerry's JMA'
Cc: Timothy R. Day; Terry D Williams; Roza I. Sestnov; Andrew D. Holmer; Tim Tolbert; Meredith D. Crawford; Alison A. Rogers; Jack R. Brown; Debbie Kenney
Subject: FW: 5312 Plane Moon Drive Stormwater Permit

Good Afternoon, Rick
In the e-mail(s) below, it shows that comments were sent to Jerry **on 3/29/18**, the Engineer of Record (EOR) for the proposed single-family, on the stormwater review plans that were submitted to the County for review. So that we can continue to move forward with the required review process, please respond ***and address all the comments in accordance with the all the applicable regulations within two-weeks from the March 29th e-mail that was previously sent to Jerry.***
If the stormwater management plan review comments have not been **received, addressed ,and approved as compliant with all the applicable regulations** as specified within designated timeframe as highlighted in red above, the County will revoke the Land Disturbance permit and Code Enforcement will schedule this property to be heard at the next available Special Magistrate date to address any outstanding code issues.
Please note that the submitted building plans and *all the supporting documents* and/or plans {including the stormwater management plan) must be reviewed and approved prior to the issuance of any building permits or any other land use development and/or activities on the lot in question.

If you have any questions, please do not hesitate to call me or e-mail me. Additionally, it is my understanding that set of the comments have been forwarded to you as well. If not please let us know immediately.

This e-mail is to serve as notification. Please reply with an acknowledgement that you received this e-mail. Failure to acknowledge receipt does not nullify this notification.

Respectfully submitted.

Horace Jones

Department Director
Development Services Department
33363 West Park Place, *Pensacola, FL*
850-595-3625 or 554-8210
hljones@myescambia.com

From: Jerry's JMA [mailto:jerry@mcguire-assoc.com]
Sent: Thursday, March 29, 2018 4:58 PM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: RE: 5312 Plane Moon Drive Stormwater Permit

Roza,

Been out all day. I'll get on these and I will forward to Rick Faciane.

Jerry

From: Roza I. Sestnov [mailto:risestnov@myescambia.com]
Sent: Thursday, March 29, 2018 12:04 PM
To: Jerry's JMA
Cc: Horace L Jones; Andrew D. Holmer; Christina L. Smith
Subject: 5312 Plane Moon Drive Stormwater Permit

Jerry,

Please find attached stormwater comments for the referenced stormwater management permit/application. Please let me know if you have any questions.

Regards,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

P Please consider the environment before printing this e-mail. Think Green.

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Karla N Moreno

From: Karla N Moreno
Sent: Thursday, April 12, 2018 9:39 AM
To: Horace L Jones
Subject: Fran Ogden - 850-737-3436

Horace,

I just took a call from Fran Ogden (850) 737-3436, advising she was "very upset," "apparently a permit was issued," "that Horace did not keep his word or promise to keep me in the loop," "the County was being paid off," "the County was a bunch of liars," "that she needed to get an attorney because the County was not representing her," and many other explicative.

I simply told her I would have you give her a call as I was not involved in the permitting process. I did not attempt to rationalize with her as her demeanor was very argumentative and matter-of-fact.

Thanks.

Karla N. Moreno, Assistant to:
Horace Jones, Department Director
Escambia County Development Services
3363 West Park Place, Pensacola, FL 32505

PHONE: (850) 595-3597
CELL: (850) 516-0051
FAX: (850) 595-3512

Please consider the environment before printing this e-mail. Think Green.

Karla N Moreno

From: Horace L Jones
Sent: Thursday, April 12, 2018 10:29 AM
To: Roza I. Sestnov
Cc: Fran Ogden; Timothy R. Day; Alison A. Rogers; Jack R. Brown
Subject: Re: 5312 Plane Moon Drive Stormwater Permit

Send all the documents

Sent from my iPhone

On Apr 12, 2018, at 9:46 AM, Roza I. Sestnov <risestnov@myescambia.com> wrote:

> Mrs. Ogden,
>
> Please find attached approved stormwater permit and approved drawings for the referenced address. Please let me know if you have any questions.
>
> Regards,
>
> Roza Sestnov
> Engineer
> Development Review Division
> Development Services Department
> Phone (850) 595-3411
> Fax (850) 595-3703
>
> **Please consider the environment before printing this e-mail. Think Green.**
>
> **From:** Horace L Jones
> **Sent:** Thursday, April 12, 2018 8:54 AM
> **To:** Fran Ogden <franogdenrd@gmail.com>; Roza I. Sestnov <risestnov@myescambia.com>
> **Cc:** Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>
> **Subject:** Re: 5312 Plane Moon Drive Stormwater Permit
>
> Roza
>
> Please sent Mrs. Fran the sign stormwater permit and all the plans associated with that ASAP
>
> Terry & Jennifer
> Please send her the all the approved plans and site plans.
>
> Sent from my iPhone
>
> On Apr 12, 2018, at 8:35 AM, Fran Ogden <franogdenrd@gmail.com> wrote:

Good Morning,

Please note that 2 weeks have passed since the stormwater comments were issued. Has the revised stormwater plan been submitted? I believe it is past due and is now time to move forward on revoking retroactive land clearing permit. Time is of the essence, my home remains injured by their arrogant unpermitted activities and I expect the county to move to protect me.

If the contractor has happened to comply, please forward to me the revised plan. I would like to hire my own engineer to ensure that I am protected.

We still do not know the land ability to absorb water. the excessive amount of dirt piled on the lot makes it impossible to be sure without taking core samples. Excessive concrete on the land that has high water saturation levels prior to the illegal dirt being added will impact the stormwater plan and I do not believe that is being considered.

Thank you,
Fran Ogden

On Wed, Apr 4, 2018 at 7:28 PM, Fran Ogden <franogdenrd@gmail.com> wrote:

> Thank-you kindly,
>
> The comments were attached to this email but I could not find it on your 2 previous emails. I appreciate you taking the time to resend it.
>
> I did receive the wetland assessment I know that the land is buildable but I do not believe that it is 100% free from the poor wetland status. This absolutely has to be established behind a shadow of a doubt because it will dictate how saturated the land is prior to having all that dirt on it. The size of the home/and other paved over percolation ground may need to be restricted. The 3500 sq ft. home may be okay, but what about the rest of the outbuildings, garages, carports, lanai, pool areas If we are assuming that the land is high upland, then we are saying that we know the land will absorb run off. We do not know for sure if that is the case. *Only borings will confirm this at this stage of the game.* It would have been easier if they had bothered to do due diligence before the dirt went on the lot. 2000+ cubic yards hides a lot of saturated lands. Additionally, I want to be sure that the plan reflects a 500-year plan since we so recently had such an event.
>
> Best,
> Fran
>
> On Wed, Apr 4, 2018 at 3:03 PM, Horace L Jones <HLJONES@myescambia.com> wrote:
>
> > Mrs. Ogden
> >
> > Here is roza's comments again.

From: Roza I. Sestnov
Sent: Thursday, March 29, 2018 12:04 PM
To: Jerry's JMA <jerry@mcguire-assoc.com>
Cc: Horace L Jones <HLJONES@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Christina L. Smith <clsmith1@myescambia.com>
Subject: 5312 Plane Moon Drive Stormwater Permit

Jerry,

Please find attached stormwater comments for the referenced stormwater management permit/application. Please let me know if you have any questions.

Regards,

Roza Sestnov

Engineer

Development Review Division

Development Services Department

Phone (850) 595-3411

Fax (850) 595-3703

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--

Fran Ogden
850-737-3436

--
Fran Ogden
850-737-3436

<Pale Moon Permit SW.PDF>

<Drawing-Pale Moon.pdf>

A message from Roza Sestnov

Roza – Horace, this is the message I got from Fran Ogden so just let me know what I should do. I'm sending you an e-mail about the same issue, ok, thank you.

Hello Ms. Sestnov. My name is Fran Ogden, and I'm calling you about 5312, you had signed off on the stormwater plan. I don't know if you have been made aware that they are directing a lot of that stormwater to the street which goes to a ditch along my property that the county does not have an easement on. So, I don't know if you considered that, but I'm not giving the easement on that without due consideration. I do not want their water on there. I want them to take more than...also I want to know how do they confirm this 1,800 cubic yards? It was like 200, more than that, they have so much more than that. Has anybody looked to see. They have repeated lied. That is not a landscape wall. It's a retaining wall. I know that it says that's going to go to the building department, but you know they're just going to pay somebody off to let them keep a wall that's not even sufficient. I just don't understand who's going to stand up and stop these people from railroading the value of my property. I just, please, please look at that again and make sure that all the math is right on that because there's no way with all of that concrete. And, we don't know what's underneath it. We have no idea what's underneath that. We have an opinion, but we have absolutely no idea for sure how saturated that ground is underneath the over 2,000 cubic yards that they brought in. I just don't know if you had all the details. I think you're being lied to because I can't see how they can keep the water off that without bringing in pumps or putting a retaining pond in or something. I'm telling you they're making their building smaller which hopefully, they'll have to do cause who wants to live next to that atrocity of a bunch of concrete. But anyhow, please give me a call. Were you aware of the fact that ditch was not really for them. I haven't approved it, and y'all don't have an easement so that may impact your decision. Everybody seems to be really happy to give these people permissions after-the-fact. So, I'm very confused as to why that's ok. That stormwater has to go somewhere, and it's not going to be through my property. Thank you. 305, no 850, 737-3436, 737-3436 Received April 12th at 10:53 a.m.

Karla N Moreno

From: Horace L Jones
Sent: Thursday, April 12, 2018 11:07 AM
To: Roza I. Sestnov
Subject: Re: 5312 Plane Moon Drive Stormwater Permit

All documents that you for Palemoon

Sent from my iPhone

On Apr 12, 2018, at 10:43 AM, Roza I. Sestnov <risestnov@myescambia.com> wrote:

> Horace,
>
> Please specify what you mean "all documents". We have a lot of e-mails, communications with EOR, wetlands specific survey, also originally submitted drawings and documents. Do you want to send all of them? It is more than 20 documents total.
>
> Please advise.
>
> Roza Sestnov
> Engineer
> Development Review Division
> Development Services Department
> Phone (850) 595-3411
> Fax (850) 595-3703
>
> **Please consider the environment before printing this e-mail. Think Green.**

From: Horace L Jones
Sent: Thursday, April 12, 2018 10:29 AM
To: Roza I. Sestnov <risestnov@myescambia.com>
Cc: Fran Ogden <franogdenrd@gmail.com>; Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>
Subject: Re: 5312 Plane Moon Drive Stormwater Permit

Send all the documents

Sent from my iPhone

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Engineer
Development Review Division
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Phone (850) 595-3411
Fax (850) 595-3703

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Sent: Thursday, April 12, 2018 8:54 AM
To: Fran Ogden <franogdenrd@gmail.com>; Roza I. Sestnov <risestnov@myescambia.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>
Subject: Re: 5312 Plane Moon Drive Stormwater Permit

Roza

Please sent Mrs. Fran the sign stormwater permit and all the plans associated with that ASAP

Terry & Jennifer
Please send her the all the approved plans and site plans.

Sent from my iPhone

On Apr 12, 2018, at 8:35 AM, Fran Ogden <franogdenrd@gmail.com> wrote:

> Good Morning,
>
> Please note that 2 weeks have passed since the stormwater comments were issued. Has the revised stormwater plan been submitted? I believe it is past due and is now time to move forward on revoking retroactive land clearing permit. Time is of the essence, my home remains injured by their arrogant unpermitted activities and I expect the county to move to protect me.
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> If the contractor has happened to comply, please forward to me the revised plan. I would like to hire my own engineer to ensure that I am protected.
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>
> Thank you,

Fran Ogden

On Wed, Apr 4, 2018 at 7:28 PM, Fran Ogden <franogdenrd@gmail.com> wrote:

> Thank-you kindly,
>
> The comments were attached to this email but I could not find it on your 2 previous emails. I appreciate you taking the time to resend it.
>
> I did receive the wetland assessment I know that the land is buildable but I do not believe that it is 100% free from the poor wetland status. This absolutely has to be established behind a shadow of a doubt because it will dictate how saturated the land is prior to having all that dirt on it. The size of the home/and other paved over percolation ground may need to be restricted. The 3500 sq ft. home may be okay, but what about the rest of the outbuildings, garages, carports, lanai, pool areas If we are assuming that the land is high upland, then we are saying that we know the land will absorb run off. We do not know for sure if that is the case. *Only borings will confirm this at this stage of the game.* It would have been easier if they had bothered to do due diligence before the dirt went on the lot. 2000+ cubic yards hides a lot of saturated lands. Additionally, I want to be sure that the plan reflects a 500-year plan since we so recently had such an event.
>
> Best,
> Fran
>
> On Wed, Apr 4, 2018 at 3:03 PM, Horace L Jones <HLJONES@myescambia.com> wrote:
>
> > Mrs. Ogden
> >
> > Here is roza's comments again.
> >
> > ---
> >
> > **From:** Roza I. Sestnov
> > **Sent:** Thursday, March 29, 2018 12:04 PM
> > **To:** Jerry's JMA <jerry@mcguire-assoc.com>
> > **Cc:** Horace L Jones <HLJONES@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Christina L. Smith <clsmith1@myescambia.com>
> > **Subject:** 5312 Plane Moon Drive Stormwater Permit
> >
> > Jerry,

Please find attached stormwater comments for the referenced stormwater management permit/application. Please let me know if you have any questions.

Regards,

Roza Sestnov

Engineer

Development Review Division

Development Services Department

Phone (850) 595-3411

Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.

--
Fran Ogden
850-737-3436

--
Fran Ogden
850-737-3436

<Pale Moon Permit SW.PDF>

<Drawing-Pale Moon.pdf>

Karla N Moreno

From: Horace L Jones
Sent: Thursday, April 12, 2018 11:34 AM
To: Roza I. Sestnov
Subject: Re: 5312 Plane Moon Drive Stormwater Permit

Just make sure get the full set documents fir stormwater that Jerry submitted.

Sent from my iPhone

On Apr 12, 2018, at 10:53 AM, Roza I. Sestnov <risestnov@myescambia.com> wrote:

> Horace,
>
> I just got a call from Mrs. Ogden, she left a message. I'm sending her message to you. Please let me know what to do, and if I should call her back.
>
> Thank you,
>
> Roza Sestnov
> Engineer
> Development Review Division
> Development Services Department
> Phone (850) 595-3411
> Fax (850) 595-3703
>
> **Please consider the environment before printing this e-mail. Think Green.**

From: Horace L Jones
Sent: Thursday, April 12, 2018 10:29 AM
To: Roza I. Sestnov <risestnov@myescambia.com>
Cc: Fran Ogden <franogdenrd@gmail.com>; Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>
Subject: Re: 5312 Plane Moon Drive Stormwater Permit

Send all the documents

Sent from my iPhone

On Apr 12, 2018, at 9:46 AM, Roza I. Sestnov <risestnov@myescambia.com> wrote:

> Mrs. Ogden,
>
> Please find attached approved stormwater permit and approved drawings for the referenced address. Please let me know if you have any questions.
>
> Regards,
>
> Roza Sestnov

Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Horace L Jones
Sent: Thursday, April 12, 2018 8:54 AM
To: Fran Ogden <franogdenrd@gmail.com>; Roza I. Sestnov <risestnov@myescambia.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>
Subject: Re: 5312 Plane Moon Drive Stormwater Permit

Roza

Please sent Mrs. Fran the sign stormwater permit and all the plans associated with that ASAP

Terry & Jennifer
Please send her the all the approved plans and site plans.

Sent from my iPhone

On Apr 12, 2018, at 8:35 AM, Fran Ogden <franogdenrd@gmail.com> wrote:

> Good Morning,
>
> Please note that 2 weeks have passed since the stormwater comments were issued. Has the revised stormwater plan been submitted? I believe it is past due and is now time to move forward on revoking retroactive land clearing permit. Time is of the essence, my home remains injured by their arrogant unpermitted activities and I expect the county to move to protect me.
>
> If the contractor has happened to comply, please forward to me the revised plan. I would like to hire my own engineer to ensure that I am protected.
>
> We still do not know the land ability to absorb water. the excessive amount of dirt piled on the lot makes it impossible to be sure without taking core samples. Excessive concrete on the land that has high water saturation levels prior to the illegal dirt being added will impact the stormwater plan and I do not believe that is being considered.
>
> Thank you,
> Fran Ogden

On Wed, Apr 4, 2018 at 7:28 PM, Fran Ogden <franogdenrd@gmail.com> wrote:

Thank-you kindly,

The comments were attached to this email but I could not find it on your 2 previous emails. I appreciate you taking the time to resend it.

I did receive the wetland assessment I know that the land is buildable but I do not believe that it is 100% free from the poor wetland status. This absolutely has to be established behind a shadow of a doubt because it will dictate how saturated the land is prior to having all that dirt on it. The size of the home/and other paved over percolation ground may need to be restricted. The 3500 sq ft. home may be okay, but what about the rest of the outbuildings, garages, carports, lanai, pool areas If we are assuming that the land is high upland, then we are saying that we know the land will absorb run off. We do not know for sure if that is the case. *Only borings will confirm this at this stage of the game.* It would have been easier if they had bothered to do due diligence before the dirt went on the lot. 2000+ cubic yards hides a lot of saturated lands. Additionally, I want to be sure that the plan reflects a 500-year plan since we so recently had such an event.

Best,
Fran

On Wed, Apr 4, 2018 at 3:03 PM, Horace L Jones <HLJONES@myescambia.com> wrote:

Mrs. Ogden

Here is roza's comments again.

From: Roza I. Sestnov
Sent: Thursday, March 29, 2018 12:04 PM
To: Jerry's JMA <jerry@mcguire-assoc.com>
Cc: Horace L Jones <HLJONES@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Christina L. Smith <clsmith1@myescambia.com>
Subject: 5312 Plane Moon Drive Stormwater Permit

Jerry,

Please find attached stormwater comments for the referenced stormwater management permit/application. Please let me know if you have any questions.

Regards,

Roza Sestnov

Engineer

Development Review Division

Development Services Department

Phone (850) 595-3411

Fax (850) 595-3703

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--
Fran Ogden
850-737-3436

--
Fran Ogden
850-737-3436

<Pale Moon Permit SW.PDF>

<Drawing-Pale Moon.pdf>

Fw: land disturbance adjacent to 5330 Pale Moon

Richard E. Craig

Thu 1/11/2018 4:55 PM

To: Timothy R. Day <TRDAY@myescambia.com>; Sandra F Slay <SFSLAY@myescambia.com>; Steven Littlejohn <SLLITTLE@myescambia.com>; Steven P. Kenney <spkenney@myescambia.com>; Horace L Jones <HLJONES@myescambia.com>; Bradley D Bane <BDBANE@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Debbie Kenney <DSKENNEY@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Terry D Williams <TDWILLIA@myescambia.com>;

2 attachments (4 MB)

INS1.pdf; NOV ADMIN POST.pdf;

Sorry now here are the items I said was a. ached

Richard Craig
Escambia County Environmental Enforcement
850-554-7160

From: Richard E. Craig
Sent: Thursday, January 11, 2018 16:46
To: Steven P. Kenney; Timothy R. Day; Andrew D. Holmer
Cc: Sandra F Slay; Steven LiĀlejohn; Terry D Williams; Debbie Kenney; Tim Tolbert; Bradley D Bane; Horace L Jones; Richard E. Craig
Subject: Re: land disturbance adjacent to 5330 Pale Moon

I ARRIVED ON SCENE TO FIND A LOT THAT HAD BEEN CLEARED AND FILLED IN WITH DIRT UP 3 FOOT OR MORE ABOVE THE SURROUNDING PROPERTY. NEIGHBORS STATE THEY SAW 70 OR SO TRUCK LOADS OF DIRT BROUGHT IN . I CHECKED AND THERE NO PERMITS ON THIS PROPERTY AT ALL .. THERE IS A RETAINING WALL ON SIDE OF PROPERTY IT MEASURES 39 INCHES TALL FROM THE BOTTOM OF BOARDS TO TOP. FROM GROUND THE TOP OF WALL IS APPROX 54 INCHES. THE WALL SHOWS SIGNS OF LEACHING DIRT OUT. THE MATERIAL USED BEHIND THE WALL LOOKS LIKE REGULAR SILT FENCE MATERIAL NOT THICK LINER TYPE. THE SILT FENCE AT THE BAY SIDE OF PROPERTY IS DOUBLED UP , BUT IS NOT SECURE IN THE GROUND MATERIALS COULD POSSIBLE ESCAPE. MEASUREMENT OF WALL LENGTH WAS 200 FOOT. NOTICE OF VIOLATION WAS POSTED ON SITE AND REGULAR MAIL /CERT MAIL SENT TO OWNER OF RECORD.

I have a. ached a copy of the noce of violaà on and pictur es taken.

Richard Craig
Escambia County Environmental Enforcement
850-554-7160

From: Steven P. Kenney
Sent: Thursday, January 11, 2018 14:16
To: Richard E. Craig
Cc: Sandra F Slay; Steven LiĀlejohn
Subject: Fw: land disturbance adjacent to 5330 Pale Moon

Officer Craig,

Reference email traffic below, please conduct an investigation and take appropriate action this afternoon. Reply to all the parties in the email traffic once you are complete on site with an update please. Thanks.

Steve Kenney

Sgt. Steven P. Kenney #671
Lead Environmental Enforcement Officer
Field Training Officer
M-Th 7-530
mailto: spkenney@myescambia.com
Cell: 850-324-4263
www.myescambia.com/code411

From: Sandra F Slay
Sent: Thursday, January 11, 2018 2:09 PM
To: Steven LiĀlejohn; Steven P. Kenney
Subject: Fwd: land disturbance adjacent to 5330 Pale Moon

Sgt Kenney

Please contact an officer to respond ASAP and update everyone on this email

Have them go today

Thank you
Sent from my iPhone

Begin forwarded message:

> From: "Timothy R. Day" <TRDAY@myescambia.com>
> Date: January 11, 2018 at 1:45:59 PM CST
> To: Sandra F Slay <SFSLAY@myescambia.com>, Steven Littlejohn <SLLITTLE@myescambia.com>, Tim Tolbert <JTTOLBERT@myescambia.com>
> Cc: Horace L Jones <HLJONES@myescambia.com>, "franogden@gmail.com" <franogden@gmail.com>, Bradley D Bane <BDBANE@myescambia.com>, Allen Hampton <EAHAMPTON@myescambia.com>, Terry D Williams <TDWILLIA@myescambia.com>, District1 <District1@co.escambia.fl.us>

Subject: RE: land disturbance adjacent to 5330 Pale Moon

Sam/Tim:

It appears that this site is being prepped for a future home-site without the benefit of permits. There appears to be a significant amount of fill and a retaining wall (separate permit required?) installed on the site. Please coordinate and take appropriate acĀon to resolve. Ms. Ogden, cc'd on this email would like to be kept informed of the permit status for this lot. She is concerned of poten al flooding issues that may be caused through development of this lot next door to her.

Thanks to all.

Tim

From: Terry D Williams
Sent: Thursday, January 11, 2018 1:30 PM
To: Timothy R. Day <TRDAY@myescambia.com>
Cc: Horace L Jones <HLJONES@myescambia.com>; franogden@gmail.com; Bradley D Bane <BDBANE@myescambia.com>; Allen Hampton <EAHAMPTON@myescambia.com>
Subject: Re: land disturbance adjacent to 5330 Pale Moon

Tim

No permit issued as of this date.

From: Timothy R. Day
Sent: Wednesday, January 10, 2018 4:23 PM
To: Terry D Williams
Cc: Horace L Jones; franogden@gmail.com
Subject: land disturbance adjacent to 5330 Pale Moon

Please let me know if there is a permit for 5200 blk of Pale Moon Drive PRN 11-3S-32-3000-000-001. There is a concern of unpermiÃed land disturbance/fill on the lot.

Any help would be appreciated – need to know if I need to send out Code…

Thanks

Tim

Timothy Day
Branch Director
Natural Resources Management Department
Escambia County Board of County Commissioiners
221 Palafox Place
Pensacola, FL 32502

trday@myescambia.com
(850) 595-1144 (w)
(850) 554-3073 (c)

01/11/2018 16:01

01/11/2018 16:01

01/11/2018 16:02

01/11/2018 16:02

01/11/2018 16:03

01/11/2018 16:03

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01/11/2018 16:36

01/11/2018 16:37

01/11/2018 16:37

01/11/2018 16:37

01/11/2018 16:38

01/11/2018 17:19

Date of Issuance:

01/11/2018

Escambia County

Office of Environmental Enforcement
Escambia County Central Office Complex
3363 West Park Place, Pensacola, FL 32505
PHONE: (850) 595-1820 FAX: (850) 595-0149

Case Number:

CE18011368

NOTICE OF VIOLATION

At (Location): PR: 113S323000000001
5200 BLK PALE MOON DR PENSACOLA, FL

Zipcode
32507

Respondent/
Address:

MINDREBO, SCOTT J & DONNA JEAN
2927 COVEBROOK DR
PEARLAND, TX 77584

DOB | Race | Height | Weight | D.L.

Correct within 10 days of issuance of this notice	**Warning** Failure to correct this violation and notify this Officer of Compliance will result in fines or a hearing. If the Hearing is scheduled you may be assessed $1,100 or more for costs of said hearing, plus possible fines; the County may abate the violations and place a Lien on the property.

Ordinance Description

Violation 1: LDC, Ch. 4, Art. 5, Sec. 4-5.2 General provisions. (a) Approval required. All land uses and development activities which impact environmentally sensitive lands require prior county review and approval for compliance with the regulations of this article unless the use or activity is specifically identified in the Land Development Code (LDC) as exempt from these regulations. Method of abatement: Contact Planning and Zoning (595-3475) and comply with all review and approval requirements directed by that office, to include potential mitigation.

Violation 2: LDC, Ch. 4, Art. 5, Sec. 4-5.3 Wetlands, Protection required. Wetlands as defined in Florida Administrative Code (Ch. 62-340) shall be protected from draining, dredging, filling, excavating, building, pollution, and other alterations or acts that will reduce or otherwise adversely impact their ecological functions and public benefits. (b) Mitigation for impacts. Mitigation for adverse impacts to wetlands shall be based on the Uniform Mitigation Assessment Method (UMAM) prescribed by Florida Administrative Code (Ch. 62-345). (c) Enforcement. In addition to the general LDC compliance enforcement provisions of Chapter 1, for any violations of LDC erosion control provisions impacting wetlands, violators shall begin remedial action immediately and have seven calendar days to complete restoration of the impacted area to pre-impact conditions or better. For other violations of the wetland protection provisions of this article, violators shall begin remedial action planning immediately and have 21 calendar days to complete restoration of the impacted area to pre-impact conditions or better. With documented evidence of good faith restoration efforts the Planning Official may authorize an extension to the time period for completion of the required action for extenuating circumstances. Method of abatement: Contact Planning and Zoning (595-3475) and comply with all requirements directed by that office, to include mitigation within the time limits listed above.

Violation 3: Sec. 42-196 (a) Nuisance Conditions. The creation or maintenance of any condition conducive to the breeding of rats, vermin, flies, mosquitoes, or other arthropods that are capable of transmitting disease directly or indirectly to humans.Sec. 42-197 Method of abatement: (a) For conditions conducive to the breeding of rats, vermin, flies, mosquitoes, or other arthropods: Complete removal of all contributing conditions.

Violation 4: Sec. 42-196 (h) Trash and Debris. The accumulation of garbage, or other solid waste materials which violates any state law, regulation, or ordinance of the county or which poses a danger to the health, safety, welfare or peaceableness of the county.Sec. 42-197 Method of abatement: (a) Complete removal of all contributing conditions.

01/11/2018 17:19

Date of Issuance

01/11/2018

Escambia County

Office of Environmental Enforcement
Escambia County Central Office Complex
3363 West Park Place, Pensacola, FL 32505
PHONE: (850) 595-1820 FAX: (850) 595-0149

Case Number

CE1801136E

NOTICE OF VIOLATION

At (Location): PR: 113S323000000001
5200 BLK PALE MOON DR PENSACOLA, FL

Zipcode
32507

Respondent: MINDREBO, SCOTT J & DONNA JEAN
Address: 2927 COVEBROOK DR
PEARLAND, TX 77584

DOB: Race: Height: Weight: D.L.:

Comply within 10 days of receipt of this notice	**Warning** Failure to correct this violation and notify this Officer of Compliance will result in fines or a hearing. If the Hearing is scheduled you may be assessed $1,100 or more for costs of said hearing, plus possible fines; the County may abate the violations and place a Lien on the property.

Ordinance Description

Violation 1 LDC. Ch. 4. Art. 5. Sec. 4-5.2 General provisions. (a) Approval required. All land uses and development activities which impact environmentally sensitive lands require prior county review and approval for compliance with the regulations of this article unless the use or activity is specifically identified in the Land Development Code (LDC) as exempt from these regulations. Method of abatement: Contact Planning and Zoning (595-3475) and comply with all review and approval requirements directed by that office, to include potential mitigation.

Violation 2 LDC. Ch. 4. Art. 5. Sec. 4-5.3 Wetlands. Protection required. Wetlands as defined in Florida Administrative Code (Ch. 62-340) shall be protected from draining, dredging, filling, excavating, building, pollution, and other alterations or acts that will reduce or otherwise adversely impact their ecological functions and public benefits. (b) Mitigation for impacts. Mitigation for adverse impacts to wetlands shall be based on the Uniform Mitigation Assessment Method (UMAM) prescribed by Florida Administrative Code (Ch. 62-345). (c) Enforcement. In addition to the general LDC compliance enforcement provisions of Chapter 1, for any violations of LDC erosion control provisions impacting wetlands, violators shall begin remedial action immediately and have seven calendar days to complete restoration of the impacted area to pre-impact conditions or better. For other violations of the wetland protection provisions of this article, violators shall begin remedial action planning immediately and have 21 calendar days to complete restoration of the impacted area to pre-impact conditions or better. With documented evidence of good faith restoration efforts the Planning Official may authorize an extension to the time period for completion of the required action for extenuating circumstances. Method of abatement: Contact Planning and Zoning (595-3475) and comply with all requirements directed by that office, to include mitigation within the time limits listed above.

Violation 3 Sec. 42-196 (a) Nuisance Conditions. The creation or maintenance of any condition conducive to the breeding of rats, vermin, flies, mosquitoes, or other arthropods that are capable of transmitting diseases directly or indirectly to humans.Sec. 42-197 Method of abatement: (a) For conditions conductive to the breeding of rats, vermin, flies, mosquitoes, or other arthropods: Complete removal of all contributing conditions.

Violation 4 Sec. 42-196 (b) Trash and Debris. The accumulation of garbage, or other solid waste materials which violates any state law, regulation, or ordinance of the county or which poses a danger to the health, safety, and welfare to residents of the county;Sec. 42-197 Method of abatement: (a) Complete removal of all contributing conditions

Violation 5 LDC. Ch. 2. Art. 3. Sec. 2-3.2 General land disturbance. (a) General. A general land disturbance permit is required prior to beginning any activity involving the clearing, cutting, excavating, filling, or grading of land, or any other activity that alters land topography or vegetative cover and is not authorized by the other land disturbance permits of this article. Method of Abatement: Contact Planning and Zoning (595-3474) and comply with all requirements to obtain the required land disturbance permit.

Violation 6 **5-4.2 - Stormwater impact review.**

(a)

Approval required. No land use or development activity may alter or disrupt existing stormwater runoff patterns or conditions without prior county review and approval for compliance with the standards of this article unless the use or activity is specifically identified in the LDC as exempt from these standards. Uses or activities that may alter or disrupt existing stormwater runoff sufficiently to require a stormwater management plan include the following:

(1)

Land disturbance. Grading, digging, cutting, scraping, or excavating of soil; placement of fill materials; substantial removal of vegetation; the drainage of land; and any other forms of land disturbance that would significantly change stormwater runoff.

(2)

Lot coverage. Construction of a structure or the non-de minimis alteration of the size of one or more structures; placement of aggregate and paving; and other constructed changes in the proportions of pervious, impervious, and semi-impervious lot coverage.

(3)

Alterations. Alteration of the shoreline or bank of any watercourse or surface waterbody; or alteration of any ditches, dikes, terraces, berms, swales, piping, inlets, ponds, or other natural or manmade elements affecting the control or management of stormwater.

(4)

Subdivision. The subdivision of land, including the replatting of a recorded subdivision.

Officer Comments

COMPLY AND MAINTAIN ABOVE ORDINANCES WITHIN THE TIME SPECIFIED TO AVOID FURTHER ENFORCEMENT ACTION. CONTACT OFFICER WITH QUESTIONS OR FURTHER INSTRUCTIONS.

Contact officer Richard Craig at 850-554-7160 upon compliance or with questions regarding this notice.

Richard Craig #678

Signature of Officer: Richard Craig #678
recraig@myescambia.com
(850) 554-7160

USPS

Signature of Respondent

Re: After-the-Fact LD Permit for 5200 Pale Moon Dr. / 11-3S-32-3000-000-001

Caleb G. MacCartee

Mon 3/12/2018 12:03 PM

To: Horace L Jones <HLJONES@myescambia.com>; Terry D Williams <TDWILLIA@myescambia.com>; Barbara Winns <BAWINNS@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>; Juan C. Lemos <JCLEMOS@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>;

Cc: Timothy R. Day <TRDAY@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Charles K. Wiley <CKWILEY@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>; Bradley D Bane <BDBANE@myescambia.com>;

2 attachments (4 MB)

WETLAND AND FLOOD.pdf; ZONING AND FLU.pdf;

See attached for reference.

Caleb G. MacCartee
Urban Planner II
Development Services Department
Escambia County BCC
3363 West Park Place, Pensacola, FL 32505
(850) 595-3475 Main
(850) 595-3557 Fax

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This verification relates to zoning for the specified property and is provided for information purposes only. This email does not imply or confer development rights for any desired use or activity on the specified parcel. Prior to the issuance of any permits, the applicant must submit a complete application to the County and must comply with all other applicable State and Local Regulations.

From: Horace L Jones
Sent: Friday, March 9, 2018 8:21 AM
To: Terry D Williams; Barbara Winns; Caleb G. MacCartee; Roza I. Sestnov; Juan C. Lemos; Andrew D. Holmer
Cc: Timothy R. Day; Tim Tolbert; Charles K. Wiley; Jennifer A. Hampton; Bradley D Bane
Subject: FW: AĀer-the-Fact LD Permit for 5200 Pale Moon Dr. / 11-3S-32-3000-000-001

Sorry if this e-mail came to each of you twice. Computer issues.

From: Horace L Jones
Sent: Friday, March 09, 2018 8:05 AM

To: Terry D Williams <TDWILLIA@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>; Barbara Winns <BAWINNS@myescambia.com>; Caleb G. MacCartee <cgmaccartee@myescambia.com>; Kim L. Wilson <klwilson@myescambia.com>; Juan C. Lemos <JCLEMOS@myescambia.com>
Cc: Tim Tolbert <JTTOLBERT@myescambia.com>; Charles K. Wiley <CKWILEY@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>; Timothy R. Day <TRDAY@myescambia.com>; Bradley D Bane <BDBANE@myescambia.com>; Harry T. Gibson <HTGIBSON@myescambia.com>
Subject: FW: After-the-Fact LD Permit for 5200 Pale Moon Dr. / 11-3S-32-3000-000-001

TO ALL:

WHEN THE PLANS COME in FOR THE LOT IN QUESTION, PLEASE (PLANNERS) BE AS THOROUGH As YOU POSSIBLY CAN DURING THE SITE Plan REVIEW PROCESS FOR THE PROPOSED HOUSE ON THE LOT REFERENCE ABOVE.

There have been some concerns raised by Fran Ogden a neighbor in close proximity to the lot in question on the amount of fill that is currently own the lot. Primarily, her main concern is the potential for adverse impact with stormwater or fill in the case of substantial rains due elevation of the lot.

Roza, please review for lot grading and stormwater compliance for the proposed house. As you know, the lot in question must be able to handle its own stormwater. It cannot be deflected or cause an adverse impact on the surrounding properties. Additional measures may be warranted. Additional measures may be needed with the proposed structure as well as with the site for stabilization.

Along with that, Juan please get Harry Gibson to review regulations regarding Flood zone. The site is definitely in a Flood Zone. It appears to be elevated substantially. Yes, there is the additional Freeboard requirement of 3' above BFE. Again, additional measures may be needed such as Flood zone elevation certificates and etc.

Terry and Andrew
Whoever is the planner reviewing the site plan. Please make sure that compliance with LDC is completely. Furthermore, we may have to ask for additional information and for other measures to be taken.

Horace.

From: Bradley D Bane
Sent: Thursday, March 08, 2018 9:49 AM
To: Horace L Jones <HLJONES@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>
Subject: Fw: After-the-Fact LD Permit for 5200 Pale Moon Dr. / 11-3S-32-3000-000-001

Hello Horace,

Per your request, please see attached a copy for the After-the-fact Land Disturbing Permit for 5200 Pale Moon Dr., my email to Richard Craig on February 12th, and the email train below.

Caleb looked in MyPermitNow this morning and stated they did receive a permit for a dock and a seawall.

Please let me know if you need anything else.

Thank you,
Brad

Bradley D. Bane, Environmental Analyst
Escambia County Development Services Department
Environmental Services- Review, DRC & Permitting
3363 West Park Place
Pensacola, FL 32505
(850) 595-4572 Office
(850) 595-3557 Fax
bdbane@co.escambia.fl.us

Please consider the Environment before printing this e-mail. Reduce, reuse, recycle.
Think Green.

From: Bradley D Bane
Sent: Tuesday, February 20, 2018 1:49 PM
To: Horace L Jones
Cc: Andrew D. Holmer
Subject: After-the-Fact LD Permit for 5200 Pale Moon Dr. / 11-3S-32-3000-000-001

Hello Horace,

Per your request, please see attached a copy of the after-the-fact Land Disturbing Permit issued for 5200 Blk. Pale Moon Dr. (the Mindrebo's) and the emails below and attached to Code Enforcement regarding the need for adequate erosion and sediment controls, additional permitting, etc. There are more emails on this case so just let me know if you need to review them and I'll convert them to pdf's as well.

Thank you,
Brad

Bradley D. Bane, Environmental Analyst
Escambia County Development Services Department
Environmental Services- Review, DRC & Permitting
3363 West Park Place
Pensacola, FL 32505
(850) 595-4572 Office
(850) 595-3557 Fax
bdbane@co.escambia.fl.us

Please consider the Environment before printing this e-mail. Reduce, reuse, recycle.
Think Green.

From: Bradley D Bane
Sent: Tuesday, February 13, 2018 11:29 AM
To: Andrew D. Holmer
Cc: Roza I. Sestnov
Subject: Re: 5200 Pale Moon dr.

FYI, keeping you in the loop as this this one has a lot of eyes on it. I issued Rick Faciane an a-t-f LD Permit yesterday, so we are out of it unless he does something else under our purview. As far as Richard's stormwater questions, Roza and I explained how that was handled under the Building Permit/ Lot Grading Plan for the house so I'm not sure what else he's needing.

A note on that though, Rick mentioned building an additional retaining wall along the southwest property line as well. We'll need to review that (along with BID for the existing, 4' a-t-f wall) for at least MER Setbacks, etc. I foresee a seawall or something similar being proposed in the future as well to box-in the lot seeing that it will be ±4-5 higher than neighboring lots and Perdido Bay. I asked Rick to PLEASE run anything else by use PRIOR to moving forward; he agreed and understood.

Brad

Bradley D. Bane, Environmental Analyst
Escambia County Development Services Department
Environmental Services- Review, DRC & Permitting
3363 West Park Place
Pensacola, FL 32505
(850) 595-4572 Office
(850) 595-3557 Fax
bdbane@co.escambia.fl.us

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Think Green.

From: Richard E. Craig
Sent: Tuesday, February 13, 2018 10:41:22 AM
To: Roza I. Sestnov
Cc: Bradley D Bane; Steven P. Kenney
Subject: 5200 Pale Moon dr.

Per our conversation this morning as it pertains to storm water permit , could you please explain what area that's covered in the building permit verses a need for storm water permit for the site.

thanks

Richard Craig
Escambia County Environmental Enforcement
850-554-7160

WETLAND MAP

5312 PALE MOON DR
MINDREBO SCOTT J &
MINDREBO DONNA JEAN

5330 PALE MOON DR
ACKELSBERG SHAYE &
OGDEN FRANCES

PALE MOON DR

0 125 250 375 500 Ft

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.

Caleb MacCartee
Planning and Zoning Dept.

FLOOD ZONE MAP

5312 PALE MOON DR
MINDREBO SCOTT J &
MINDREBO DONNA JEAN

5330 PALE MOON DR
ACKELSBERG SHAYE &
OGDEN FRANCES

AE

X

0.2 PCT
ANNUAL
CHANCE FLO

PALE MOON DR

PALE MOON
ESTATES

0 125 250 375 500 Ft

ZONING MAP

5312 PALE MOON DR
MINDREBO SCOTT J &
MINDREBO DONNA JEAN

5330 PALE MOON DR
ACKELSBERG SHAYE &
OGDEN FRANCES

LDR

LDR

PALE MOON DR

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

Caleb MacCartee
Planning and Zoning Dept.

0 125 250 375 500 Ft

FLU MAP

5312 PALE MOON DR
MINDREBO SCOTT J &
MINDREBO DONNA JEAN

5330 PALE MOON DR
ACKELSBERG SHAYE &
OGDEN FRANCES

MU-S

MU-S

PALE MOON ESTATES

PALE MOON DR

0 125 250 375 500 Ft

1/11/18 11:46 AM

1/11/18 11:43 AM

1/11/18 11:43 AM

1/11/18 11:44 AM

1/11/18 11:45 AM

1/11/18 11:45 AM

1/11/18 11:44 AM

MyPermitNow.org - Per | Microsoft Office Home | Mail - BDBANE@myesca | Bing Maps - Directions | Land Management Proc | escpaDetail 5200 BLK P | Landmark Web Official F

dory.escambiaclerk.com/LandmarkWebv1.4.6.125/Search/DocumentAndInfoByBookPage?Key=Assessor&booktype=OR&booknumber=6756&pagenumber=264#

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Page: 1 of 3

Go to Page: (1-3) Go | Height | Width | Zoom | In | Out | 90 | -90

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Book Type

OFFICIAL RECORDS

6756/264 Go

Document Information

Add To List | Remove From List

Instrument #	2011058469
Book/Page	OR 6756 / 264
Record Date	08/24/2011 11:17:09 AM
Book Type	OR
Doc Type	WARRANTY DEED
Grantor	FOWLER MITCHELL W FOWLER SYBLE E
Grantee	MINDREBO SCOTT JEFFREY MINDREBO DONNA JEAN
Consideration	$159,900.00
Doc Link	
LOT	1
BLOCK	3
Subdivision	PERDIDO BAY COUNTRY CLUB ESTATES PART
Section	
Township	
Range	
Unit	
Comments	
Notes	

Recorded in Public Records 08/24/2011 at 11:17 AM OR Book 6756 Page 264, Instrument #2011058469, Ernie Lee Magaha Clerk of the Circuit Court Escambia County, FL Recording $27.00 Deed Stamps $1119.30

Return to: R. Jeffrey Bell
Name: SETCO Services, LLC - Perdido Key
Address: 14620 Perdido Key Dr. Suite 100
Pensacola, FL 32507

This Instrument Prepared:
R. Jeffrey Bell
SETCO Services, LLC - Perdido Key
14620 Perdido Key Dr. Suite 100
Pensacola, FL 32507

Documentary Stamp Taxes were collected in the amount of ($1,119.30) based on the purchase price amount of ($159,900.00).

as a necessary incident to the fulfillment of conditions contained in a title insurance commitment issued by it.

Property Appraisers Parcel I.D. (Folio) Number(s): 11-3S-32-3060-000-001
File No: P08291

WARRANTY DEED

STATE OF FLORIDA

COUNTY OF ESCAMBIA

This Warranty Deed Made **August 18, 2011**, by **Mitchell W. Fowler and Syble E. Fowler, husband and wife**, hereinafter referred to as the Grantor, whose post office address is: 13575 Sandy Key Drive, Unit 132, Pensacola, FL 32507, to

Scott Jeffrey Mindrebo and Donna Jean Mindrebo, husband and wife hereinafter referred to as the Grantee, whose post office address is: 2927 Covebrook Drive, Pearland, TX 77584

WITNESSETH: That said Grantor, for and in consideration of the sum of $10.00 Dollars and other valuable consideration, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in **Escambia** County, Florida, viz:

Commencing at the Monument on the Southernmost corner of Lot 1, Block 3, Perdido Bay Country Club Estates Unit No. 4, Plat Book 6, Page 75, Official Records of Escambia County, Florida; thence S 35°16'30" W 1440.00 feet; thence N 54°43'30" W 492.33 feet (more or less) to the waters edge of Perdido Bay for the Point of Beginning; thence retracing line last run S 54°43'30" E 261.80 feet (more or less) to the Northwestern most R/W line of Pale Moon Drive; thence S 28°34'23" W along said R/W line 120.83 feet; thence N 54°43'30" W 272.90 feet (more or less) to the waters edge of Perdido Bay; thence in a Northeasterly direction along said waters edge 120.1 feet (more or less) to the Point of Beginning.

Said property is not the homestead property of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) nor any member of the household of Grantor(s) reside thereon.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.
To Have and to Hold, the same in fee simple forever.
And the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to January 1, 2011 reservations, restrictions and easements of record, if any.
(The terms "Grantor" and "Grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)

Recorded in Public Records 08/24/2011 at 11:17 AM OR Book 6756 Page 264, Instrument #2011058469, Ernie Lee Magaha Clerk of the Circuit Court Escambia County, FL Recording $27.00 Deed Stamps $1119.30

Return to: **R. Jeffrey Boll**
Name: **SETCO Services, LLC - Perdido Key**
Address: **14620 Perdido Key Dr. Suite 100**
Pensacola, FL 32507
This Instrument Prepared:
R. Jeffrey Boll
SETCO Services, LLC - Perdido Key
14620 Perdido Key Dr. Suite 100
Pensacola, FL 32507

Documentary Stamp Taxes were collected in the amount of ($1,119.30) based on the purchase price amount of ($159,900.00).

as a necessary incident to the fulfillment of conditions contained in a title insurance commitment issued by it.

Property Appraisers Parcel I.D. (Folio) Number(s): **11-3S-32-3000-000-001**
File No: **P00291**

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COUNTY OF ESCAMBIA

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TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.
To Have and to Hold, the same in fee simple forever.
And the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to January 1, 2011 reservations, restrictions and easements of record, if any.
(The terms "Grantor" and "Grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)

BK: 6756 PG: 265

In Witness Whereof, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness **No. 1** Signature: _____
Printed Name: R. Jeffrey Boll

Witness **No. 2** Signature: _____
Printed Name: Stephanie Barendrick

_____
Mitchell W. Fowler

_____
Syble E. Fowler

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this the 18th day of August, 2011, by Mitchell W. Fowler and Syble E. Fowler, husband and wife, who are known to me or who have produced _____ as photo identification.

(AFFIX NOTARY SEAL HERE)

R. JEFFREY BOLL
MY COMMISSION # DD983991
EXPIRES April 21, 2014
(407) 398-0153 FloridaNotaryService.com

_____
Notary Public
Printed Name: _____
My Commission Expires: _____

BK: 6756 PG: 266 Last Page

RESIDENTIAL SALES
ABUTTING ROADWAY
MAINTENANCE DISCLOSURE

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

NAME OF ROADWAY: Pale Moon Drive

LEGAL ADDRESS OF: XXXX Pale Moon Drive, Pensacola, FL 32507

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

This form completed by: SETCO Services, LLC
14620 Perdido Key Dr., Suite 100
Pensacola, FL 32507

AS TO SELLER(S):

Mitchell W. Fowler

Syble E. Fowler

WITNESSES TO SELLER(S):

Witness' Name: R. J. Hagood

Witness' Name: Stephanie Barendrick

AS TO BUYER(S):

Scott Jeffrey Mindrebo

Donna Jean Mindrebo

WITNESSES TO BUYER(S):

Printed Name: Jeff Mindrebo

Printed Name: Jeff Mindrebo

THIS FORM APPROVED BY THE
ESCAMBIA COUNTY BOARD OF
COUNTY COMMISSIONERS
EFFECTIVE 4/15/95

Re: retroactive permit issued by Brad Banes.

Horace L Jones

Thu 3/8/2018 7:03 AM

To: Timothy R. Day <TRDAY@myescambia.com>; Richard E. Craig <RECRAIG@myescambia.com>;

Cc: Andrew D. Holmer <ADHOLMER@myescambia.com>; Dianne C. Simpson <dcsimpso@myescambia.com>; Jeff Bergosh <JWBERGOSH@myescambia.com>; Bradley D Bane <BDBANE@myescambia.com>; Debbie Kenney <DSKENNEY@myescambia.com>;

Tim & Richard,

Are you aware of any sediment, dirt, or fill leaving the site since the dirt was located in the lot? I agree that we need to monitor the lot in question very closely as we do all lots that are under construction.

Ultimately, the property owner has the responsibility to ensure that the lot in question is stabilized accordingly.

Furthermore, it is my understanding that Rick Facione, the Contractor has been contacted as well according to Tim Tolbert.

Sent from my iPhone

On Mar 7, 2018, at 8:25 PM, Fran Ogden <franogdenrd@gmail.com> wrote:

> Dear Gentlemen,
>
> Today I went down to the building office to find out why the massive amount of dirt dumped on the lot next door without a permit was allowed to remain on the lot while no water mitigation plan has been submitted. I was told by Mr. Banes that now that the permit has been issued, the county cannot make the owners remove it. Well, another 6 weeks has passed and to date, no plan has been submitted and the dirt remains. It is untenable.
>
> Is the county going to make sure that there are no wetlands on the property? How could one know if the evidence of wetlands was illegally covered? While Mr. Banes thinks that the 4X permit fee is sufficient punitive action for breaking the law, I am certain that the Mindrebos consider $800.00 a cheap price to pay to cover the evidence of wetlands on which they will now allow to build "the Dream Home".(3500 sq ft. plus 5 garages, much larger than would be allowed had wetlands been discovered)
>
> I do not know when Mr. Banes granted the retroactive permit since there is still no permit for this act posted on the property, but Mr.Banes did say that Mr. Facione, the Mindrebo's contractor promised a plan was to be filed shortly, yet, here we are many weeks later with no plan in review and the risk the county allowed to stand, remains as is.
>
> I Implore you to revoke the permit and force the owners to remove the illegally dumped dirt. It continues to increase the of flooding risk on my property. I do not believe that the county has the right to allow this increased risk to my property stand. The dirt should go and core samples of the lot should be taken.
>
> I have also just been made aware that the scattered riprap has been classified as a seawall and the new construction of a wall is considered a repair. This is false. I have pictures of the scattered riprap The construction is for a *new* seawall which will be a foot higher than the adjoining and further the flooding risk for the adjacent properties. Please fully evaluate their proposal.
>
> It seems that the Mindrebo's contractor can get anything they want, as they boasted.The illegal land disturbance stands. HOW CAN THIS BE? And why can it persist despite broken promises for a water mitigation plan? Why does the county even issue retroactive permits on a *promise* of a mitigation plan?
>
> Please protect us.
>
> Best,
> Fran Ogden

ps- please know that the Mindrebos and Rick Facione have been promising an engineered approved flood mitigation plan since November 20!!!

Re: 5200 BLK PALE MOON DR./ 11-3S-32-3000-000-001/ LD Permit required

Bradley D Bane

Mon 2/12/2018 4:21 PM

To:Richard E. Craig <RECRAIG@myescambia.com>;

Cc:Timothy R. Day <TRDAY@myescambia.com>;

Hello Richard,

Following up on this case and as we discussed this a. ernoon, we issued Mr. Rick Faciane an a. er-the-fact Land Disturbing Permit this a. ernoon which is also saved in MyPermitNow in case it is needed for reference (1802404PLM). I reiterated to Rick the need for erosion and sediment controls adequately installed and maintained unl sit e is stabilized and the need for adt'l permits for the retaining wall, house, etc.

Project is now closed on our end unless something else pops-up.

Thanks,
Brad

Bradley D. Bane, Environmental Analyst
Escambia County Development Services Department
Environmental Services- Review, DRC & Permitting
3363 West Park Place
Pensacola, FL 32505
(850) 595-4572 Office
(850) 595-3557 Fax
bdbane@co.escambia.fl.us

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From: Bradley D Bane
Sent: Wednesday, February 7, 2018 5:08:05 PM
To: rickfaciane50@yahoo.com
Cc: Richard E. Craig; Andrew D. Holmer
Subject: Fw: 5200 BLK PALE MOON DR./ 11-3S-32-3000-000-001/ LD Permit required

Yes sir. Thank you for your reply.

Brad

From: Rick Faciane <rickfaciane50@yahoo.com>
Sent: Wednesday, February 7, 2018 5:03 PM

To: Bradley D Bane
Subject: Re: 5200 BLK PALE MOON DR./ 11-3S-32-3000-000-001/ LD Permit required

Thanks Brad. Ill be in Monday am to get this done ,.Ill be out of town until then...

Rick Faciane
Classic Homes of Pensacola, LLC.
Office: 850-944-6805
Cell: 850-698-5186
Fax: 850-944-2261

From: Bradley D Bane <BDBANE@myescambia.com>
To: Richard E. Craig <RECRAIG@myescambia.com>
Cc: "rickfaciane50@yahoo.com" <rickfaciane50@yahoo.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>
Sent: Wednesday, February 7, 2018 4:58 PM
Subject: Fw: 5200 BLK PALE MOON DR./ 11-3S-32-3000-000-001/ LD Permit required

Sorry, I forgot to include Mr. Craig to inform him on the progress of his case. He is now copied.

Thank you again,
Brad

From: Bradley D Bane
Sent: Wednesday, February 7, 2018 4:54 PM
To: rickfaciane50@yahoo.com
Cc: Andrew D. Holmer
Subject: 5200 BLK PALE MOON DR./ 11-3S-32-3000-000-001/ LD Permit required

Hello again Rick,

Thank you for providing what you have so far and for geng back with me t oday. Regarding the after-the-fact Land Disturbing Permit (LDP) for 5200 Pale Moon Dr:

- Please provide payment of $867 based on "4X" fee ($216.75) for a "Permit Violaon" (see aàttached LDP code reference and fee schedule if needed for reference).
- We will need the attached Power of A orney form signed and notarized as part of the applicaon as w ell if Mr. Mindrebo is the property owner and you will be acng on his behalf .
- From there, it appears we can issued a permit, resolve the Code Enforcement Noce of Violaàon, andˋ allow the project to more forward.

Thank you for your attenon t o these matters.

Regards,
Brad

Bradley D. Bane, Environmental Analyst
Escambia County Development Services Department
Environmental Services- Review, DRC & Permitting

3363 West Park Place
Pensacola, FL 32505
(850) 595-4572 Office
(850) 595-3557 Fax
bdbane@co.escambia.fl.us

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Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.

Re: land disturbance adjacent to 5330 Pale Moon

Bradley D Bane

Thu 1/11/2018 1:45 PM

To: Terry D Williams <TDWILLIA@myescambia.com>; Timothy R. Day <TRDAY@myescambia.com>;

Cc: Horace L Jones <HLJONES@myescambia.com>; Allen Hampton <EAHAMPTON@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>;

I received a call on the same so I looked into it but could not find permits of any type in the system. I asked Allen this morning if he was in the neighborhood to please swing by and check it out. Per his photos this a. ernoon, the site has been completely cleared up to what appears to be 10-15' from the water's edge, fill placed over the enr e lot, and some sort of retaining wall installed along the NE p/l. Minimal erosion controls were up with some migraon of fill near neighbor(s) wher e it was not installed, &/or failed.

Allen, could you please forward the pictures when you have a sec?

Thanks,
Brad

Bradley D. Bane, Environmental Analyst
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(850) 595-3557 Fax
bdbane@co.escambia.fl.us
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From: Terry D Williams
Sent: Thursday, January 11, 2018 1:29 PM
To: Timothy R. Day
Cc: Horace L Jones; franogden@gmail.com; Bradley D Bane; Allen Hampton
Subject: Re: land disturbance adjacent to 5330 Pale Moon

Tim

No permit issued as of this date.

From: Timothy R. Day
Sent: Wednesday, January 10, 2018 4:23 PM
To: Terry D Williams

Cc: Horace L Jones; franogden@gmail.com
Subject: land disturbance adjacent to 5330 Pale Moon

Please let me know if there is a permit for 5200 blk of Pale Moon Drive PRN 11-3S-32-3000-000-001. There is a concern of unpermiĀed land disturbance/fill on the lot.

Any help would be appreciated – need to know if I need to send out Code…

Thanks

Tim

Timothy Day
Branch Director
Natural Resources Management Department
Escambia County Board of County Commissioiners
221 Palafox Place
Pensacola, FL 32502

trday@myescambia.com
(850) 595-1144 (w)
(850) 554-3073 (c)

RE: land disturbance adjacent to 5330 Pale Moon

Horace L Jones

Thu 1/11/2018 1:53 PM

To: Bradley D Bane <BDBANE@myescambia.com>; Terry D Williams <TDWILLIA@myescambia.com>; Timothy R. Day <TRDAY@myescambia.com>;

Cc: Allen Hampton <EAHAMPTON@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Ron J. Corbin <RJCORBIN@myescambia.com>;

Andrew,
Please get all the facts. The owners of the site may need to come and speak with us to determine their intent for the parcel. Is a home being proposed? Where is the structure permit??. If not LDP should be required.

From: Bradley D Bane
Sent: Thursday, January 11, 2018 1:45 PM
To: Terry D Williams <TDWILLIA@myescambia.com>; Timothy R. Day <TRDAY@myescambia.com>
Cc: Horace L Jones <HLJONES@myescambia.com>; Allen Hampton <EAHAMPTON@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>
Subject: Re: land disturbance adjacent to 5330 Pale Moon

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Tim

Timothy Day
Branch Director
Natural Resources Management Department
Escambia County Board of County Commissioiners
221 Palafox Place
Pensacola, FL 32502

trday@myescambia.com
(850) 595-1144 (w)
(850) 554-3073 (c)

RE: Lot next to 5330 Pale Moon

Timothy R. Day

Thu 1/25/2018 2:51 PM

To: Horace L Jones <HLJONES@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>;

Cc: Fran Ogden <franogdenrd@gmail.com>; Bradley D Bane <BDBANE@myescambia.com>; Richard E. Craig <RECRAIG@myescambia.com>;

Horace/Tim:

Can you provide an update regarding the status of the unpermiĀed fill at this site. It is unclear what the status of either the removal of the unpermiĀed fill or permits to authorize some amount of the fill.

Thanks in advance to all

Tim

Timothy Day
Branch Director
Natural Resources Management Department
Escambia County Board of County Commissioiners
221 Palafox Place

Pensacola, FL 32502

trday@myescambia.com
(850) 595-1144 (w)
(850) 554-3073 (c)

From: Fran Ogden [mailto:franogdenrd@gmail.com]
Sent: Monday, January 22, 2018 3:07 PM
To: Timothy R. Day <TRDAY@myescambia.com>
Subject: Re: Lot next to 5330 Pale Moon

Dear Mr. Day,

In understand that the property next to me has been visited and the work they have done was not permitted. Thank you for your prompt response.

Please tell me what are the plans for correcting the situation? Are they going to have to remove all the dirt?

Thanks,
Fran Ogden
850-737-3436

On Wed, Jan 10, 2018 at 4:46 PM, Fran <franogdenrd@gmail.com> wrote:

> Sent from my iPhone

--
Fran Ogden
850-737-3436

Elevation of sites - RE: retroactive permit issued by Brad Banes.

Jack R. Brown

Thu 3/8/2018 9:36 AM

To: Horace L Jones <HLJONES@myescambia.com>; Timothy R. Day <TRDAY@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>; Joy D Blackmon <JDBLACKM@myescambia.com>; Joy Jones <DJJONES@myescambia.com>; Chris A. Curb <CACURB@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Angela D. Crawley <adcrawle@myescambia.com>; Chips Kirschenfeld <JTKIRSCHE@myescambia.com>; Bradley D Bane <BDBANE@myescambia.com>;

Cc: Jeff Bergosh <JWBERGOSH@myescambia.com>; Debbie Kenney <DSKENNEY@myescambia.com>;

Angela,

I need you to set up a mee ng with the those individuals in the “to” line above to specifically discuss issues with site eleva on and retroacĀve permits. Thanks, Jack

Jack R. Brown
County Administrator
Escambia County
221 Palafox Place, Suite 420
Pensacola, Florida 3502
Email: jrbrown@myescambia.com
Phone: (850) 595-4947
Cell: (850) 490-5905
Fax: (850) 595-4908

Florida has a very broad public records law. Under Florida's law, both the contents of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this en ty.

From: Horace L Jones
Sent: Thursday, March 8, 2018 7:35 AM
To: Jack R. Brown <jrbrown@myescambia.com>
Subject: Fwd: retroacĀve permit issued by Brad Banes.

Read below,

Sent from my iPhone

Begin forwarded message:

> From: Horace L Jones <HLJONES@myescambia.com>
> Date: March 8, 2018 at 7:03:28 AM CST

To: "Timothy R. Day" <TRDAY@myescambia.com>, "Richard E. Craig" <RECRAIG@myescambia.com>
Cc: "Andrew D. Holmer" <ADHOLMER@myescambia.com>, "Dianne C. Simpson" <dcsimpso@myescambia.com>, Jeff Bergosh <JWBERGOSH@myescambia.com>, Bradley D Bane <BDBANE@myescambia.com>, Debbie Kenney <DSKENNEY@myescambia.com>
Subject: Re: r etr oactive permit issued by Brad Banes.

Tim & Richard,

Are you aware of any sediment, dirt, or fill leaving the site since the dirt was located in the lot? I agree that we need to monitor the lot in question very closely as we do all lots that are under construction.

Ultimately, the property owner has the responsibility to ensure that the lot in question is stabilized accordingly.

Furthermore, it is my understanding that Rick Facione, the Contractor has been contacted as well according to Tim Tolbert.

Sent from my iPhone

On Mar 7, 2018, at 8:25 PM, Fran Ogden <franogdenrd@gmail.com> wrote:

> Dear Gentlemen,
>
> Today I went down to the building office to find out why the massive amount of dirt dumped on the lot next door without a permit was allowed to remain on the lot while no water mitigation plan has been submitted. I was told by Mr. Banes that now that the permit has been issued, the county cannot make the owners remove it. Well, another 6 weeks has passed and to date, no plan has been submitted and the dirt remains. It is untenable.
>
> Is the county going to make sure that there are no wetlands on the property? How could one know if the evidence of wetlands was illegally covered? While Mr. Banes thinks that the 4X permit fee is sufficient punitive action for breaking the law, I am certain that the Mindrebos consider $800.00 a cheap price to pay to cover the evidence of wetlands on which they will now allow to build "the Dream Home".(3500 sq ft. plus 5 garages, much larger than would be allowed had wetlands been discovered)
>
> I do not know when Mr. Banes granted the retroactive permit since there is still no permit for this act posted on the property, but Mr.Banes did say that Mr. Facione, the Mindrebo's contractor promised a plan was to be filed shortly, yet, here we are many weeks later with no plan in review and the risk the county allowed to stand, remains as is.
>
> I Implore you to revoke the permit and force the owners to remove the illegally dumped dirt. It continues to increase the of flooding risk on my property. I do not believe that the county has the right to allow this increased risk to my property stand. The dirt should go and core samples of the lot should be taken.
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> I have also just been made aware that the scattered riprap has been classified as a seawall and the new construction of a wall is considered a repair. This is false. I have pictures of the scattered riprap The construction is for a new seawall which will be a foot higher than the adjoining and further the flooding risk for the adjacent properties. Please fully evaluate their proposal.

It seems that the Mindrebo's contractor can get anything they want, as they boasted.The illegal land disturbance stands. HOW CAN THIS BE? And why can it persist despite broken promises for a water mitigation plan? Why does the county even issue retroactive permits on a promise of a mitigation plan?

Please protect us.

Best,
Fran Ogden

ps- please know that the Mindrebos and Rick Facione have been promising an engineered approved flood mitigation plan since November 20!!!

ignored requirements for Pale Moon Mindrebo property & seawall permit with NOV outstanding

Fran Ogden <franogdenrd@gmail.com>

Wed 3/7/2018 11:58 PM

To: Andrew D. Holmer <ADHOLMER@myescambia.com>; Bradley D Bane <BDBANE@myescambia.com>; Timothy R. Day <TRDAY@myescambia.com>;

Cc: Robert Kyles <RKYLES@myescambia.com>; Dianne C. Simpson <dcsimpso@myescambia.com>;

Below, please find the email Mr. Banes sent to me about the requirements for a permit in April last year. When did the rules change? Do you have the wetlands site-specific wetland survey for the Mindrebo property? What did FEMA say about this new elevation and the impact on the adjacent properties?

I am confused as to why so many things that Banes told me I had to do were not required for the Mindrebo's. I am also confused as to why it was not disclosed to me that Mr. Holmer was in ongoing contact with another contractor hired by the Mindrebo before, during and after I brought this violation to Mr. Day's attention.(I know Mr. Holmer corresponded with Wetland Sciences on January 9th and again on Feb 26th.about this property.) Did the elevations that were submitted during the seawall permitting process include the illegally dumped dirt? Is it ethical to allow a second permit to be issued when the elevations submitted were obtained by illegal, unpermitted improvements? Is it even legal? And why should anybody comply if forgiveness is so easily given? Something is just not right. The mistakes need to be fixed.

Attachments 4/17/17

These findings are disturbing. I would like to see all the correspondence regarding the Mindrebo's property and the land development department. I understand it is public record.

The permit should be pulled until this is information submitted is more closely reviewed. As evidenced by previous actions, the Mendrebo's have a history of disregarding due process.

Sincerely,

Fran Ogden

Bradley D Bane <BDBANE@co.escambia.fl.us>

to me, Caleb, Juan

Hello Fran. There's a few thing to consider so I'm going to try & clarify them:

- My parĀcular environmental review would not require a setback from a drainage ditch.

- However, there is a 20' (drainage) easement over & along the southern property boundary (see a ached plat). Therefore, as best we can tell, that area should be avoided (no ac vi es, building, etc. in/over easement area). This would be further addressed through our Planning & Zoning &/or Engineering Depts.

- My review would require:

-a 15' setback from the "Mean High Water Line". If you have a seawall, which it appears you do, it would be much easier just to measure & show that 15' setback on site plans as measured from the seawall. There are requirements for what can & cannot be placed with this setback so please check with me prior.

-Land clearing & protected tree removal, if proposed prior to building permit issuance by our Building InspecĀons Dept. (BID), would require review & possibly a Land and Tree Management (Land Disturbing) Permit prior to iniĀa on. Please let me know if such is being proposed.

- It does not appear there are wetlands on this lot; however, if the poten al exists we'd need to look into that further (possibly a "Site Specific Survey"/ wetland survey prior).

- Our Planning & Zoning Dept. (P&Z) will have other setbacks & requirements for buildings & site development so please check with a Front Desk Planner here.

- FEMA floodzone review will also be a required factor through Juan Lemos (P&Z) &/or Harry Gibson (BID/ (850) 554-2826).

Our management suggests that applicants proposing development come in & meet with us to go over these items our Land Development Code addresses & requires so that you are aware. Please consider doing so.

Thank you,

Brad

--

Relayed: 5200 BLK PALE MOON DR./ 11-3S-32-3000-000-001/ LD Permit required

Microsoft Outlook

Wed 2/7/2018 4:54 PM

To: rickfaciane50@yahoo.com <rickfaciane50@yahoo.com>;

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

rickfaciane50@yahoo.com (rickfaciane50@yahoo.com)

Subject: 5200 BLK PALE MOON DR./ 11-3S-32-3000-000-001/ LD Permit required

Fw: 5200 BLK PALE MOON DR./ 11-3S-32-3000-000-001/ LD Permit required

Bradley D Bane

Wed 2/7/2018 5:08 PM

To: rickfaciane50@yahoo.com <rickfaciane50@yahoo.com>;

Cc: Richard E. Craig <RECRAIG@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>;

Yes sir. Thank you for your reply.

Brad

From: Rick Faciane <rickfaciane50@yahoo.com>
Sent: Wednesday, February 7, 2018 5:03 PM
To: Bradley D Bane
Subject: Re: 5200 BLK PALE MOON DR./ 11-3S-32-3000-000-001/ LD Permit required

Thanks Brad. Ill be in Monday am to get this done ,.Ill be out of town until then...

Rick Faciane
Classic Homes of Pensacola, LLC.
Office: 850-944-6805
Cell: 850-698-5186
Fax: 850-944-2261

From: Bradley D Bane <BDBANE@myescambia.com>
To: Richard E. Craig <RECRAIG@myescambia.com>
Cc: "rickfaciane50@yahoo.com" <rickfaciane50@yahoo.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>
Sent: Wednesday, February 7, 2018 4:58 PM
Subject: Fw: 5200 BLK PALE MOON DR./ 11-3S-32-3000-000-001/ LD Permit required

Sorry, I forgot to include Mr. Craig to inform him on the progress of his case. He is now copied.

Thank you again,
Brad

From: Bradley D Bane
Sent: Wednesday, February 7, 2018 4:54 PM

To: rickfaciane50@yahoo.com
Cc: Andrew D. Holmer
Subject: 5200 BLK PALE MOON DR./ 11-3S-32-3000-000-001/ LD Permit required

Hello again Rick,

Thank you for providing what you have so far and for getting back with me today. Regarding the a. er-the-fact Land Disturbing Permit (LDP) for 5200 Pale Moon Dr:

- Please provide payment of $867 based on "4X" fee ($216.75) for a "Permit Violaon" (see aà. ached LDP code reference and fee schedule if needed for reference).
- We will need the a. ached Power of A orney form signed and notarized as part of the applicaon as w ell if Mr. Mindrebo is the property owner and you will be acng on his behalf .
- From there, it appears we can issued a permit, resolve the Code Enforcement Noce of Violaà on, and allow the project to more forward.

Thank you for your attenon t o these matters.

Regards,
Brad

Bradley D. Bane, Environmental Analyst
Escambia County Development Services Department
Environmental Services- Review, DRC & Permitting
3363 West Park Place
Pensacola, FL 32505
(850) 595-4572 Office
(850) 595-3557 Fax
bdbane@co.escambia.fl.us

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Think Green.
Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.

Delivered: 5200 BLK PALE MOON DR./ 11-3S-32-3000-000-001/ LD Permit required

Microsoft Outlook

Wed 2/7/2018 4:54 PM

To: Andrew D. Holmer <ADHOLMER@myescambia.com>;

Your message has been delivered to the following recipients:

Andrew D. Holmer (ADHOLMER@myescambia.com)

Subject: 5200 BLK PALE MOON DR./ 11-3S-32-3000-000-001/ LD Permit required

Relayed: 5200 BLK PALE MOON DR./ 11-3S-32-3000-000-001/ LD Permit required

Microsoft Outlook

Wed 2/7/2018 4:54 PM

To: rickfaciane50@yahoo.com <rickfaciane50@yahoo.com>;

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

rickfaciane50@yahoo.com (rickfaciane50@yahoo.com)

Subject: 5200 BLK PALE MOON DR./ 11-3S-32-3000-000-001/ LD Permit required

Re: land disturbance adjacent to 5330 Pale Moon

Sandra F Slay

Thu 1/11/2018 2:08 PM

To: Timothy R. Day <TRDAY@myescambia.com>;

Cc: Steven Littlejohn <SLLITTLE@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Horace L Jones <HLJONES@myescambia.com>; franogden@gmail.com <franogden@gmail.com>; Bradley D Bane <BDBANE@myescambia.com>; Allen Hampton <EAHAMPTON@myescambia.com>; Terry D Williams <TDWILLIA@myescambia.com>; District1 <District1@co.escambia.fl.us>;

Yes sir I'll have an officer go out and issue NOV to violator to make corrections

Sent from my iPhone

On Jan 11, 2018, at 1:46 PM, Timothy R. Day <TRDAY@myescambia.com> wrote:

> Sam/Tim:
>
> It appears that this site is being prepped for a future home-site without the benefit of permits. There appears to be a significant amount of fill and a retaining wall (separate permit required?) installed on the site. Please coordinate and take appropriate acĀon to resolve. Ms. Ogden, cc'd on this email would like to be kept informed of the permit status for this lot. She is concerned of poten al flooding issues that may be caused through development of this lot next door to her.
>
> Thanks to all.
>
> Tim
>
> <image001.jpg><image002.jpg><image003.jpg>
>
> ---
>
> From: Terry D Williams
> Sent: Thursday, January 11, 2018 1:30 PM
> To: Timothy R. Day <TRDAY@myescambia.com>
> Cc: Horace L Jones <HLJONES@myescambia.com>; franogden@gmail.com; Bradley D Bane <BDBANE@myescambia.com>; Allen Hampton <EAHAMPTON@myescambia.com>
> Subject: Re: land disturbance adjacent to 5330 Pale Moon
>
> Tim
>
> No permit issued as of this date.

From: Timothy R. Day
Sent: Wednesday, January 10, 2018 4:23 PM
To: Terry D Williams
Cc: Horace L Jones; franogden@gmail.com
Subject: land disturbance adjacent to 5330 Pale Moon

Please let me know if there is a permit for 5200 blk of Pale Moon Drive PRN 11-3S-32-3000-000-001. There is a concern of unpermiĀed land disturbance/fill on the lot.

Any help would be appreciated – need to know if I need to send out Code…

Thanks

Tim

Timothy Day
Branch Director
Natural Resources Management Department
Escambia County Board of County Commissioiners
221 Palafox Place
Pensacola, FL 32502

trday@myescambia.com
(850) 595-1144 (w)
(850) 554-3073 (c)

Re: retroactive permit issued by Brad Banes.

Fran Ogden <franogdenrd@gmail.com>

Fri 3/9/2018 12:15 PM

To: Bradley D Bane <BDBANE@myescambia.com>; Timothy R. Day <TRDAY@myescambia.com>; Horace L Jones <HLJONES@myescambia.com>; Richard E. Craig <RECRAIG@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>;

Dear Sirs,

I returned to the building office to get an actual copy of the retroactively given permit for land clearing on the Mindrebo's lot.

I was shocked to find that Mr. Facione stated that only 1800 cu yds of dirt were dumped. This figure is grossly understated by a minimum of 25%
A neighbor counted 70 trucks and did not start with the first one. Just the 70 would be 2100 cu yards, but in actuallity, that was all we can account for.

So we have the truth of math as evidence. As shown by Mr. Facione 6/10 of an acre was cleared and filled. It was filled approximately 3 feet higher than my already filled lot. (26,136 sq ft x 2 feet (to be conservative)= 52,272 sq ft / 9 =5,808 cubic yards) . I am certain if compliance officers checked, it would be obvious that the retroactive permit request was inaccurate. Mr. Facione has been out to the property plenty of times before submitting the permit and with his experience, of which the dept. has expressed to me, he could not have put that number in good faith. Of course, Officier Craig could not even know what they claimed because the permit is still not posted as of today. This is another violation. One would assume that Mr. Facione would know the posting regulation but a permit post was only installed when I warned the seawall contractor that I was calling enforcement if the permit was not posted and they continued to work. So this contractor stopped working to get and erect the permit box (5 months after construction began)
Still, no land disturbance permit is in the box, I guess that is one way to keep from being checked on.

I have a call into Officier Craig this morning but have not yet heard from him. The violation is obvious and I do not know what the penalty is for falsifying the extent of the unpermitted work, but I hope at least the dirt that was installed without permission or concern to flooding will be ordered to be removed.

The uncleared lot adjacent to the Mendrebo's has protected trees, my lot has protected trees..... Odd that the lot between us had none.

Additionally, I do not see the wetland sciences confirmation of an entire site survey in the permit copy that I requested. It is referred to, but not attached. Did Mr. Banes forget to attach it or is it not available and Mr. Facione's word was sufficient? When I built my seawall Wetland Sciences did my jurisdiction study but a site specific wetland evaluation was not preformed. If,I did not know that Mr. Facione was an expireced contractor, I would say he confused the two, but considering his liscensure, I doubt that. Mr. Banes and Mr. Jones said the site specific wetland verification comes after the land clearing permit, when the building permit is requested. This seems horribly backwards. The damage hs been done and evidence covered.

I do believe that Mr. Mendrebo intends to build whatever he wants, Mrs. Mendrebo boasted that her contractor can get anything through, this is proving to be true, regardless of regulations.

I understand that there will be a meeting concerning this project with all of the people that I have been trying to get to look at this situation, I would like to attend. I understand I could not speak but I would like to be present to take notes. I have been told many different things and I would like to hear the version presented. Is this not my right under the sunshine law?

Praying that I do not flood and that the county protects me,
Fran Ogden

PS My home did not flood in April 2014, I had water in the garage but my home was high and dry by inches.

On Wed, Mar 7, 2018 at 8:25 PM, Fran Ogden <franogdenrd@gmail.com> wrote:

> Dear Gentlemen,
>
> Today I went down to the building office to find out why the massive amount of dirt dumped on the lot next door without a permit was allowed to remain on the lot while no water mitigation plan has been submitted. I was told by Mr. Banes that now that the permit has been issued, the county cannot make the owners remove it. Well, another 6 weeks has passed and to date, no plan has been submitted and the dirt remains. It is untenable.
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> Is the county going to make sure that there are no wetlands on the property? How could one know if the evidence of wetlands was illegally covered? While Mr. Banes thinks that the 4X permit fee is sufficient punitive action for breaking the law, I am certain that the Mindrebos consider $800.00 a cheap price to pay to cover the evidence of wetlands on which they will now allow to build "the Dream Home".(3500 sq ft. plus 5 garages, much larger than would be allowed had wetlands been discovered)
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>
> I Implore you to revoke the permit and force the owners to remove the illegally dumped dirt. It continues to increase the of flooding risk on my property. I do not believe that the county has the right to allow this increased risk to my property stand. The dirt should go and core samples of the lot should be taken.
>
> I have also just been made aware that the scattered riprap has been classified as a seawall and the new construction of a wall is considered a repair. This is false. I have pictures of the scattered riprap The construction is for a *new* seawall which will be a foot higher than the adjoining and further the flooding risk for the adjacent properties. Please fully evaluate their proposal.
>
> It seems that the Mindrebo's contractor can get anything they want, as they boasted.The illegal land disturbance stands. HOW CAN THIS BE? And why can it persist despite broken promises for a water mitigation plan? Why does the county even issue retroactive permits on a *promise* of a mitigation plan?
>
> Please protect us.
>
> Best,
> Fran Ogden
>
> ps- please know that the Mindrebos and Rick Facione have been promising an engineered approved flood mitigation plan since November 20!!!

--
Fran Ogden
850-737-3436

Re: 5200 Pale Moon Mindrebo lot -correction on the estimate of cu yds.

Fran Ogden <franogdenrd@gmail.com>

Wed 3/21/2018 9:43 AM

Inbox

To: Bradley D Bane <BDBANE@myescambia.com>; Timothy R. Day <TRDAY@myescambia.com>; Horace L Jones <HLJONES@myescambia.com>; Richard E. Craig <RECRAIG@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Dianne C. Simpson <dcsimpso@myescambia.com>; Jeff Bergosh <JWBERGOSH@myescambia.com>;

To whom it may concern:

It appears that the Mindrebo's have used staked the Survey Markers one foot inside my property line.
Apparently, the legal description overlaps my legal description. But my survey was established first and I claim it.
This will change their setbacks by 1 ft.

The Mindrebo's are well aware of this conflict but have failed to bring it to the light. This behavior is consistent with land clearing permitting behavior. I hope that their presumptions behavior is not rewarded with a small fine but they are made to respect the law.

Please do not issue any more permits until this dispute is resolved. Consider this your notice of the situation.

Thank-you,

Fran Ogden

On Fri, Mar 9, 2018 at 7:05 PM, Fran Ogden <franogdenrd@gmail.com> wrote:

> To whom it may concern:
>
> It has been brought to my attention that my math is wrong.
>
> I have measured the portion of the lot that has fill on top and it is larger than 170 x 105 which is 17850 sq ft. (I only measured the tallest part of the fill, leaving out the slopes
>
> The fill is at *least* 3.5 ft. (some areas are much higher than 3.5 ft) as evidenced by the wall height. This gives us 62,475 sq feet which translates to 2313. cubic yards. *(I had divided by 9 rather than 27)* But even with this error and recalculation, there is a lot more dirt than claimed. Remember that the lot was way below my lot grade and water would stand for a while after heavy rains. Of course, you do not know because they covered it up. Several neighbors have claimed that there were over 100 truck loads.
>
> I apologize for the mistake but maintain that the fill brought in was underestimated by Mr. Facione. And I remain injured by the increased flooding risk.
> --
> Fran Ogden
> 850-737-3436

--
Fran Ogden
850-737-3436

Fw: land disturbance adjacent to 5330 Pale Moon

Bradley D Bane

Thu 1/11/2018 1:53 PM

Sent Items

To: Andrew D. Holmer <ADHOLMER@myescambia.com>;

FYI below. I didn't see you copied but wanted to keep you in the loop (not that you/ we need another "issue" but want you to be aware).
Anyway, Allen's photos show addional migr aon of some fill v ery close to and/or over the p/l.

My queson: ho w did they get so far into this with such an acv e neighborhood/ HOA and who was the contractor(s)?

Bradley D. Bane, Environmental Analyst
Escambia County Development Services Department
Environmental Services- Review, DRC & Permitting
3363 West Park Place
Pensacola, FL 32505
(850) 595-4572 Office
(850) 595-3557 Fax
bdbane@co.escambia.fl.us
Please consider the Environment before printing this e-mail. Reduce, reuse, recycle.
Think Green.

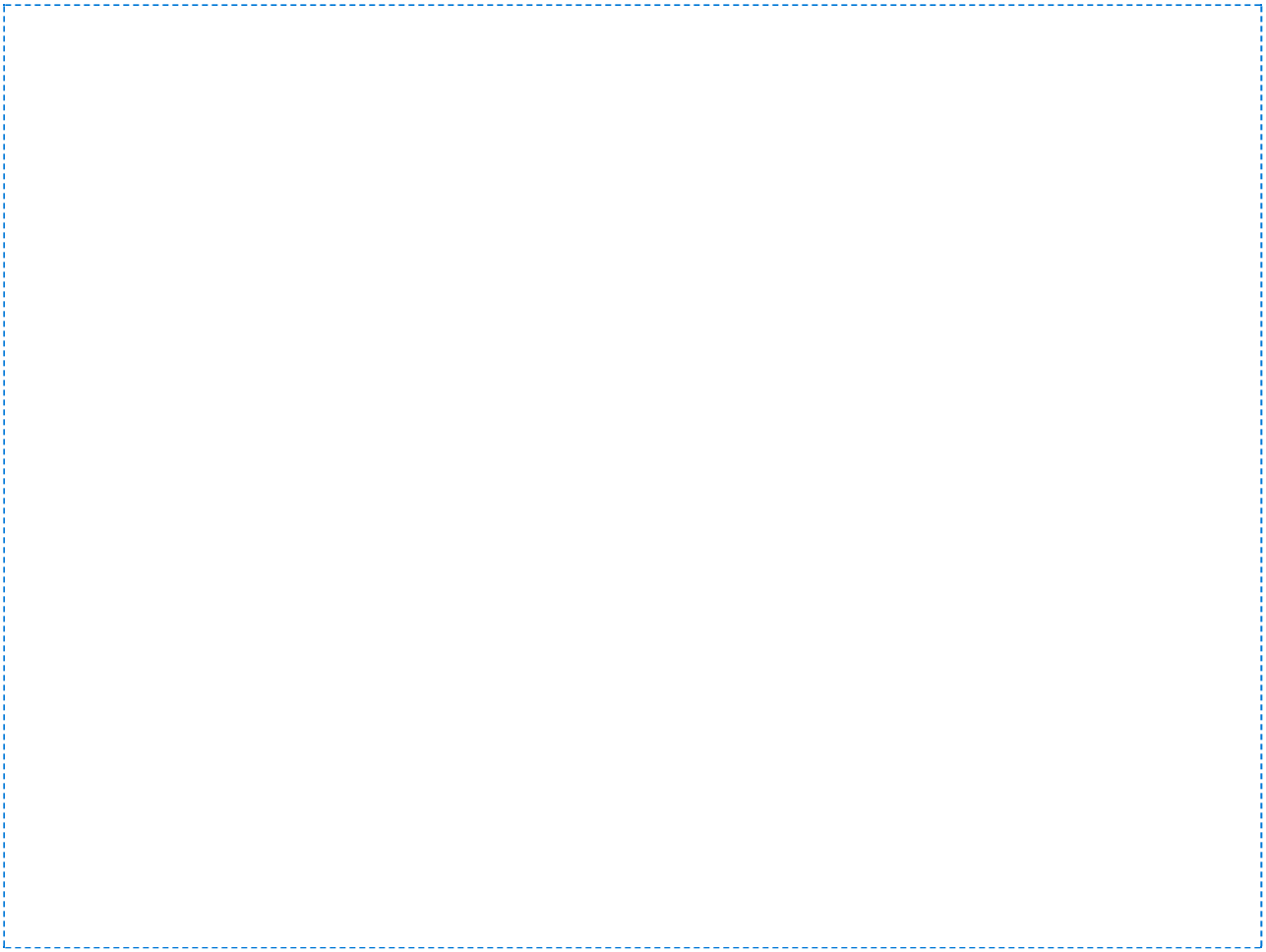
From: Timothy R. Day
Sent: Thursday, January 11, 2018 1:45 PM
To: Sandra F Slay; Steven LiĀlejohn; Tim Tolbert
Cc: Horace L Jones; franogden@gmail.com; Bradley D Bane; Allen Hampton; Terry D Williams; District1
Subject: RE: land disturbance adjacent to 5330 Pale Moon

Sam/Tim:

It appears that this site is being prepped for a future home-site without the benefit of permits. There appears to be a significant amount of fill and a retaining wall (separate permit required?) installed on the site. Please coordinate and take appropriate acĀon to resolve. Ms. Ogden, cc'd on this email would like to be kept informed of the permit status for this lot. She is concerned of poten al flooding issues that may be caused through development of this lot next door to her.

Thanks to all.

Tim



From: Terry D Williams
Sent: Thursday, January 11, 2018 1:30 PM
To: Timothy R. Day <TRDAY@myescambia.com>
Cc: Horace L Jones <HLJONES@myescambia.com>; franogden@gmail.com; Bradley D Bane <BDBANE@myescambia.com>; Allen Hampton <EAHAMPTON@myescambia.com>
Subject: Re: land disturbance adjacent to 5330 Pale Moon

Tim

No permit issued as of this date.

From: Timothy R. Day
Sent: Wednesday, January 10, 2018 4:23 PM
To: Terry D Williams
Cc: Horace L Jones; franogden@gmail.com
Subject: land disturbance adjacent to 5330 Pale Moon

Please let me know if there is a permit for 5200 blk of Pale Moon Drive PRN 11-3S-32-3000-000-001. There is a concern of unpermiĀed land disturbance/fill on the lot.

Any help would be appreciated – need to know if I need to send out Code…

Thanks

Tim

Timothy Day
Branch Director
Natural Resources Management Department
Escambia County Board of County Commissioiners
221 Palafox Place
Pensacola, FL 32502

trday@myescambia.com
(850) 595-1144 (w)
(850) 554-3073 (c)

Re: After-the-Fact LD Permit for 5200 Pale Moon Dr. / 11-3S-32-3000-000-001

Caleb G. MacCartee

Mon 3/12/2018 12:03 PM

To: Horace L Jones <HLJONES@myescambia.com>; Terry D Williams <TDWILLIA@myescambia.com>; Barbara Winns <BAWINNS@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>; Juan C. Lemos <JCLEMOS@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>;

Cc: Timothy R. Day <TRDAY@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Charles K. Wiley <CKWILEY@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>; Bradley D Bane <BDBANE@myescambia.com>;

2 attachments (4 MB)

WETLAND AND FLOOD.pdf; ZONING AND FLU.pdf;

See attached for reference.

Caleb G. MacCartee
Urban Planner II
Development Services Department
Escambia County BCC
3363 West Park Place, Pensacola, FL 32505
(850) 595-3475 Main
(850) 595-3557 Fax

Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do no want the content of your email or your email address release in response to a public records request, do no send electronic mail to this en ty. Instead, contact this office by phone or in person.

This verification relates to zoning for the specified property and is provided for information purposes only. This email does not imply or confer development rights for any desired use or activity on the specified parcel. Prior to the issuance of any permits, the applicant must submit a complete application to the County and must comply with all other applicable State and Local Regulations.

From: Horace L Jones
Sent: Friday, March 9, 2018 8:21 AM
To: Terry D Williams; Barbara Winns; Caleb G. MacCartee; Roza I. Sestnov; Juan C. Lemos; Andrew D. Holmer
Cc: Timothy R. Day; Tim Tolbert; Charles K. Wiley; Jennifer A. Hampton; Bradley D Bane
Subject: FW: AĀer-the-Fact LD Permit for 5200 Pale Moon Dr. / 11-3S-32-3000-000-001

Sorry if this e-mail came to each of you twice. Computer issues.

From: Horace L Jones
Sent: Friday, March 09, 2018 8:05 AM

To: Terry D Williams <TDWILLIA@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>; Barbara Winns <BAWINNS@myescambia.com>; Caleb G. MacCartee <cgmaccartee@myescambia.com>; Kim L. Wilson <klwilson@myescambia.com>; Juan C. Lemos <JCLEMOS@myescambia.com>
Cc: Tim Tolbert <JTTOLBERT@myescambia.com>; Charles K. Wiley <CKWILEY@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>; Timothy R. Day <TRDAY@myescambia.com>; Bradley D Bane <BDBANE@myescambia.com>; Harry T. Gibson <HTGIBSON@myescambia.com>
Subject: FW: After-the-Fact LD Permit for 5200 Pale Moon Dr. / 11-3S-32-3000-000-001

TO ALL:

WHEN THE PLANS COME in FOR THE LOT IN QUESTION, PLEASE (PLANNERS) BE AS THOROUGH As YOU POSSIBLY CAN DURING THE SITE Plan REVIEW PROCESS FOR THE PROPOSED HOUSE ON THE LOT REFERENCE ABOVE.

There have been some concerns raised by Fran Ogden a neighbor in close proximity to the lot in question on the amount of fill that is currently own the lot. Primarily, her main concern is the potential for adverse impact with stormwater or fill in the case of substantial rains due elevation of the lot.

Roza, please review for lot grading and stormwater compliance for the proposed house. As you know, the lot in question must be able to handle its own stormwater. It cannot be deflected or cause an adverse impact on the surrounding properties. Additional measures may be warranted. Additional measures may be needed with the proposed structure as well as with the site for stabilization.

Along with that, Juan please get Harry Gibson to review regulations regarding Flood zone. The site is definitely in a Flood Zone. It appears to be elevated substantially. Yes, there is the additional Freeboard requirement of 3' above BFE. Again, additional measures may be needed such as Flood zone elevation certificates and etc.

Terry and Andrew
Whoever is the planner reviewing the site plan. Please make sure that compliance with LDC is completely. Furthermore, we may have to ask for additional information and for other measures to be taken.

Horace.

From: Bradley D Bane
Sent: Thursday, March 08, 2018 9:49 AM
To: Horace L Jones <HLJONES@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>
Subject: Fw: After-the-Fact LD Permit for 5200 Pale Moon Dr. / 11-3S-32-3000-000-001

Hello Horace,

Per your request, please see attached a copy for the After-the-fact Land Disturbing Permit for 5200 Pale Moon Dr., my email to Richard Craig on February 12th, and the email train below.

Caleb looked in MyPermitNow this morning and stated they did receive a permit for a dock and a seawall.

Please let me know if you need anything else.

Thank you,
Brad

Bradley D. Bane, Environmental Analyst
Escambia County Development Services Department
Environmental Services- Review, DRC & Permitting
3363 West Park Place
Pensacola, FL 32505
(850) 595-4572 Office
(850) 595-3557 Fax
bdbane@co.escambia.fl.us

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Think Green.

From: Bradley D Bane
Sent: Tuesday, February 20, 2018 1:49 PM
To: Horace L Jones
Cc: Andrew D. Holmer
Subject: After-the-Fact LD Permit for 5200 Pale Moon Dr. / 11-3S-32-3000-000-001

Hello Horace,

Per your request, please see attached a copy of the after-the-fact Land Disturbing Permit issued for 5200 Blk. Pale Moon Dr. (the Mindrebo's) and the emails below and attached to Code Enforcement regarding the need for adequate erosion and sediment controls, additional permitting, etc. There are more emails on this case so just let me know if you need to review them and I'll convert them to pdf's as well.

Thank you,
Brad

Bradley D. Bane, Environmental Analyst
Escambia County Development Services Department
Environmental Services- Review, DRC & Permitting
3363 West Park Place
Pensacola, FL 32505
(850) 595-4572 Office
(850) 595-3557 Fax
bdbane@co.escambia.fl.us

Please consider the Environment before printing this e-mail. Reduce, reuse, recycle.
Think Green.

From: Bradley D Bane
Sent: Tuesday, February 13, 2018 11:29 AM
To: Andrew D. Holmer
Cc: Roza I. Sestnov
Subject: Re: 5200 Pale Moon dr.

FYI, keeping you in the loop as this this one has a lot of eyes on it. I issued Rick Faciane an a-t-f LD Permit yesterday, so we are out of it unless he does something else under our purview. As far as Richard's stormwater questions, Roza and I explained how that was handled under the Building Permit/ Lot Grading Plan for the house so I'm not sure what else he's needing.

A note on that though, Rick mentioned building an additional retaining wall along the southwest property line as well. We'll need to review that (along with BID for the existing, 4' a-t-f wall) for at least MER Setbacks, etc. I foresee a seawall or something similar being proposed in the future as well to box-in the lot seeing that it will be ±4-5 higher than neighboring lots and Perdido Bay. I asked Rick to PLEASE run anything else by use PRIOR to moving forward; he agreed and understood.

Brad

Bradley D. Bane, Environmental Analyst
Escambia County Development Services Department
Environmental Services- Review, DRC & Permitting
3363 West Park Place
Pensacola, FL 32505
(850) 595-4572 Office
(850) 595-3557 Fax
bdbane@co.escambia.fl.us

Please consider the Environment before printing this e-mail. Reduce, reuse, recycle.
Think Green.

From: Richard E. Craig
Sent: Tuesday, February 13, 2018 10:41:22 AM
To: Roza I. Sestnov
Cc: Bradley D Bane; Steven P. Kenney
Subject: 5200 Pale Moon dr.

Per our conversation this morning as it pertains to storm water permit , could you please explain what area that's covered in the building permit verses a need for storm water permit for the site.

thanks

Richard Craig
Escambia County Environmental Enforcement
850-554-7160

RE: Public Records Request- 5312 Pale Moon Drive

Denise Halstead

Tue 5/22/2018 12:45 PM

Inbox

To:Roza I. Sestnov <risestnov@myescambia.com>;

Cc:Bradley D Bane <BDBANE@myescambia.com>;

Thanks ☺

From: Roza I. Sestnov
Sent: Tuesday, May 22, 2018 11:49 AM
To: Denise Halstead <DHALSTEA@myescambia.com>
Cc: Bradley D Bane <BDBANE@myescambia.com>
Subject: RE: Public Records Request- 5312 Pale Moon Drive

Denise,

All my e-mails regarding stormwater permit are in your file. I think Brad Bane has all files regarding land disturbing permit.

Thank you,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Denise Halstead
Sent: Tuesday, May 22, 2018 11:13 AM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: Public Records Request- 5312 Pale Moon Drive
Importance: High

Hi Roza,

We have a public records request for 5312 Pale Moon Drive, 1802404PLM (land disturbing) and 1803956PLM (stormwater).

I've down loaded the documents from MyPermitNow. If you have any additional emails for these permits please save them here: H:\DEV SRVCS\PUBLIC RECORDS REQUEST\Pending Requests\Pale Moon Dr.

Thanks,

Denise Halstead
Administrative Supervisor
Development Services Department
3363 West Park Place
Pensacola, FL 32505
Phone: 850.595.3442

RE: 5312 Palemoon Drive #11-3S-32-3000-000-001

Andrew D. Holmer

Wed 3/28/2018 4:20 PM

To: Roza I. Sestnov <risestnov@myescambia.com>; Horace L Jones <HLJONES@myescambia.com>; Terry D Williams <TDWILLIA@myescambia.com>; Bradley D Bane <BDBANE@myescambia.com>;

Cc: franogdenrd@gmail.com <franogdenrd@gmail.com>; Jerry's JMA <jerry@mcguire-assoc.com>; Terry D Williams <TDWILLIA@myescambia.com>; Juan C. Lemos <JCLEMOS@myescambia.com>;

Yes please do.
Thanks

From: Roza I. Sestnov
Sent: Wednesday, March 28, 2018 3:15 PM
To: Horace L Jones <HLJONES@myescambia.com>; Terry D Williams <TDWILLIA@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Bradley D Bane <BDBANE@myescambia.com>
Cc: franogdenrd@gmail.com; Jerry's JMA <jerry@mcguire-assoc.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Terry D Williams <TDWILLIA@myescambia.com>; Juan C. Lemos <JCLEMOS@myescambia.com>
Subject: RE: 5312 Palemoon Drive #11-3S-32-3000-000-001

Horace,

If you want, I can include this comments in my stormwater comments, that I'm preparing. Please let me know.

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Horace L Jones
Sent: Wednesday, March 28, 2018 2:41 PM
To: Terry D Williams <TDWILLIA@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Bradley D Bane <BDBANE@myescambia.com>
Cc: franogdenrd@gmail.com; Jerry's JMA <jerry@mcguire-assoc.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>; Terry D Williams <TDWILLIA@myescambia.com>; Juan C. Lemos <JCLEMOS@myescambia.com>
Subject: Re: 5312 Palemoon Drive #11-3S-32-3000-000-001

Please reach out to Fred or Jerry to get the informa. on. I will be off the rest of the week.

Sent from my iPhone

On Mar 28, 2018, at 2:29 PM, Timothy R. Day <TRDAY@myescambia.com> wrote:

Horace:

The wetland determina. on le r that is included in the package for dated 24 April 2017 from Wetland Sciences to Fred Thompson is not for the subject site based on the property reference number and a chments within the wetland determina . on. Please request the applicant to provide the referenced document.

Best Regards,

Tim

Timothy Day
Senior Manager
Natural Resources Management Department
Escambia County Board of County Commissioiners
221 Palafox Place
Pensacola, FL 32502

trday@myescambia.com
(850) 595-1144 (w)
(850) 554-3073 (c)

From: Horace L Jones
Sent: Wednesday, March 28, 2018 10:29 AM
To: 'franogdenrd@gmail.com' <franogdenrd@gmail.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>; Terry D Williams <TDWILLIA@myescambia.com>; Juan C. Lemos <JCLEMOS@myescambia.com>
Subject: FW: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

Mrs. Fran,

For your information, here the remaining documents that are applicable to the Storm water review for a single-family home and that were submi ed prior to the deadline. Just to reiterate again, there could be addiĀonal informa on/documents that may be needed from Mrs. Roza, our Engineer and other staff members that are essen al for the site plan review process. We allow our staff as the subject ma er experts and based upon the applicable requirements of the Land Development Code and other pertinent regulations to determine if additional information/documents are needed. We will definitely request the needed information/documents as we continue the review process.

Respectfully,

Horace Jones
Department Director
Development Services Department
33363 West Park Place, Pensacola, FL
850-595-3625 or 554-8210
hljones@myescambia.com

From: Fran Ogden [mailto:franogdenrd@gmail.com]
Sent: Tuesday, March 27, 2018 5:26 PM
To: Horace L Jones <HLJONES@myescambia.com>; Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>
Subject: Re: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

Dear Mr Jones et al

Again I bring it to your a□en tion that the survey they are using has discrepancies in it (see survey general info. box). The Mindrebos have ignored this just like they ignored the requirements that would allow them to bring MORE than 1800 cubic. yds of dirt. Our shared lot line is one foot overstated in their survey. This discrepancy exists along the entire length of the lot. I do not give the Mindrebo's permission to impose on my lot. This discrepancy is clearly noted in the originally submi ed survey for the LDC permit that Brad Banes gave on Feb 2, without any stormwater plan (which I maintain should be revoked).

I maintain that they brought more than 1800 cubic yards of dirt,

I maintain that the status of the wetlands (albeit poor) was hidden due to the unauthorized clearing and filling of the lot.

I maintain that Brad Banes should have demanded clarification on boundries since it was clearly stated on the submi ed documents that there was a discrepancy.

I maintain that there is still not a viable floodwater plan and the 2-week extension has passed.

I do not believe that this grading plan is sufficient proof that stormwater will not be diverted to my property. Spring is here. Time is of the essence to insist that the Mindrebo's do not continue to jepordize my home with their stormwater.

They have had more than enough time to fix the situation but Sco Mindrebo has stated that he does not care about neighboring property. It seems that they have tried to razzle-dazzle their way out of a real stormwater plan because they cannot remove the stormwater because of the massive amount of ground that is planned to be covered

Additionally, Mr. Jones has forwarded this to me but I beleive he is aware that it is incomplete, so the requirement to submit a plan by today has been NOT been met.

The retroactive LDC permit granted by Brad Banes on the owner's agent's word, without verification of facts, is long past time be to revoked.

I continue to be injured and I do hope that the code enforcement will begin immediately.

Sincerely,
Fran Ogden

On Tue, Mar 27, 2018 at 4:08 PM, Horace L Jones <HLJONES@myescambia.com> wrote:

> Mrs. Ogden,
>
> Here is a copy of the stormwater management plan /lot grading plan as requested today. Please understand that additional documents that may be needed once Mrs. Roza, our EOR, initiated the review.
>
> horace
>
> ---
>
> From: Horace L Jones
> Sent: Tuesday, March 27, 2018 2:32 PM
> To: Timothy R. Day <TRDAY@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Terry D Williams <TDWILLIA@myescambia.com>; Juan C. Lemos <JCLEMOS@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>
> Cc: Jack R. Brown <jrbrown@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Meredith D. Crawford <mdcrawford@myescambia.com>
> Subject: Re: 5312 Palemoon Drive #11-3S-32-3000-000-001
>
> I should have said that a lot grading plan was submi ed. For clarification, the lot grading plan is part of a storm water management plan; but additional documents may be needed once the review initiated.
>
> Sent from my iPhone
>
> On Mar 27, 2018, at 2:18 PM, Horace L Jones <HLJONES@myescambia.com> wrote:
>
> > Tim and All,
> >
> > The required Stormwater Mangement Plans for the referenced parcel have been submi ed per the timeframe as indicated below. The plans were submi ed to our office on 3/26/18.
> > By the way, staff have not performed the necessary reviews, which will include a detailed review of the necessary documents as well, as of March 27th 2018.
> > For information, another issue has been raised by Mrs Fran regarding an alleged discrepancy with markers. Please see a□ached e-mail on new issue raised on the survey markers.
> >
> > ---
> >
> > From: Horace L Jones
> > Sent: Tuesday, March 27, 2018 2:09 PM
> > To: Horace L Jones <HLJONES@myescambia.com>
> > Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001
> >
> > ---
> >
> > From: Horace L Jones
> > Sent: Tuesday, March 13, 2018 3:42 PM
> > To: Jack R. Brown <jrbrown@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Angela D. Crawley <adcrawle@myescambia.com>
> > Cc: Timothy R. Day <TRDAY@myescambia.com>; Chips Kirschenfeld

<JTKIRSCHE@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>
Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

FYI

From: Horace L Jones
Sent: Tuesday, March 13, 2018 3:38 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

To All:
FYI
I did received a phone call from Mr Faciane today. Briefly, he stated that he will be communicating with his a□orney Lisa Minshew.

Additionally, please see a□ ached e-mail referencing the LDC requirement. It appears that the LDC is quite clear on what is required.

From: Horace L Jones
Sent: Tuesday, March 13, 2018 2:17 PM
To: 'rickfaciane50@yahoo.com' <rickfaciane50@yahoo.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Chips Kirschenfeld <JTKIRSCHE@myescambia.com>; Jack R. Brown <jrbrown@myescambia.com>; Angela D. Crawley <adcrawle@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Dianne C. Simpson <dcsimpso@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>; Karla N Moreno <KNMORENO@myescambia.com>
Subject: 5312 Palemoon Drive #11-3S-32-3000-000-001

Good Afternoon, Rick

It is my understanding, from a phone call discussion that you had with Mrs. Roza this morning on 3/13/13, that you will be submitting a detailed Stormwater Plan for the referenced lot for the construction of a single-family dwelling on the lot in question. Please note that a stormwater management plan must be submitted to the Development Services Department for review within two-weeks from this notification. If the stormwater management plan is not received during the time as specified, the County will revoke the Land Disturbance permit and Code Enforcement will schedule this property to be heard at the next available Special Magistrate date to address any outstanding code issues.

The submitted building plans and all the supporting documents and/or plans {including the stormwater management plan) must be reviewed and approved prior to the issuance of any building permits or any other land use development and/or activities on the lot in question.

If you have any questions, please do not hesitate call me or e-mail me

This e-mail is to serve as notification. Please reply with an acknowledgement that you received this e-mail. Failure to acknowledge receipt does not nullify this notification.

Respectfully submitted.

Horace Jones
Department Director
Development Services Department
33363 West Park Place, Pensacola, FL
850-595-3625 or 554-8210
hljones@myescambia.com

Horace Jones
Department Director
Development Services Department
33363 West Park Place, Pensacola, FL
850-595-3625 or 554-8210
hljones@myescambia.com

<mime-a□achment>

<mime-a□achment>

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---------- Forwarded message ----------
From: "Christina L. Smith" <clsmith1@myescambia.com>
To: Horace L Jones <HLJONES@myescambia.com>
Cc:
Bcc:
Date: Tue, 27 Mar 2018 18:51:46 +0000
Subject: Pale Moon
All documents are in mypermitnow.

Chris na Smith
Development Review Coordinator
Development Services Department
3363 West Park Place, Pensacola, FL 32505
(850) 595-3472

--
Fran Ogden
850-737-3436

RE: 5312 Palemoon Drive #11-3S-32-3000-000-001

Timothy R. Day

Tue 3/13/2018 2:00 PM

To: Horace L Jones <HLJONES@myescambia.com>; Chips Kirschenfeld <JTKIRSCHE@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>;

Cc: Juan C. Lemos <JCLEMOS@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>; Bradley D Bane <BDBANE@myescambia.com>;

Minor change below…

Tim D

From: Horace L Jones
Sent: Tuesday, March 13, 2018 1:37 PM
To: Timothy R. Day <TRDAY@myescambia.com>; Chips Kirschenfeld <JTKIRSCHE@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>
Cc: Juan C. Lemos <JCLEMOS@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>; Bradley D Bane <BDBANE@myescambia.com>
Subject: 5312 Palemoon Drive #11-3S-32-3000-000-001

Good Afternoon Gentleman,

Please review the message below and let me know of any changes that you may deem necessary. I wo Mr. Facione today.

It is my understanding, from a phone call discussion that you had with Mrs. Roza this morning on 3/13/13, that you will be submi. ng a detailed Stormwater Plan for the referenced lot for the construc on of a single-family dwelling on the lot in ques□ on. Please note that a stormwater management plan must be submi. ed to the Development Services Department for review within two-weeks from this no fica on. If the stormwater management plan is not received during the me as specified, the County will revoke the Land Disturbance permit and Code Enforcement ~~will begin processing the viola□ on~~ will schedule this property to be heard at the next available Special Magistrate date to address any outstanding code issues.

The submi. ed building plans and all the suppor ng documents and/or plans {including the stormwater management plans) must be reviewed and approved prior to the issuance of any building permits or any other land use development and/or ac vi es on the lot in ques□ on.

If you have any ques□ ons, please do not hesitate call me or e-mail me

This e-mail is to serve as no fica on. Please reply with an acknowledgement that you received this e-mail.

Horace Jones
Department Director
Development Services Department
33363 West Park Place, Pensacola, FL
850-595-3625 or 554-8210
hljones@myescambia.com

Re: land disturbance adjacent to 5330 Pale Moon

Tim Tolbert

Thu 1/11/2018 6:53 PM

To: Bradley D Bane <BDBANE@myescambia.com>; Richard E. Craig <RECRAIG@myescambia.com>; Timothy R. Day <TRDAY@myescambia.com>; Sandra F Slay <SFSLAY@myescambia.com>; Steven Littlejohn <SLLITTLE@myescambia.com>; Steven P. Kenney <spkenney@myescambia.com>; Horace L Jones <HLJONES@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Debbie Kenney <DSKENNEY@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Terry D Williams <TDWILLIA@myescambia.com>;

Cc: Harry T. Gibson <HTGIBSON@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>; Ronny L. McGlothren <RLMCGLOT@myescambia.com>;

We will check it out.

Thanks Tim

Get Outlook for iOS

From: Bradley D Bane
Sent: Thursday, January 11, 2018 5:20:18 PM
To: Richard E. Craig; Timothy R. Day; Sandra F Slay; Steven LiÃlejohn; Steven P. Kenney; Horace L Jones; Andrew D. Holmer; Debbie Kenney; Tim Tolbert; Terry D Williams
Subject: Re: land disturbance adjacent to 5330 Pale Moon

Thank you Richard. Very helpful, good job!

Brad

Bradley D. Bane, Environmental Analyst
Escambia County Development Services Department
Environmental Services- Review, DRC & Permitting
3363 West Park Place
Pensacola, FL 32505
(850) 595-4572 Office
(850) 595-3557 Fax
bdbane@co.escambia.fl.us
Please consider the Environment before printing this e-mail. Reduce, reuse, recycle.
Think Green.

From: Richard E. Craig
Sent: Thursday, January 11, 2018 4:55 PM
To: Timothy R. Day; Sandra F Slay; Steven LiÃlejohn; Steven P. Kenney; Horace L Jones; Bradley D Bane; Andrew D. Holmer; Debbie Kenney; Tim Tolbert; Terry D Williams
Subject: Fw: land disturbance adjacent to 5330 Pale Moon

Sorry now here are the items I said was a ached

Richard Craig
Escambia County Environmental Enforcement
850-554-7160

From: Richard E. Craig
Sent: Thursday, January 11, 2018 16:46
To: Steven P. Kenney; Timothy R. Day; Andrew D. Holmer
Cc: Sandra F Slay; Steven LiĀlejohn; Terry D Williams; Debbie Kenney; Tim Tolbert; Bradley D Bane; Horace L Jones; Richard E. Craig
Subject: Re: land disturbance adjacent to 5330 Pale Moon

I ARRIVED ON SCENE TO FIND A LOT THAT HAD BEEN CLEARED AND FILLED IN WITH DIRT UP 3 FOOT OR MORE ABOVE THE SURROUNDING PROPERTY. NEIGHBORS STATE THEY SAW 70 OR SO TRUCK LOADS OF DIRT BROUGHT IN . I CHECKED AND THERE NO PERMITS ON THIS PROPERTY AT ALL .. THERE IS A RETAINING WALL ON SIDE OF PROPERTY IT MEASURES 39 INCHES TALL FROM THE BOTTOM OF BOARDS TO TOP. FROM GROUND THE TOP OF WALL IS APPROX 54 INCHES. THE WALL SHOWS SIGNS OF LEACHING DIRT OUT. THE MATERIAL USED BEHIND THE WALL LOOKS LIKE REGULAR SILT FENCE MATERIAL NOT THICK LINER TYPE. THE SILT FENCE AT THE BAY SIDE OF PROPERTY IS DOUBLED UP , BUT IS NOT SECURE IN THE GROUND MATERIALS COULD POSSIBLE ESCAPE. MEASUREMENT OF WALL LENGTH WAS 200 FOOT. NOTICE OF VIOLATION WAS POSTED ON SITE AND REGULAR MAIL /CERT MAIL SENT TO OWNER OF RECORD.

I have a ached a copy of the noce of violaàon and pictur es taken.

Richard Craig
Escambia County Environmental Enforcement
850-554-7160

From: Steven P. Kenney
Sent: Thursday, January 11, 2018 14:16
To: Richard E. Craig
Cc: Sandra F Slay; Steven LiĀlejohn
Subject: Fw: land disturbance adjacent to 5330 Pale Moon

Officer Craig,

Reference email traffic below, please conduct an investigation and take appropriate action this afternoon. Reply to all the parties in the email traffic once you are complete on site with an update please. Thanks.

Steve Kenney
Sgt. Steven P. Kenney #671
Lead Environmental Enforcement Officer
Field Training Officer
M-Th 7-530
mailto: spkenney@myescambia.com
Cell: 850-324-4263

www.myescambia.com/code411

From: Sandra F Slay
Sent: Thursday, January 11, 2018 2:09 PM
To: Steven LiÃlejohn; Steven P. Kenney
Subject: Fwd: land disturbance adjacent to 5330 Pale Moon

Sgt Kenney

Please contact an officer to respond ASAP and update everyone on this email

Have them go today

Thank you
Sent from my iPhone

Begin forwarded message:

> From: "Timothy R. Day" <TRDAY@myescambia.com>
> Date: January 11, 2018 at 1:45:59 PM CST
> To: Sandra F Slay <SFSLAY@myescambia.com>, Steven Littlejohn <SLLITTLE@myescambia.com>, Tim Tolbert <JTTOLBERT@myescambia.com>
> Cc: Horace L Jones <HLJONES@myescambia.com>, "franogden@gmail.com" <franogden@gmail.com>, Bradley D Bane <BDBANE@myescambia.com>, Allen Hampton <EAHAMPTON@myescambia.com>, Terry D Williams <TDWILLIA@myescambia.com>, District1 <District1@co.escambia.fl.us>
> Subject: RE: land disturbance adjacent to 5330 Pale Moon
>
> Sam/Tim:
>
> It appears that this site is being prepped for a future home-site without the benefit of permits. There appears to be a significant amount of fill and a retaining wall (separate permit required?) installed on the site. Please coordinate and take appropriate acÃon to resolve. Ms. Ogden, cc'd on this email would like to be kept informed of the permit status for this lot. She is concerned of poten al flooding issues that may be caused through development of this lot next door to her.
>
> Thanks to all.
>
> Tim

From: Terry D Williams
Sent: Thursday, January 11, 2018 1:30 PM
To: Timothy R. Day <TRDAY@myescambia.com>
Cc: Horace L Jones <HLJONES@myescambia.com>; franogden@gmail.com; Bradley D Bane <BDBANE@myescambia.com>; Allen Hampton <EAHAMPTON@myescambia.com>
Subject: Re: land disturbance adjacent to 5330 Pale Moon

Tim

No permit issued as of this date.

From: Timothy R. Day
Sent: Wednesday, January 10, 2018 4:23 PM
To: Terry D Williams
Cc: Horace L Jones; franogden@gmail.com
Subject: land disturbance adjacent to 5330 Pale Moon

Please let me know if there is a permit for 5200 blk of Pale Moon Drive PRN 11-3S-32-3000-000-001. There is a concern of unpermiÃed land disturbance/fill on the lot.

Any help would be appreciated – need to know if I need to send out Code…

Thanks

Tim

Timothy Day
Branch Director
Natural Resources Management Department
Escambia County Board of County Commissioiners
221 Palafox Place
Pensacola, FL 32502

trday@myescambia.com
(850) 595-1144 (w)
(850) 554-3073 (c)

Chris Jones
Escambia County Property Appraiser

Back

Navigate Mode ◉ Account ○ Reference

Printer Friendly Version

General Information

Reference:	113S323000000001
Account:	103229000
Owners:	MINDREBO SCOTT J & MINDREBO DONNA JEAN
Mail:	2927 COVEBROOK DR PEARLAND, TX 77584
Situs:	5200 BLK PALE MOON DR 32507
Use Code:	VACANT RESIDENTIAL
Taxing Authority:	COUNTY MSTU
Schools (Elem/Int/High):	HELLEN CARO/BAILEY/ESCAMBIA
Tax Inquiry:	Open Tax Inquiry Window

Tax Inquiry link courtesy of Scott Lunsford
Escambia County Tax Collector

Assessments

Year	Land	Imprv	Total	Cap Val
2017	$144,000	$0	$144,000	$144,000
2016	$144,000	$0	$144,000	$144,000
2015	$144,000	$0	$144,000	$144,000

Disclaimer

Amendment 1/Portability Calculations

File for New Homestead Exemption Online

Sales Data

Sale Date	Book	Page	Value	Type	Official Records (New Window)
08/18/2011	6756	264	$159,900	WD	View Instr
09/2001	4777	1502	$198,000	WD	View Instr
05/1999	4427	222	$151,000	WD	View Instr
11/1997	4192	1864	$165,000	WD	View Instr
01/1969	422	406	$100	WD	View Instr

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

2017 Certified Roll Exemptions

None

Legal Description

BEG AT SOUTHERNMOST COR OF LT 1 BLK 3 PERDIDO BAY COUNTRY CLUB EST #4 PB 6 P 75 S 35 DEG 16 MIN 30 SEC W 1440 FT N...

Extra Features

None

Parcel Information

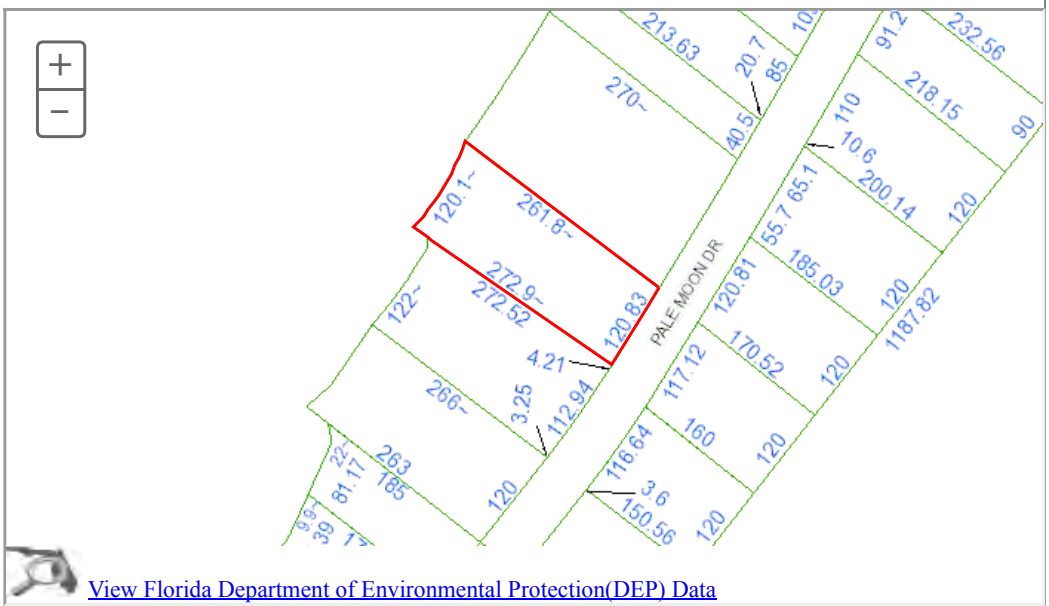
Launch Interactive Map

Section Map Id: 10-3S-32

Approx. Acreage: 0.7287

Zoned: LDR

Evacuation & Flood Information Open Report



View Florida Department of Environmental Protection(DEP) Data

Buildings

Images

None

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

Last Updated:01/11/2018 (tc.51625)

Alison Rogers, Horace Jones, Brad Brane, Chips Kirschenfeld, Joy Blackmon, Chris Curb, Joy Jones, Tim Day, Tim Tolbert, Roza I. Sestnov (Pale Moon)

Jack R. Brown

Mon 3/12/2018 1:33 PM

To: Alison A. Rogers <aarogers@co.escambia.fl.us>; Horace L Jones <HLJONES@myescambia.com>; Chips Kirschenfeld <JTKIRSCHE@myescambia.com>; Bradley D Bane <BDBANE@myescambia.com>; Joy D Blackmon <JDBLACKM@myescambia.com>; Joy Jones <DJJONES@myescambia.com>; Chris A. Curb <CACURB@myescambia.com>; Timothy R. Day <TRDAY@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>;

Accepted: Alison Rogers, Horace Jones, Brad Brane, Chips Kirschenfeld, Joy Blackmon, Chris Curb, Joy Jones, Tim Day, Tim Tolbert, Roza I. Sestnov (Pale Moon)

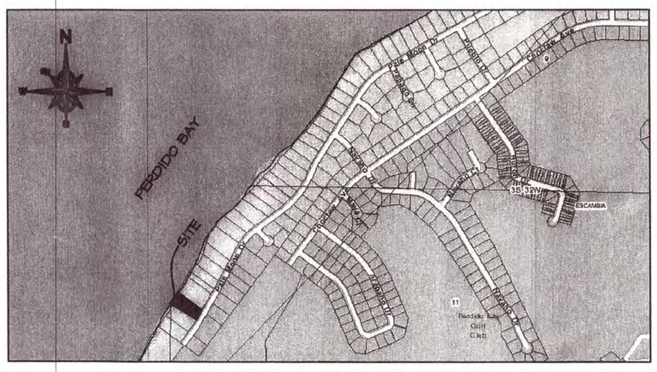
Bradley D Bane

Mon 3/12/2018 1:55 PM

To:Jack R. Brown <jrbrown@myescambia.com>;

BOUNDARY AND MEAN HIGH WATER SURVEY
OF A PORTION OF SECTION 11, TOWNSHIP 3 SOUTH, RANGE 32 WEST, ESCAMBIA COUNTY, FLORIDA

Esc. Co. A+f
Land Disturbing Perm.# 1802404 PLM
All erosion & sediment controls shall be adequately installed & maintained in good working order until site is stabilized. Adverse impacts shall be corrected by owner/developer/contractors per code & permit requirements, as a total of approvals may apply. Additional permits or surveys


N
PERDIDO BAY
SITE
PALE MOON DR
SOUTHWIND DR
SOUTHWIND CIR
SOUTHWIND PL
SOUTHWIND CT
SOUTHWIND WAY
SOUTHWIND LN
SOUTHWIND TER
SOUTHWIND PKWY
SOUTHWIND BLVD
SOUTHWIND AVE
SOUTHWIND ST
SOUTHWIND RD
SOUTHWIND ALY
SOUTHWIND CV
SOUTHWIND PT
SOUTHWIND XING
SOUTHWIND HWY
SOUTHWIND TRL
SOUTHWIND PATH
SOUTHWIND WALK
SOUTHWIND RUN
SOUTHWIND GRN
SOUTHWIND MEWS
SOUTHWIND SQ
SOUTHWIND PLZ
SOUTHWIND EXPY
SOUTHWIND FWY
SOUTHWIND TPKE
SOUTHWIND BYP
SOUTHWIND BND
SOUTHWIND CRK
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SOUTHWIND OVL
SOUTHWIND PNE
SOUTHWIND RDG
SOUTHWIND SHR
SOUTHWIND SPG
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SOUTHWIND ZOOMERS

From: Jerry McGuire
To: Roza I. Sestnov
Subject: 5312 Pale Moon Drive EOR
Date: Friday, May 18, 2018 10:56:53 AM

Roza,

The work I have performed for the Stormwater Management Permit on the above referenced lot I stand behind as the EOR.

Could you forward to Horace Jones? I got a new computer and do not have all the email addresses forwarded to my new one.

Let me know if you need anything else.

Thanks,
Jerry McGuire, P.E.

From: Roza I. Sestnov
To: jerry@mcguire-assoc.com
Cc: Horace L Jones; Colby S. Brown; Terry D Williams
Subject: 5312 Pale Moon Drive
Date: Monday, April 09, 2018 10:49:00 AM

Jerry,

I was trying to contact you today, but understand that you are on Jury Duty. I noticed today that final submitted drawing is missing the information that was provided on originally submitted copy: spot elevations, specifically on adjacent to the south property, and the hatched area that was included in your south swale calculations. Please note that it is a very important information and needs to be on the final approved drawing. Please provide revised copy as soon as possible.

Thank you,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From:	Roza I. Sestnov
To:	Horace L Jones
Cc:	Jerry McGuire
Subject:	5312 Pale Moon Sigma Report
Date:	Thursday, May 17, 2018 12:34:00 PM
Attachments:	RE floodwater plan 5312 Pale Moon.msg 180406.Pale Moon Drive Draft Writeup.05.15.18 with attachments(2).pdf Aerial Contouring Pale Moon Drive.pdf

---

Horace,

Based on **Stormwater Management Plan Review and Reporting** prepared by Jason Lashley with Sigma Consulting Group, we offer the following:

Responses to Sigma Report.

Stormwater Management Plan Calculations.

1. The approved drawings have a proposed drainage swale which is offset from the retaining wall, along the north property line. The purpose of this swale is to divert runoffs from the north portion of the property towards the open water, to the west. The plan indicates elevations at the retaining wall are being higher than the bottom of the proposed swale. Please note that property adjacent to the north shall have to be elevated when developed based on the current LDC FFE requirements. So, finished elevations of this lot will match +/- 5312 Pale Moon Drive elevations. Additionally, this lot to the north mainly drains to the center of the lot, away from the developing lot, based on attached map provided by the EOR. Therefore, no negative impact to this lot after construction is anticipated.

2. The County LDC does not have any specific requirements for the 'n' factor. So, it is up to the EOR what Manning Roughness Coefficient to choose. However, United States Department of Transportation- Federal Highway Administration Engineering website recommends this coefficient for open short grass areas to be 0.025-0.035, and not as suggested 0.06 in the report. Additionally, LDC DSM 1-1.5 requires that conveyance systems shall be designed for a 25-year storm event, not 100-year storm event. Based on the above, the proposed swale actually has a freeboard (a minimum of 0.25' for 100-year storm).

Stormwater Management Plan Drawings

1. The entire swale is proposed on the developing property. No disturbance of the adjacent property at 5330 Pale Moon is proposed.

2. The swale shall stay as designed and constructed. There are several notes (##4, 9, 16, and 17) on the drawings that restrict any additional improvements in the conveyance swales. Any negative impact to adjacent property could be reported to the County. Additionally, based on response above, the swale has a freeboard.

3. Pale Moon Drive has curb and gutter. Stormwater from Pale Moon Drive was never flowing in the westerly direction. It was and will be collected by curb and gutter and then further by inlet/piping system and will be discharged to the open water/bay via an existing open ditch. The runoffs from proposed lot will not be discharged to adjacent lots, but will be diverted by two proposed swales to the open water, and the front portion of the lot will be discharging to the Pale Mood Drive curb, gutter, inlet/piping system.

Conclusion

Based on all listed above, the proposed and permitted Stormwater Management Plan satisfies the County Land Development Code and Design Standard Manual.

Please note that the EOR, Jerry McGuire, sent his responses to some of the items listed in the Sigma Report (see attached). Please let me know if you have any questions.

Thank you,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From:	Roza I. Sestnov
To:	Jerry"s JMA
Cc:	Horace L Jones; Andrew D. Holmer; Christina L. Smith
Subject:	5312 Plane Moon Drive Stormwater Permit
Date:	Thursday, March 29, 2018 12:03:00 PM
Attachments:	Stormwater Comments.pdf

Jerry,

Please find attached stormwater comments for the referenced stormwater management permit/application. Please let me know if you have any questions.

Regards,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From:	Horace L Jones
To:	Timothy R. Day; Andrew D. Holmer; Terry D Williams; Juan C. Lemos; Roza I. Sestnov; Tim Tolbert; Jennifer A. Hampton
Cc:	Jack R. Brown; Alison A. Rogers; Meredith D. Crawford
Subject:	FW: 5312 Palemoon Drive #11-3S-32-3000-000-001
Date:	Tuesday, March 27, 2018 2:18:34 PM
Attachments:	5312 Pale Moon.msg FW 5200 Pale Moon Mindrebo lot -correction on the estimate of cu yds..msg

Tim and All,

The required Stormwater Mangement Plans for the referenced parcel have been submitted per the timeframe as indicated below. The plans were submitted to our office on 3/26/18.

By the way, staff have not performed the necessary reviews which will include a detailed review of the necessary documents as of March 27th 2018.

For information, another issue has been raised by Mrs Fran regarding an alleged discrepancy with markers. Please see attached e-mail on new issue raised on the survey markers.

From: Horace L Jones
Sent: Tuesday, March 27, 2018 2:09 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

From: Horace L Jones
Sent: Tuesday, March 13, 2018 3:42 PM
To: Jack R. Brown <jrbrown@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Angela D. Crawley <adcrawle@myescambia.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Chips Kirschenfeld <JTKIRSCHE@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>
Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

FYI

From: Horace L Jones
Sent: Tuesday, March 13, 2018 3:38 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

To All:

FYI

I did received a phone call from Mr Faciane today. Briefly, he stated that he will be communicating with his attorney Lisa Minshew.

Additionally, please see attached e-mail referencing the LDC requirement. It appears that the LDC is quite clear on what is required.

From: Horace L Jones
Sent: Tuesday, March 13, 2018 2:17 PM
To: 'rickfaciane50@yahoo.com' <rickfaciane50@yahoo.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Chips Kirschenfeld <JTKIRSCHE@myescambia.com>; Jack R. Brown <jrbrown@myescambia.com>; Angela D. Crawley <adcrawle@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Dianne C. Simpson <dcsimpso@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>; Karla N Moreno <KNMORENO@myescambia.com>
Subject: 5312 Palemoon Drive #11-3S-32-3000-000-001

Good Afternoon, Rick

It is my understanding, from a phone call discussion that you had with Mrs. Roza this morning on 3/13/13, that you will be submitting a detailed Stormwater Plan for the referenced lot for the construction of a single-family dwelling on the lot in question. Please note that a stormwater management plan must be submitted to the Development Services Department for review within two-weeks from this notification. If the stormwater management plan is not received during the time as specified, the County will revoke the Land Disturbance permit and Code Enforcement will schedule this property to be heard at the next available Special Magistrate date to address any outstanding code issues.

The submitted building plans and all the supporting documents and/or plans {including the stormwater management plan) must be reviewed and approved prior to the issuance of any building permits or any other land use development and/or activities on the lot in question.

If you have any questions, please do not hesitate call me or e-mail me

This e-mail is to serve as notification. Please reply with an acknowledgement that you

received this e-mail. Failure to acknowledge receipt does not nullify this notification.

Respectfully submitted.

Horace Jones
Department Director
Development Services Department
33363 West Park Place, Pensacola, FL
850-595-3625 or 554-8210
hljones@myescambia.com

Horace Jones
Department Director
Development Services Department
33363 West Park Place, Pensacola, FL
850-595-3625 or 554-8210
hljones@myescambia.com

From:	Roza I. Sestnov
To:	Horace L Jones
Cc:	Jerry McGuire
Subject:	FW: 5312 Pale Moon Drive EOR
Date:	Friday, May 18, 2018 10:58:00 AM

Horace,

Below is Jerry's statement.

Thank you,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Jerry McGuire [mailto:jerry@mcguire-assoc.com]
Sent: Friday, May 18, 2018 10:57 AM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: 5312 Pale Moon Drive EOR

Roza,

The work I have performed for the Stormwater Management Permit on the above referenced lot I stand behind as the EOR.

Could you forward to Horace Jones? I got a new computer and do not have all the email addresses forwarded to my new one.

Let me know if you need anything else.

Thanks,
Jerry McGuire, P.E.

From: Roza I. Sestnov
To: Horace L Jones
Subject: FW: 5312 Pale Moon
Date: Thursday, April 05, 2018 2:02:00 PM

Horace,

Here is the e-mail **below**, that I sent on Pale Moon site.

Additionally, Item 5-4.5(a) indicates:

Sec. 5-4.5 Stormwater management systems.
(a) General design and construction. The installation of all stormwater management facilities made necessary by new development, according to the provisions of this article, is the responsibility of the developer, including all necessary ditches, canals, greenbelts, outfalls, bridges, retention or detention structures, flow attenuation devices, etc. The general design and construction of all stormwater management systems shall be as indicated in the *DSM* Chapter 1, Stormwater Article and achieve the following objectives:
(1) Comply with regulations.
(2) Protect adjacent property.
(3) Incorporate upland runoff.
(4) Reduce pollution.
(5) Prevent hazards.
(6) Encourage regional stormwater management system.

Please note that required drainage swales along residential lot lines are considered as stormwater conveyance systems.

Thank you,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Roza I. Sestnov
Sent: Tuesday, March 13, 2018 2:59 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: 5312 Pale Moon

Horace,

Here is the Section of LDC with applicable language:

Sec. 5-4.2 Stormwater impact review.
(a) Approval required. No land use or development activity may alter or disrupt existing stormwater runoff patterns or conditions without prior county review and approval for compliance with the standards of this article unless the use or activity is specifically identified in the LDC as exempt from these standards. Uses or activities that may alter or disrupt existing stormwater runoff sufficiently to require a stormwater management plan include the following:
(1) Land disturbance. Grading, digging, cutting, scraping, or excavating of soil; placement of fill materials; substantial removal of vegetation; the drainage of land; and any other forms of land disturbance that would significantly change stormwater runoff.
(2) Lot coverage. Construction of a structure or the non-*de minimis* alteration of the size of one or more structures; placement of aggregate and paving; and other constructed changes in the proportions of pervious, impervious, and semi-impervious lot coverage.
(3) Alterations. Alteration of the shoreline or bank of any watercourse or surface waterbody; or alteration of any ditches, dikes, terraces, berms, swales, piping, inlets, ponds, or other natural or manmade elements affecting the control or management of stormwater.
(4) Subdivision. The subdivision of land, including the replatting of a recorded subdivision.

Highlighted is what, in my opinion, applicable in our case.
Please let me know if you need any additional info.

Thank you.

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From:	Horace L Jones
To:	"rickfaciane50@yahoo.com"; "Jerry"s JMA"
Cc:	Timothy R. Day; Terry D Williams; Roza I. Sestnov; Andrew D. Holmer; Tim Tolbert; Meredith D. Crawford; Alison A. Rogers; Jack R. Brown; Debbie Kenney
Subject:	FW: 5312 Plane Moon Drive Stormwater Permit
Date:	Monday, April 02, 2018 12:06:09 PM

Good Afternoon, Rick
In the e-mail(s) below, it shows that comments were sent to Jerry on 3/29/18, the Engineer of Record (EOR) for the proposed single-family, on the stormwater review plans that were submitted to the County for review. So that we can continue to move forward with the required review process, please respond and address all the comments in accordance with the all the applicable regulations within two-weeks from the March 29th e-mail that was previously sent to Jerry.
If the stormwater management plan review comments have not been received, addressed ,and approved as compliant with all the applicable regulations as specified within designated timeframe as highlighted in red above, the County will revoke the Land Disturbance permit and Code Enforcement will schedule this property to be heard at the next available Special Magistrate date to address any outstanding code issues.
Please note that the submitted building plans and all the supporting documents and/or plans {including the stormwater management plan) must be reviewed and approved prior to the issuance of any building permits or any other land use development and/or activities on the lot in question.

If you have any questions, please do not hesitate to call me or e-mail me. Additionally, it is my understanding that set of the comments have been forwarded to you as well. If not please let us know immediately.

This e-mail is to serve as notification. Please reply with an acknowledgement that you received this e-mail. Failure to acknowledge receipt does not nullify this notification.

Respectfully submitted.

Horace Jones
Department Director
Development Services Department
33363 West Park Place, Pensacola, FL
850-595-3625 or 554-8210
hljones@myescambia.com

From: Jerry's JMA [mailto:jerry@mcguire-assoc.com]
Sent: Thursday, March 29, 2018 4:58 PM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: RE: 5312 Plane Moon Drive Stormwater Permit

Roza,

Been out all day. I'll get on these and I will forward to Rick Faciane.

Jerry

From: Roza I. Sestnov [mailto:risestnov@myescambia.com]
Sent: Thursday, March 29, 2018 12:04 PM
To: Jerry's JMA
Cc: Horace L Jones; Andrew D. Holmer; Christina L. Smith
Subject: 5312 Plane Moon Drive Stormwater Permit

Jerry,

Please find attached stormwater comments for the referenced stormwater management permit/application. Please let me know if you have any questions.

Regards,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

P Please consider the environment before printing this e-mail. Think Green.

Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.

From:	Roza I. Sestnov
To:	Horace L Jones
Subject:	FW: 5312 Plane Moon Drive Stormwater Permit
Date:	Monday, April 02, 2018 11:10:00 AM
Attachments:	Stormwater Comments.pdf

FYI.

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

From: Roza I. Sestnov
Sent: Thursday, March 29, 2018 2:24 PM
To: Jerry's JMA <jerry@mcguire-assoc.com>
Subject: FW: 5312 Plane Moon Drive Stormwater Permit

Jerry,

Please forward my comments to Rick Faciane. I do not have his e-mail address.

Thank you!

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

From: Roza I. Sestnov
Sent: Thursday, March 29, 2018 12:04 PM
To: Jerry's JMA <jerry@mcguire-assoc.com>
Cc: Horace L Jones <HLJONES@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Christina L. Smith <clsmith1@myescambia.com>
Subject: 5312 Plane Moon Drive Stormwater Permit

Jerry,

Please find attached stormwater comments for the referenced stormwater management permit/application. Please let me know if you have any questions.

Regards,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Roza I. Sestnov
To: Horace L Jones
Subject: FW: 5312 Plane Moon Drive Stormwater Permit
Date: Monday, April 02, 2018 11:09:00 AM

FYI.

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Jerry's JMA [mailto:jerry@mcguire-assoc.com]
Sent: Thursday, March 29, 2018 4:58 PM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: RE: 5312 Plane Moon Drive Stormwater Permit

Roza,

Been out all day. I'll get on these and I will forward to Rick Faciane.

Jerry

From: Roza I. Sestnov [mailto:risestnov@myescambia.com]
Sent: Thursday, March 29, 2018 12:04 PM
To: Jerry's JMA
Cc: Horace L Jones; Andrew D. Holmer; Christina L. Smith
Subject: 5312 Plane Moon Drive Stormwater Permit

Jerry,

Please find attached stormwater comments for the referenced stormwater management permit/application. Please let me know if you have any questions.

Regards,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411

Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.

From:	Roza I. Sestnov
To:	Jerry"s JMA
Subject:	FW: 5312 Plane Moon Drive Stormwater Permit
Date:	Thursday, March 29, 2018 2:23:00 PM
Attachments:	Stormwater Comments.pdf

Jerry,

Please forward my comments to Rick Faciane. I do not have his e-mail address.

Thank you!

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Roza I. Sestnov
Sent: Thursday, March 29, 2018 12:04 PM
To: Jerry's JMA <jerry@mcguire-assoc.com>
Cc: Horace L Jones <HLJONES@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Christina L. Smith <clsmith1@myescambia.com>
Subject: 5312 Plane Moon Drive Stormwater Permit

Jerry,

Please find attached stormwater comments for the referenced stormwater management permit/application. Please let me know if you have any questions.

Regards,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From:	Horace L Jones
To:	"franogdenrd@gmail.com"
Cc:	Roza I. Sestnov
Subject:	FW: 5312 Plane Moon Drive Stormwater Permit
Date:	Wednesday, April 04, 2018 3:03:16 PM
Attachments:	Stormwater Comments.pdf

Mrs. Ogden

Here is roza's comments again.

From: Roza I. Sestnov
Sent: Thursday, March 29, 2018 12:04 PM
To: Jerry's JMA <jerry@mcguire-assoc.com>
Cc: Horace L Jones <HLJONES@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Christina L. Smith <clsmith1@myescambia.com>
Subject: 5312 Plane Moon Drive Stormwater Permit

Jerry,

Please find attached stormwater comments for the referenced stormwater management permit/application. Please let me know if you have any questions.

Regards,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From:	Roza I. Sestnov
To:	"Jerry"s JMA"
Subject:	FW: floodwater plan 5312 Pale Moon
Date:	Wednesday, May 16, 2018 8:49:00 AM
Attachments:	180406.Pale Moon Drive Draft Writeup.05.15.18 with attachments(2).pdf ATT00001.htm

FYI.

Thank you!

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Horace L Jones
Sent: Tuesday, May 15, 2018 4:20 PM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: Fwd: floodwater plan 5312 Pale Moon

Sent from my iPhone

Begin forwarded message:

> **From:** "Fran Ogden" <franogdenrd@gmail.com>
> **To:** "Tim Tolbert" <JTTOLBERT@myescambia.com>, "Timothy R. Day" <TRDAY@myescambia.com>, "Horace L Jones" <HLJONES@myescambia.com>
> **Cc:** "Alison A. Rogers" <aarogers@co.escambia.fl.us>, "Jack R. Brown" <jrbrown@myescambia.com>
> **Subject: floodwater plan 5312 Pale Moon**
>
> Dear Mr. Tolbert, Mr. Jones, Mr.Day, and other whom this subject may concern,
>
> Attached you will find an engineering report that I was forced to commission when the county did not sufficiently protect my property. It is obvious to all but the permit reviewers that the Mindrebo's filling in the property 3-4 feet higher than the adjacent properties will cause all the surrounding areas higher flooding risks.
>
> You will see that in the submitted proposals there are insufficient and incorrect data

There has been no provisions made for the pre-exsting flow of the water from Pale Moon Drive to Perdido Bay. The existing homes have been engineered with the original elevations which allowed water to flow to the bay. It was filled illegally and with out any consideration of the impact that the changed elevations would cause. Mr. Mindrebo stated he was only concerned with his dream home and did not need to consider the neighbors. I believe this is exactly why we have a permitting process. Unfortunately, Mr. Banes, failed to make proper consideration and granted a permit with out a required floodwater plan. Ms. Roza of the LDC approved a retro actively submitted floodwater plan based on figures submitted from Jerry Maguire, but I have found his figures to be incorrect. Please review the attached report from Sigma to confirm.

I also maintain that more than 1800 cu. yds. was hauled in. (could you not reverse the permit based upon false statements in the after-the-fact application? because you certainly can add existing landscape wall to the list of falsehoods. I have a dozen neighbors to attest to this fact that it was not existing. Is the truth irrelevant?.) Please, let's verify this information with the dirt company. I think we can fairly say that the the Mindrebos and Rick Classic Homes have a blatant disregard for the surrounding area. Please protect us.

Several additional questions are also posed on this report. I strongly request that the permitting dept. halts the progress of this ongoing build until these significant questions have been answered.

Regards,
Fran Ogden
--
Fran Ogden
850-737-3436

From: Roza I. Sestnov
To: Horace L Jones
Subject: FW: floodwater plan 5312 Pale Moon
Date: Thursday, May 17, 2018 2:46:00 PM
Attachments: Swale Calculations 25-Year Event.pdf

Horace,

E-mail below was sent from Jerry with additional clarifications on Item #2. Please read below and see attached.

Thank you,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Jerry McGuire [mailto:jerry@mcguire-assoc.com]
Sent: Thursday, May 17, 2018 2:34 PM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: RE: floodwater plan 5312 Pale Moon

Roza,

You are correct, they are referring to the n-factor. Attached is a page from the FDOT Drainage Manual for various factors. You will note the FDOT recommends a design "n" of 0.025 to 0.035 for grass swales for this case. Also, note that we calculated the flow from a 100-year storm. Since we know from the report generated by Sigma that a 100-year storm will not exceed the swale, we decided to run a 25-year storm as required by County Code. We will use a n-factor of 0.03.

25-Year Storm Event:
Area = 0.57 Acres
Intensity = 6.00 inches/hour (FDOT Zone 1)
Cw = 0.47
Q=cia = 0.47 x 6 x 0.57 = 1.61 cfs

Based on the County DSM for a 25-year storm, the depth of flow for the swale would be 0.63'. That leaves a freeboard in the swale of 0.37'. Combine this with the sandy soils, we see no problems with the swale as designed meeting and exceeding the County requirements.

Jerry

From: Roza I. Sestnov <risestnov@myescambia.com>
Sent: Thursday, May 17, 2018 9:09 AM
To: Jerry McGuire <jerry@mcguire-assoc.com>
Subject: RE: floodwater plan 5312 Pale Moon

Jerry,

Thank you so much for your response and input in this matter. As per our phone conversation please review your response #2. I think that Sigma report was referring to n-factor, roughness coefficient, and not to C-factor. Please respond.

Thanks again,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Jerry McGuire [mailto:jerry@mcguire-assoc.com]
Sent: Wednesday, May 16, 2018 2:33 PM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: RE: floodwater plan 5312 Pale Moon

Roza,

We have reviewed the report from the neighbor's engineer and offer the following:

1. **Page 1 of report – regarding the lot drainage to the north of 5312 Pale Moon Drive** - the adjacent lot to the north mainly drains to the center of the lot based on the attached aerial with contouring. During the development of this lot the lot owner should be afforded the same benefits of the lot we permitted and they can install a swale on their south property line through the Stormwater Permitting Management Permitting process. I don't see additional erosion concerns if they design it property and stabilize it.
2. **Regarding the C factor used:** attached is a table of common C factors used. The soil based on the soil survey is a Type A soil, and is a very well drained sand, and on a gentle slope. The C factor used could be up to 0.30, but a well maintained lawn could be down to 0.10. I would never use a c = 0.60 for this soil condition. Let me say, that the engineer for the owner to the south, when using a c=0.60 still calculates and shows the swale does

not overtop in a 100-year event. I know of no freeboard required for drainage swales under the LDC DSM.

3. **Location of swale:** Please note that the swale is totally located on 5312 Pale Moon Drive. None of the swale is on the lot the south. WE are receiving water/runoff from the yard to the south and it is accounted for in the swale design. Furthermore, this is a grassed swale and not to be landscaped with any impediments that would hinder flow along the ditch.
4. **Lot Grading Plan addressing adjacent lots:** The Lot Grading Plan does indeed take into account the flows from the south lot in the swale design. The north lot mainly drains to the center of the lto, but one someone develops they can follow the same requirements as 5312 Pale Moon Drive had to follow. At that time they can install a swale along their lot lines.

Thanks,
Jerry

From: Roza I. Sestnov <risestnov@myescambia.com>
Sent: Wednesday, May 16, 2018 8:49 AM
To: Jerry's JMA <jerry@mcguire-assoc.com>
Subject: FW: floodwater plan 5312 Pale Moon

FYI.

Thank you!

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Horace L Jones
Sent: Tuesday, May 15, 2018 4:20 PM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: Fwd: floodwater plan 5312 Pale Moon

Sent from my iPhone

Begin forwarded message:

From: "Fran Ogden" <franogdenrd@gmail.com>

To: "Tim Tolbert" <JTTOLBERT@myescambia.com>, "Timothy R. Day" <TRDAY@myescambia.com>, "Horace L Jones" <HLJONES@myescambia.com>
Cc: "Alison A. Rogers" <aarogers@co.escambia.fl.us>, "Jack R. Brown" <jrbrown@myescambia.com>
Subject: floodwater plan 5312 Pale Moon

Dear Mr. Tolbert, Mr. Jones, Mr.Day, and other whom this subject may concern,

Attached you will find an engineering report that I was forced to commission when the county did not sufficiently protect my property. It is obvious to all but the permit reviewers that the Mindrebo's filling in the property 3-4 feet higher than the adjacent properties will cause all the surrounding areas higher flooding risks.

You will see that in the submitted proposals there are insufficient and incorrect data

There has been no provisions made for the pre-exsting flow of the water from Pale Moon Drive to Perdido Bay. The existing homes have been engineered with the original elevations which allowed water to flow to the bay. It was filled illegally and with out any consideration of the impact that the changed elevations would cause. Mr. Mindrebo stated he was only concerned with his dream home and did not need to consider the neighbors. I believe this is exactly why we have a permitting process. Unfortunately, Mr. Banes, failed to make proper consideration and granted a permit with out a required floodwater plan. Ms. Roza of the LDC approved a retro actively submitted floodwater plan based on figures submitted from Jerry Maguire, but I have found his figures to be incorrect. Please review the attached report from Sigma to confirm.

I also maintain that more than 1800 cu. yds. was hauled in. (could you not reverse the permit based upon false statements in the after-the-fact application? because you certainly can add existing landscape wall to the list of falsehoods. I have a dozen neighbors to attest to this fact that it was not existing. Is the truth irrelevant?.) Please, let's verify this information with the dirt company. I think we can fairly say that the the Mindrebos and Rick Classic Homes have a blatant disregard for the surrounding area. Please protect us.

Several additional questions are also posed on this report. I strongly request that the permitting dept. halts the progress of this ongoing build until these significant questions have been answered.

Regards,
Fran Ogden
--
Fran Ogden
850-737-3436

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released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.
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From:	Horace L Jones
To:	"franogdenrd@gmail.com"
Cc:	Timothy R. Day; Andrew D. Holmer; Roza I. Sestnov; Terry D Williams; Juan C. Lemos
Subject:	FW: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001
Date:	Wednesday, March 28, 2018 10:29:35 AM
Attachments:	Pale Moon Dr Stormwater Management Permit.msg

Mrs. Fran,

For your information, here the remaining documents that are applicable to the Storm water review for a single-family home and ***that were submitted prior to the deadline***. ***Just to reiterate again***, *there could be additional information/documents that may be needed from Mrs. Roza, our Engineer and other staff members that are essential for the site plan review process*. We allow our staff as the subject matter experts and based upon the applicable requirements of the Land Development Code and other pertinent regulations to determine if additional information/documents are needed. We will definitely request the needed information/documents as we continue the review process.

Respectfully,

Horace Jones
Department Director
Development Services Department
33363 West Park Place, *Pensacola, FL*
850-595-3625 or 554-8210
hljones@myescambia.com

From: Fran Ogden [mailto:franogdenrd@gmail.com]
Sent: Tuesday, March 27, 2018 5:26 PM
To: Horace L Jones <HLJONES@myescambia.com>; Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>
Subject: Re: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

Dear Mr Jones et al

Again I bring it to your attention that the survey they are using has discrepancies in it (see survey general info. box). The Mindrebos have ignored this just like they ignored the requirements that would allow them to bring MORE than 1800 cubic. yds of dirt. Our shared lot line is one foot

overstated in their survey. This discrepancy exists along the entire length of the lot. I do not give the Mindrebo's permission to impose on my lot. This discrepancy is clearly noted in the originally submitted survey for the LDC permit that Brad Banes gave on Feb 2, without any stormwater plan (which I maintain should be revoked).

I maintain that they brought more than 1800 cubic yards of dirt,

I maintain that the status of the wetlands (albeit poor) was hidden due to the unauthorized clearing and filling of the lot.

I maintain that Brad Banes should have demanded clarification on boundries since it was clearly stated on the submitted documents that there was a discrepancy.

I maintain that there is still not a viable floodwater plan and the 2-week extension has passed.

I do not believe that this grading plan is sufficient proof that stormwater will not be diverted to my property. Spring is here. Time is of the essence to insist that the Mindrebo's do not continue to jepordize my home with their stormwater.

They have had more than enough time to fix the situation but Scott Mindrebo has stated that he does not care about neighboring property. It seems that they have tried to razzle-dazzle their way out of a real stormwater plan because they cannot remove the stormwater because of the massive amount of ground that is planned to be covered

Additionally, Mr. Jones has forwarded this to me but I beleive he is aware that it is incomplete, so the requirement to submit a plan by today has been NOT been met.

The retroactive LDC permit granted by Brad Banes on the owner's agent's word, without verification of facts, is long past time be to revoked.

I continue to be injured and I do hope that the code enforcement will begin immediately.

Sincerely,
Fran Ogden

On Tue, Mar 27, 2018 at 4:08 PM, Horace L Jones <HLJONES@myescambia.com> wrote:

> Mrs. Ogden,
>
> Here is a copy of the stormwater management plan /lot grading plan as requested today. Please understand that additional documents that may be needed once Mrs. Roza, our EOR, initiated the review.
>
> horace
>
> ---
>
> **From:** Horace L Jones
> **Sent:** Tuesday, March 27, 2018 2:32 PM

To: Timothy R. Day <TRDAY@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Terry D Williams <TDWILLIA@myescambia.com>; Juan C. Lemos <JCLEMOS@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>
Cc: Jack R. Brown <jrbrown@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Meredith D. Crawford <mdcrawford@myescambia.com>
Subject: Re: 5312 Palemoon Drive #11-3S-32-3000-000-001

I should have said that a lot grading plan was submitted. For clarification, the lot grading plan is part of a storm water management plan; but additional documents may be needed once the review initiated.

Sent from my iPhone

On Mar 27, 2018, at 2:18 PM, Horace L Jones <HLJONES@myescambia.com> wrote:

> Tim and All,
>
> The required Stormwater Mangement Plans for the referenced parcel have been submitted per the timeframe as indicated below. The plans were submitted to our office on 3/26/18.
> **By the way, staff have not performed the necessary reviews, which will include a detailed review of the necessary documents as well, as of March 27th 2018.**
> For information, another issue has been raised by Mrs Fran regarding an alleged discrepancy with markers. Please see attached e-mail on new issue raised on the survey markers.
>
> ---
>
> **From:** Horace L Jones
> **Sent:** Tuesday, March 27, 2018 2:09 PM
> **To:** Horace L Jones <HLJONES@myescambia.com>
> **Subject:** FW: 5312 Palemoon Drive #11-3S-32-3000-000-001
>
> ---
>
> **From:** Horace L Jones
> **Sent:** Tuesday, March 13, 2018 3:42 PM
> **To:** Jack R. Brown <jrbrown@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Angela D. Crawley <adcrawle@myescambia.com>
> **Cc:** Timothy R. Day <TRDAY@myescambia.com>; Chips Kirschenfeld <JTKIRSCHE@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>
> **Subject:** FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

FYI

From: Horace L Jones
Sent: Tuesday, March 13, 2018 3:38 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

To All:
FYI
I did received a phone call from Mr Faciane today. Briefly, he stated that he will be communicating with his attorney Lisa Minshew.

Additionally, please see attached e-mail referencing the LDC requirement. It appears that the LDC is quite clear on what is required.

From: Horace L Jones
Sent: Tuesday, March 13, 2018 2:17 PM
To: 'rickfaciane50@yahoo.com' <rickfaciane50@yahoo.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Chips Kirschenfeld <JTKIRSCHE@myescambia.com>; Jack R. Brown <jrbrown@myescambia.com>; Angela D. Crawley <adcrawle@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Dianne C. Simpson <dcsimpso@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>; Karla N Moreno <KNMORENO@myescambia.com>
Subject: 5312 Palemoon Drive #11-3S-32-3000-000-001

Good Afternoon, Rick

It is my understanding, from a phone call discussion that you had with Mrs. Roza this morning on 3/13/13, that you will be submitting a detailed Stormwater Plan for the referenced lot for the construction of a single-family dwelling on the lot in question. Please note that a stormwater management plan must be submitted to the Development Services Department for review within two-weeks from this notification. If the stormwater management plan is not received during the time as

specified, the County will revoke the Land Disturbance permit and Code Enforcement will schedule this property to be heard at the next available Special Magistrate date to address any outstanding code issues.

The submitted building plans and all the supporting documents and/or plans {including the stormwater management plan) must be reviewed and approved prior to the issuance of any building permits or any other land use development and/or activities on the lot in question.

If you have any questions, please do not hesitate call me or e-mail me

This e-mail is to serve as notification. Please reply with an acknowledgement that you received this e-mail. Failure to acknowledge receipt does not nullify this notification.

Respectfully submitted.

Horace Jones
Department Director
Development Services Department
33363 West Park Place, Pensacola, FL
850-595-3625 or 554-8210
hljones@myescambia.com

Horace Jones
Department Director
Development Services Department
33363 West Park Place, Pensacola, FL
850-595-3625 or 554-8210
hljones@myescambia.com

<mime-attachment>

<mime-attachment>

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address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.

---------- Forwarded message ----------
From: "Christina L. Smith" <clsmith1@myescambia.com>
To: Horace L Jones <HLJONES@myescambia.com>
Cc:
Bcc:
Date: Tue, 27 Mar 2018 18:51:46 +0000
Subject: Pale Moon
All documents are in mypermitnow.

Christina Smith
Development Review Coordinator
Development Services Department
3363 West Park Place, Pensacola, FL 32505
(850) 595-3472

--
Fran Ogden
850-737-3436

From:	Horace L Jones
To:	Roza I. Sestnov
Subject:	FW: FW: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001
Date:	Wednesday, March 28, 2018 11:59:57 AM

From: Fran Ogden [mailto:franogdenrd@gmail.com]
Sent: Wednesday, March 28, 2018 11:51 AM
To: Horace L Jones <HLJONES@myescambia.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Jack R. Brown <jrbrown@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>
Subject: Re: FW: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

Do you realize that the reason they put all that unpermitted dirt which devalued my home on the lot just because it was cheaper than building on pilings? They told me that before they even brought it in. Please note that my neighbor in Pale Moon Estates was forced to build on pilings. STORMWATER IS AN ISSUE HERE. Just reminding all involved that the stormwater removal in place by the county runs through my lot on 5334 Pale Moon which does not have an easement. I emphatically do not want their water draining through my lot. Divert it elsewhere.

On Wed, Mar 28, 2018 at 11:37 AM, Fran Ogden <franogdenrd@gmail.com> wrote:

> I am not an engineer but a four foot wide 7-inch deep ditch is not going to be enough to catch their stormwater. They will not be able to use the 1 foot of my property to divert their stormwater.
>
> Additionally the "landscape wall" is a total lie. Maybe you should ride out here. There is no landscaping!! It is an ugly eyesore that has been clear cut! The avg elevation on the adjoining lot is 3.6 feet. The average elevation on their side of the "landscape wall" is 6.17 feet. It is a poorly built unpermitted retaining wall. They are making a mockery out of the permitting process.
>
> And also there is no porch and pool shown on their grading plan. That is more concrete that will displace more of their water.
>
> The silt fence is not even representative of their drawing. They have had that dirt on the lot since November and have made only the minimum precaution to maintain it on their lot, and then only when they were forced. They have demonstrated a total lack of civility.
>
> There is no SWPPP posted as required in the permit box
>
> There is not even a copy of the wrongly issued LDC permit that Mr. Banes so generously gave them after they disregarded the impact that their "dream home on the hill" will have on the adjacent properties.
>
> There are at least 2 blatant misrepresentations on this grading plan. It should be rejected just for that reason. Existing landscape wall indeed. Surely this shenanigan will be called out for what it is,

total disregard for neighbors and rules. WHY all the leniency?
I have been and continue to be injured and have an increased risk of flooding that the county has allowed persisting.

How do I get the favor curried on the irreverent Mindrebo's?They are laughing at what they think they can get away with. The problem is they should have been forced to remove the unpermitted dirt, submit a plan that was not full of misrepresentation and protect adjacent properties on the front end. But the Feb 12 permit that Mr. Banes gave with the minimum documentation changed all that, Revoke that and serve the existing improved properties which the county has been collecting taxes on for over 20 years! I have paid over $30,000 in taxes since I have lived here since 2011. Why is protecting my home not even an objective, but giving the Mindrebos more opportunities to devalue my home the driving force? I should not have to hire an expensive lawyer to force the building dept to stop doing favors for them. They submitted a plan that they knew was misrepresented. Can you imagine calling that wall an "existing landscape wall"? And they know that the boundaries are in question but chose to ignore it. More lies. That is lying with intent to misdirect your reviewers. The did it to Mr. Banes and they are trying to do it again.

Respectfully,
Fran Ogden

On Wed, Mar 28, 2018 at 10:29 AM, Horace L Jones <HLJONES@myescambia.com> wrote:

> Mrs. Fran,
>
> For your information, here the remaining documents that are applicable to the Storm water review for a single-family home and ***that were submitted prior to the deadline***. ***Just to reiterate again***, *there could be additional information/documents that may be needed from Mrs. Roza, our Engineer and other staff members that are essential for the site plan review process*. We allow our staff as the subject matter experts and based upon the applicable requirements of the Land Development Code and other pertinent regulations to determine if additional information/documents are needed. We will definitely request the needed information/documents as we continue the review process.
>
> Respectfully,
>
> *Horace Jones*

Department Director
Development Services Department
33363 West Park Place, *Pensacola, FL*
850-595-3625 or 554-8210
hljones@myescambia.com

From: Fran Ogden [mailto:franogdenrd@gmail.com]
Sent: Tuesday, March 27, 2018 5:26 PM
To: Horace L Jones <HLJONES@myescambia.com>; Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>
Subject: Re: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

Dear Mr Jones et al

Again I bring it to your attention that the survey they are using has discrepancies in it (see survey general info. box). The Mindrebos have ignored this just like they ignored the requirements that would allow them to bring MORE than 1800 cubic. yds of dirt. Our shared lot line is one foot overstated in their survey. This discrepancy exists along the entire length of the lot. I do not give the Mindrebo's permission to impose on my lot. This discrepancy is clearly noted in the originally submitted survey for the LDC permit that Brad Banes gave on Feb 2, without any stormwater plan (which I maintain should be revoked).

I maintain that they brought more than 1800 cubic yards of dirt,

I maintain that the status of the wetlands (albeit poor) was hidden due to the unauthorized clearing and filling of the lot.

I maintain that Brad Banes should have demanded clarification on boundries since it was clearly stated on the submitted documents that there was a discrepancy.

I maintain that there is still not a viable floodwater plan and the 2-week extension has passed.

I do not believe that this grading plan is sufficient proof that stormwater will not be diverted to my property. Spring is here. Time is of the essence to insist that the Mindrebo's do not continue to jepordize my home with their stormwater.

They have had more than enough time to fix the situation but Scott Mindrebo has stated that he does not care about neighboring property. It seems that they have tried to razzle-dazzle their way out of a real stormwater plan because they cannot remove the stormwater because of the massive amount of ground that is planned to be covered

Additionally, Mr. Jones has forwarded this to me but I beleive he is aware that it is incomplete, so the requirement to submit a plan by today has been NOT been met.

The retroactive LDC permit granted by Brad Banes on the owner's agent's word, without

verification of facts, is long past time be to revoked.

I continue to be injured and I do hope that the code enforcement will begin immediately.

Sincerely,
Fran Ogden

On Tue, Mar 27, 2018 at 4:08 PM, Horace L Jones <HLJONES@myescambia.com> wrote:

> Mrs. Ogden,
>
> Here is a copy of the stormwater management plan /lot grading plan as requested today. Please understand that additional documents that may be needed once Mrs. Roza, our EOR, initiated the review.
>
> horace
>
> ---
>
> **From:** Horace L Jones
> **Sent:** Tuesday, March 27, 2018 2:32 PM
> **To:** Timothy R. Day <TRDAY@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Terry D Williams <TDWILLIA@myescambia.com>; Juan C. Lemos <JCLEMOS@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>
> **Cc:** Jack R. Brown <jrbrown@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Meredith D. Crawford <mdcrawford@myescambia.com>
> **Subject:** Re: 5312 Palemoon Drive #11-3S-32-3000-000-001
>
> I should have said that a lot grading plan was submitted. For clarification, the lot grading plan is part of a storm water management plan; but additional documents may be needed once the review initiated.
>
> Sent from my iPhone
>
> On Mar 27, 2018, at 2:18 PM, Horace L Jones <HLJONES@myescambia.com> wrote:
>
> > Tim and All,
> >
> > The required Stormwater Mangement Plans for the referenced parcel have been submitted per the timeframe as indicated below. The plans were submitted to our office on 3/26/18.
> > **By the way, staff have not performed the necessary reviews, which will include a detailed review of the necessary**

documents as well, as of March 27th 2018.

For information, another issue has been raised by Mrs Fran regarding an alleged discrepancy with markers. Please see attached e-mail on new issue raised on the survey markers.

From: Horace L Jones
Sent: Tuesday, March 27, 2018 2:09 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

From: Horace L Jones
Sent: Tuesday, March 13, 2018 3:42 PM
To: Jack R. Brown <jrbrown@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Angela D. Crawley <adcrawle@myescambia.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Chips Kirschenfeld <JTKIRSCHE@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>
Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

FYI

From: Horace L Jones
Sent: Tuesday, March 13, 2018 3:38 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

To All:
FYI
I did received a phone call from Mr Faciane today. Briefly, he stated that he will be communicating with his attorney Lisa Minshew.

Additionally, please see attached e-mail referencing the LDC requirement. It appears that the LDC is quite clear on what is required.

From: Horace L Jones

Sent: Tuesday, March 13, 2018 2:17 PM
To: 'rickfaciane50@yahoo.com' <rickfaciane50@yahoo.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Chips Kirschenfeld <JTKIRSCHE@myescambia.com>; Jack R. Brown <jrbrown@myescambia.com>; Angela D. Crawley <adcrawle@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Dianne C. Simpson <dcsimpso@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>; Karla N Moreno <KNMORENO@myescambia.com>
Subject: 5312 Palemoon Drive #11-3S-32-3000-000-001

Good Afternoon, Rick

It is my understanding, from a phone call discussion that you had with Mrs. Roza this morning on 3/13/13, that you will be submitting a detailed Stormwater Plan for the referenced lot for the construction of a single-family dwelling on the lot in question. Please note that a stormwater management plan must be submitted to the Development Services Department for review within two-weeks from this notification. If the stormwater management plan is not received during the time as specified, the County will revoke the Land Disturbance permit and Code Enforcement will schedule this property to be heard at the next available Special Magistrate date to address any outstanding code issues.

The submitted building plans and all the supporting documents and/or plans {including the stormwater management plan) must be reviewed and approved prior to the issuance of any building permits or any other land use development and/or activities on the lot in question.

If you have any questions, please do not hesitate call me or e-mail me

This e-mail is to serve as notification. Please reply with an acknowledgement that you received this e-mail. Failure to acknowledge receipt does not nullify this notification.

Respectfully submitted.

Horace Jones

Department Director
Development Services Department
33363 West Park Place, Pensacola, FL
850-595-3625 or 554-8210
hljones@myescambia.com

Horace Jones
Department Director
Development Services Department
33363 West Park Place, Pensacola, FL
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<mime-attachment>

<mime-attachment>

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---------- Forwarded message ----------
From: "Christina L. Smith" <clsmith1@myescambia.com>
To: Horace L Jones <HLJONES@myescambia.com>
Cc:
Bcc:
Date: Tue, 27 Mar 2018 18:51:46 +0000
Subject: Pale Moon
All documents are in mypermitnow.

Christina Smith
Development Review Coordinator
Development Services Department
3363 West Park Place, Pensacola, FL 32505
(850) 595-3472

--
Fran Ogden
850-737-3436
Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.

---------- Forwarded message ----------
From: Denise Halstead <DHALSTEA@myescambia.com>
To: Horace L Jones <HLJONES@myescambia.com>
Cc:
Bcc:
Date: Wed, 28 Mar 2018 13:47:47 +0000
Subject: Pale Moon Dr Stormwater Management Permit

Thanks,
Denise Halstead
Administrative Supervisor
Development Services Department
3363 West Park Place
Pensacola, FL 32505
Phone: 850.595.3442

--
Fran Ogden
850-737-3436

--
Fran Ogden
850-737-3436

From:	Horace L Jones
To:	Terry D Williams
Cc:	Roza I. Sestnov; Andrew D. Holmer
Subject:	FW: Mindrebo 5312 Pale Moon Drive; WSI #2017-687
Date:	Monday, April 02, 2018 12:53:43 PM
Attachments:	March 29 2018 letter to Brad Bane.pdf

Terry

Please put this with the plans that are yet under review. As we discussed earlier, do not grant land use approval until Roza has completed her stormwater review for compliance with all the pertinent regulations.

Lastly in speaking with Rick today, he told me that he will be submitted his site plan with from signed and sealed survey in order to address the 1' ft overlap issue with the adjoining properties. I believe that Roza is requiring a survey to help address this issue as well.

From: Bradley D Bane
Sent: Monday, April 02, 2018 10:06 AM
To: Keith Johnson <keith@wetlandsciences.com>; Timothy R. Day <TRDAY@myescambia.com>
Cc: 'FRED THOMPSON' <FRT@NWFLS.COM>; jerry@mcguire-assoc.com; dmindrebo@att.net; 'Craig Martin' <craig@wetlandsciences.com>; Horace L Jones <HLJONES@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>
Subject: Re: Mindrebo 5312 Pale Moon Drive; WSI #2017-687

Keith,

Thank you for providing a thorough report for 5312 Pale Moon Dr. noting Wetlands were not identified onsite. We will put this with the project file for any future review or discussion.

Regards,

Brad

Bradley D. Bane, Environmental Analyst
Escambia County Development Services Department
Environmental Services- Review, DRC & Permitting
3363 West Park Place
Pensacola, FL 32505
(850) 595-4572 Office
(850) 595-3557 Fax

bdbane@co.escambia.fl.us

Please consider the Environment before printing this e-mail. Reduce, reuse, recycle. Think Green.

From: Keith Johnson <keith@wetlandsciences.com>
Sent: Thursday, March 29, 2018 5:42 PM
To: Bradley D Bane; Timothy R. Day
Cc: 'FRED THOMPSON'; jerry@mcguire-assoc.com; dmindrebo@att.net; 'Craig Martin'
Subject: Mindrebo 5312 Pale Moon Drive; WSI #2017-687

Brad & Tim,

Please see attached letter regarding the above referenced property. Please feel free to call if any questions should arise.

Thanks,

Keith Johnson
Wetland Sciences, Inc.
3308 Gulf Beach Hwy
Pensacola, FL 32507
Tel: 850.453.4700

Virus-free. www.avast.com

From:	Horace L Jones
To:	Roza I. Sestnov
Subject:	FW: Pale Moon
Date:	Tuesday, March 27, 2018 2:20:28 PM
Attachments:	Lot Grading Plan 5312 Pale Moon Drive.pdf

From: Christina L. Smith
Sent: Tuesday, March 27, 2018 1:52 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: Pale Moon

All documents are in mypermitnow.

Christina Smith
Development Review Coordinator
Development Services Department
3363 West Park Place, Pensacola, FL 32505
(850) 595-3472

From: Horace L Jones
To: Roza I. Sestnov
Subject: Fwd: 5312 Palemoon Drive #11-3S-32-3000-000-001
Date: Tuesday, March 27, 2018 5:44:34 PM

Sent from my iPhone

Begin forwarded message:

From: Fran Ogden <franogdenrd@gmail.com>
Date: March 27, 2018 at 5:25:31 PM CDT
To: Horace L Jones <HLJONES@myescambia.com>, "Timothy R. Day" <TRDAY@co.escambia.fl.us>, aarogers@co.escambia.fl.us, "Jack R. Brown" <jrbrown@myescambia.com>
Subject: Re: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

Dear Mr Jones et al

Again I bring it to your attention that the survey they are using has discrepancies in it (see survey general info. box). The Mindrebos have ignored this just like they ignored the requirements that would allow them to bring MORE than 1800 cubic. yds of dirt. Our shared lot line is one foot overstated in their survey. This discrepancy exists along the entire length of the lot. I do not give the Mindrebo's permission to impose on my lot. This discrepancy is clearly noted in the originally submitted survey for the LDC permit that Brad Banes gave on Feb 2, without any stormwater plan (which I maintain should be revoked).

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The retroactive LDC permit granted by Brad Banes on the owner's agent's word, without verification of facts, is long past time be to revoked.

I continue to be injured and I do hope that the code enforcement will begin immediately.

Sincerely,
Fran Ogden

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> Mrs. Ogden,
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> Here is a copy of the stormwater management plan /lot grading plan as requested today. Please understand that additional documents that may be needed once Mrs. Roza, our EOR, initiated the review.
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> horace
>
> ---
>
> **From:** Horace L Jones
> **Sent:** Tuesday, March 27, 2018 2:32 PM
> **To:** Timothy R. Day <TRDAY@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Terry D Williams <TDWILLIA@myescambia.com>; Juan C. Lemos <JCLEMOS@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>
> **Cc:** Jack R. Brown <jrbrown@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Meredith D. Crawford <mdcrawford@myescambia.com>
> **Subject:** Re: 5312 Palemoon Drive #11-3S-32-3000-000-001
>
> I should have said that a lot grading plan was submitted. For clarification, the lot grading plan is part of a storm water management plan; but additional documents may be needed once the review initiated.

Sent from my iPhone

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Tim and All,

The required Stormwater Mangement Plans for the referenced parcel have been submitted per the timeframe as indicated below. The plans were submitted to our office on 3/26/18.
By the way, staff have not performed the necessary reviews, which will include a detailed review of the necessary documents as well, as of March 27th 2018.

For information, another issue has been raised by Mrs Fran regarding an alleged discrepancy with markers. Please see attached e-mail on new issue raised on the survey markers.

From: Horace L Jones
Sent: Tuesday, March 27, 2018 2:09 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

From: Horace L Jones
Sent: Tuesday, March 13, 2018 3:42 PM
To: Jack R. Brown <jrbrown@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Angela D. Crawley <adcrawle@myescambia.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Chips Kirschenfeld <JTKIRSCHE@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>
Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

FYI

From: Horace L Jones
Sent: Tuesday, March 13, 2018 3:38 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

To All:

FYI

I did received a phone call from Mr Faciane today. Briefly, he stated that he will be communicating with his attorney Lisa Minshew.

Additionally, please see attached e-mail referencing the LDC requirement. It appears that the LDC is quite clear on what is required.

From: Horace L Jones
Sent: Tuesday, March 13, 2018 2:17 PM
To: 'rickfaciane50@yahoo.com' <rickfaciane50@yahoo.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Chips Kirschenfeld <JTKIRSCHE@myescambia.com>; Jack R. Brown <jrbrown@myescambia.com>; Angela D. Crawley <adcrawle@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Dianne C. Simpson <dcsimpso@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>; Karla N Moreno <KNMORENO@myescambia.com>
Subject: 5312 Palemoon Drive #11-3S-32-3000-000-001

Good Afternoon, Rick

It is my understanding, from a phone call discussion that you had with Mrs. Roza this morning on 3/13/13, that you will be submitting a detailed Stormwater Plan for the referenced lot for the construction of a single-family dwelling on the lot in question. Please note that a stormwater management plan must be submitted to the Development Services Department for review within two-weeks from this notification. If the stormwater management plan is not received during the time as specified, the County will revoke the Land Disturbance permit and Code Enforcement will schedule this property to be heard at the next available Special Magistrate date to address any outstanding code issues.

The submitted building plans and all the supporting documents and/or plans {including the stormwater management plan) must be reviewed and approved prior to the issuance of any building permits or any other land use development and/or activities on the lot in question.

If you have any questions, please do not hesitate call me or e-mail me

This e-mail is to serve as notification. Please reply with an acknowledgement that you received this e-mail. Failure to acknowledge receipt does not nullify this notification.

Respectfully submitted.

Horace Jones

Department Director

Development Services Department

33363 West Park Place, Pensacola, FL

850-595-3625 or 554-8210

hljones@myescambia.com

Horace Jones

Department Director

Development Services Department

33363 West Park Place, Pensacola, FL

850-595-3625 or 554-8210

hljones@myescambia.com

<mime-attachment>

<mime-attachment>

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---------- Forwarded message ----------
From: "Christina L. Smith" <clsmith1@myescambia.com>
To: Horace L Jones <HLJONES@myescambia.com>
Cc:
Bcc:

Date: Tue, 27 Mar 2018 18:51:46 +0000
Subject: Pale Moon

All documents are in mypermitnow.

Christina Smith

Development Review Coordinator

Development Services Department

3363 West Park Place, Pensacola, FL 32505
(850) 595-3472

--
Fran Ogden
850-737-3436

From:	Horace L Jones
To:	Colby S. Brown
Cc:	Roza I. Sestnov; Terry D Williams; Andrew D. Holmer; jerry@mcguire-assoc.com
Subject:	Fwd: 5312 Plane Moon Drive Stormwater Permit
Date:	Monday, April 09, 2018 6:42:21 AM

Please review the e-mail below regarding the stormwater permit.

Terry,

Please review the land use approval

Sent from my iPhone

Begin forwarded message:

> **From:** Rick Faciane <rickfaciane50@yahoo.com>
> **Date:** April 8, 2018 at 10:55:37 PM CDT
> **To:** Horace L Jones <HLJONES@myescambia.com>
> **Cc:** Tim Tolbert <jttolbert@myescambia.com>, Scott Donna Mindrebo <dmindrebo@att.net>, Jerry's JMA <jerry@mcguire-assoc.com>, "Terry D. Williams" <tdwillia@myescambia.com>, "Timothy R. Day" <trday@myescambia.com>
> **Subject: Re: 5312 Plane Moon Drive Stormwater Permit**
> **Reply-To:** Rick Faciane <rickfaciane50@yahoo.com>
>
> Horace--I was at the county Friday about 3pm to pickup the signed release from Rosa but Tim/Cody wasn't there to sign off as well.. Ill be there on Monday around 11am to pickup the approved totally signed release for Classic Homes to permit this job with the building dept... call me on Monday am if this isn't going to be ready and extend the compliance date you keep on threating with...I believe everybody is ready to get this over with....and proceed with the process...Thks for your cooperation...
>
> Rick Faciane
> Classic Homes of Pensacola, LLC.
> Office: 850-944-6805
> Cell: 850-698-5186
> Fax: 850-944-2261

From: Horace L Jones <HLJONES@myescambia.com>
To: 'Jerry's JMA' <jerry@mcguire-assoc.com>

Cc: Terry D Williams <TDWILLIA@myescambia.com>; "'rickfaciane50@yahoo.com'" <rickfaciane50@yahoo.com>
Sent: Friday, April 6, 2018 1:34 PM
Subject: RE: 5312 Plane Moon Drive Stormwater Permit

Jerry,

Please bring the most updated signed and sealed for Terry as well.

When does his sit plan review, the site plan should be delineated on the most updated Survey.

From: Jerry's JMA [mailto:jerry@mcguire-assoc.com]
Sent: Friday, April 06, 2018 1:30 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: RE: 5312 Plane Moon Drive Stormwater Permit

Horace,

Roza has done her final review of the data and is ready to sign off. I'll bring her signed and sealed copies in 1 hour.

Jerry

From: Horace L Jones [mailto:HLJONES@myescambia.com]
Sent: Monday, April 02, 2018 12:06 PM
To: 'rickfaciane50@yahoo.com'; 'Jerry's JMA'
Cc: Timothy R. Day; Terry D Williams; Roza I. Sestnov; Andrew D. Holmer; Tim Tolbert; Meredith D. Crawford; Alison A. Rogers; Jack R. Brown; Debbie Kenney
Subject: FW: 5312 Plane Moon Drive Stormwater Permit

Good Afternoon, Rick
In the e-mail(s) below, it shows that comments were sent to Jerry **on 3/29/18**, the Engineer of Record (EOR) for the proposed single-family, on the stormwater review plans that were submitted to the County for review. So that we can continue to move forward with the required review process, please respond ***and address all the comments in accordance with the all the applicable regulations within two-weeks from the March 29th e-mail that was***

previously sent to Jerry.
If the stormwater management plan review comments have not been **received, addressed ,and approved as compliant with all the applicable regulations** as specified within designated timeframe as highlighted in red above, the County will revoke the Land Disturbance permit and Code Enforcement will schedule this property to be heard at the next available Special Magistrate date to address any outstanding code issues.
Please note that the submitted building plans and *all the supporting documents* and/or plans {including the stormwater management plan) must be reviewed and approved prior to the issuance of any building permits or any other land use development and/or activities on the lot in question.

If you have any questions, please do not hesitate to call me or e-mail me. Additionally, it is my understanding that set of the comments have been forwarded to you as well. If not please let us know immediately.

This e-mail is to serve as notification. Please reply with an acknowledgement that you received this e-mail. Failure to acknowledge receipt does not nullify this notification.

Respectfully submitted.

Horace Jones
Department Director
Development Services Department
33363 West Park Place*, Pensacola, FL*
850-595-3625 or 554-8210
hljones@myescambia.com

From: Jerry's JMA [mailto:jerry@mcguire-assoc.com]
Sent: Thursday, March 29, 2018 4:58 PM
To: Roza I. Sestnov <risestnov@myescambia.com>

Subject: RE: 5312 Plane Moon Drive Stormwater Permit

Roza,

Been out all day. I'll get on these and I will forward to Rick Faciane.

Jerry

From: Roza I. Sestnov
[mailto:risestnov@myescambia.com]
Sent: Thursday, March 29, 2018 12:04 PM
To: Jerry's JMA
Cc: Horace L Jones; Andrew D. Holmer; Christina L. Smith
Subject: 5312 Plane Moon Drive Stormwater Permit

Jerry,

Please find attached stormwater comments for the referenced stormwater management permit/application. Please let me know if you have any questions.

Regards,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

P **Please consider the environment before printing this e-mail. Think Green.**

Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.
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From:	Horace L Jones
To:	Terry D Williams; Roza I. Sestnov
Cc:	Timothy R. Day
Subject:	Fwd: 5312 Plane Moon Drive Stormwater Permit
Date:	Thursday, March 29, 2018 1:05:02 PM
Attachments:	Stormwater Comments.pdf ATT00001.htm

Terry and Roza

Terry please with Roza. We need to ensure that the site plan is in agreement with the stormwater review review and the comments that just Roza sent to the EOR, Jerry.

Lastly, there needs to be another timeline?

Sent from my iPhone

Begin forwarded message:

> **From:** "Roza I. Sestnov" <risestnov@myescambia.com>
> **Date:** March 29, 2018 at 1:03:44 PM EDT
> **To:** Jerry's JMA <jerry@mcguire-assoc.com>
> **Cc:** Horace L Jones <HLJONES@myescambia.com>, "Andrew D. Holmer" <ADHOLMER@myescambia.com>, "Christina L. Smith" <clsmith1@myescambia.com>
> **Subject: 5312 Plane Moon Drive Stormwater Permit**
>
> Jerry,
>
> Please find attached stormwater comments for the referenced stormwater management permit/application. Please let me know if you have any questions.
>
> Regards,
>
> Roza Sestnov
> Engineer
> Development Review Division
> Development Services Department
> Phone (850) 595-3411
> Fax (850) 595-3703
>
> **Please consider the environment before printing this e-mail. Think Green.**

From:	Horace L Jones
To:	Roza I. Sestnov
Subject:	Fwd: floodwater plan 5312 Pale Moon
Date:	Tuesday, May 15, 2018 4:19:58 PM
Attachments:	180406.Pale Moon Drive Draft Writeup.05.15.18 with attachments(2).pdf ATT00001.htm

---

Sent from my iPhone

Begin forwarded message:

From: "Fran Ogden" <franogdenrd@gmail.com>
To: "Tim Tolbert" <JTTOLBERT@myescambia.com>, "Timothy R. Day" <TRDAY@myescambia.com>, "Horace L Jones" <HLJONES@myescambia.com>
Cc: "Alison A. Rogers" <aarogers@co.escambia.fl.us>, "Jack R. Brown" <jrbrown@myescambia.com>
Subject: floodwater plan 5312 Pale Moon

Dear Mr. Tolbert, Mr. Jones, Mr.Day, and other whom this subject may concern,

Attached you will find an engineering report that I was forced to commission when the county did not sufficiently protect my property. It is obvious to all but the permit reviewers that the Mindrebo's filling in the property 3-4 feet higher than the adjacent properties will cause all the surrounding areas higher flooding risks.

You will see that in the submitted proposals there are insufficient and incorrect data

There has been no provisions made for the pre-exsting flow of the water from Pale Moon Drive to Perdido Bay. The existing homes have been engineered with the original elevations which allowed water to flow to the bay. It was filled illegally and with out any consideration of the impact that the changed elevations would cause. Mr. Mindrebo stated he was only concerned with his dream home and did not need to consider the neighbors. I believe this is exactly why we have a permitting process. Unfortunately, Mr. Banes, failed to make proper consideration and granted a permit with out a required floodwater plan. Ms. Roza of the LDC approved a retro actively submitted floodwater plan based on figures submitted from Jerry Maguire, but I have found his figures to be incorrect. Please review the attached report from Sigma to confirm.

I also maintain that more than 1800 cu. yds. was hauled in. (could you not reverse the permit based upon false statements in the after-the-fact application? because you certainly can add existing landscape wall to the list of falsehoods. I have a dozen neighbors to attest to this fact that it was not existing. Is the truth irrelevant?.) Please, let's verify this information with the dirt company. I think we

can fairly say that the the Mindrebos and Rick Classic Homes have a blatant disregard for the surrounding area. Please protect us.

Several additional questions are also posed on this report. I strongly request that the permitting dept. halts the progress of this ongoing build until these significant questions have been answered.

Regards,
Fran Ogden
--
Fran Ogden
850-737-3436

From: Horace L Jones
To: Roza I. Sestnov
Subject: Fwd: PLANNERS
Date: Thursday, March 29, 2018 1:54:52 PM

Please give Rick a copy of the comments for palemoon

Sent from my iPhone

Begin forwarded message:

> **From:** Betty Trawick <WBTRAWICK@myescambia.com>
> **Date:** March 29, 2018 at 2:18:44 PM EDT
> **To:** "Caleb G. MacCartee" <cgmaccartee@myescambia.com>, "Kim L. Wilson" <klwilson@myescambia.com>, Barbara Winns <BAWINNS@myescambia.com>
> **Cc:** Horace L Jones <HLJONES@myescambia.com>, Karla N Moreno <KNMORENO@myescambia.com>, Terry D Williams <TDWILLIA@myescambia.com>
> **Subject: PLANNERS**
>
> Rick from Classic Homes is going to P&Z.

From: Teresa A. Creel
To: Roza I. Sestnov
Subject: Pale Moon
Date: Wednesday, March 28, 2018 3:50:03 PM
Attachments: PALE MOON DRIVE.pdf

Teresa A. Creel

Administrative Supervisor
Escambia County Building Services Dept.
3363 West Park Dr.,
Pensacola Fl. 32505
PH: (850) 595-1658 or (850) 554-2810
Fax: (850) 595-3589
Email: tacreel@myescambia.com

From: Roza I. Sestnov
To: Colby S. Brown; Horace L Jones
Cc: Terry D Williams; Andrew D. Holmer; jerry@mcguire-assoc.com
Subject: RE: 5312 Pale Moon Drive Stormwater Permit
Date: Monday, April 09, 2018 8:16:00 AM

Colby,

I left a permit package on Wendy's desk on Friday. Please let me know when you are available, so I can explain what has been done.

Thank you,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Colby S. Brown
Sent: Monday, April 09, 2018 7:28 AM
To: Horace L Jones <HLJONES@myescambia.com>
Cc: Roza I. Sestnov <risestnov@myescambia.com>; Terry D Williams <TDWILLIA@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; jerry@mcguire-assoc.com
Subject: Re: 5312 Pale Moon Drive Stormwater Permit

To all

Let me know if there is anything that you need from me. I presume that the address is Pale Moon Dr not Plane Moon Dr.

Colby Brown, PE
Asst. County Engineer
Deputy Director Public Works
Design and Transportation
3363 West Park Place
Pensacola, FL 32505
850-554-3034 mobile

From: Horace L Jones
Sent: Monday, April 9, 2018 6:42 AM

To: Colby S. Brown
Cc: Roza I. Sestnov; Terry D Williams; Andrew D. Holmer; jerry@mcguire-assoc.com
Subject: Fwd: 5312 Plane Moon Drive Stormwater Permit

Please review the e-mail below regarding the stormwater permit.

Terry,

Please review the land use approval

Sent from my iPhone

Begin forwarded message:

> **From:** Rick Faciane <rickfaciane50@yahoo.com>
> **Date:** April 8, 2018 at 10:55:37 PM CDT
> **To:** Horace L Jones <HLJONES@myescambia.com>
> **Cc:** Tim Tolbert <jttolbert@myescambia.com>, Scott Donna Mindrebo <dmindrebo@att.net>, Jerry's JMA <jerry@mcguire-assoc.com>, "Terry D. Williams" <tdwillia@myescambia.com>, "Timothy R. Day" <trday@myescambia.com>
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> Horace--I was at the county Friday about 3pm to pickup the signed release from Rosa but Tim/Cody wasn't there to sign off as well.. Ill be there on Monday around 11am to pickup the approved totally signed release for Classic Homes to permit this job with the building dept... call me on Monday am if this isn't going to be ready and extend the compliance date you keep on threating with...I believe everybody is ready to get this over with....and proceed with the process...Thks for your cooperation...
>
> Rick Faciane
> Classic Homes of Pensacola, LLC.
> Office: 850-944-6805
> Cell: 850-698-5186
> Fax: 850-944-2261

From: Horace L Jones <HLJONES@myescambia.com>
To: 'Jerry's JMA' <jerry@mcguire-assoc.com>
Cc: Terry D Williams <TDWILLIA@myescambia.com>; '"rickfaciane50@yahoo.com"' <rickfaciane50@yahoo.com>
Sent: Friday, April 6, 2018 1:34 PM
Subject: RE: 5312 Plane Moon Drive Stormwater Permit

Jerry,

Please bring the most updated signed and sealed for Terry as well.

When does his sit plan review, the site plan should be delineated on the most updated Survey.

From: Jerry's JMA [mailto:jerry@mcguire-assoc.com]
Sent: Friday, April 06, 2018 1:30 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: RE: 5312 Plane Moon Drive Stormwater Permit

Horace,

Roza has done her final review of the data and is ready to sign off. I'll bring her signed and sealed copies in 1 hour.

Jerry

From: Horace L Jones [mailto:HLJONES@myescambia.com]
Sent: Monday, April 02, 2018 12:06 PM
To: 'rickfaciane50@yahoo.com'; 'Jerry's JMA'
Cc: Timothy R. Day; Terry D Williams; Roza I. Sestnov; Andrew D. Holmer; Tim Tolbert; Meredith D. Crawford; Alison A. Rogers; Jack R. Brown; Debbie Kenney
Subject: FW: 5312 Plane Moon Drive Stormwater Permit

Good Afternoon, Rick
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If the stormwater management plan review comments have not been **received, addressed ,and approved as**

compliant with all the applicable regulations as specified within designated timeframe as highlighted in red above, the County will revoke the Land Disturbance permit and Code Enforcement will schedule this property to be heard at the next available Special Magistrate date to address any outstanding code issues.

Please note that the submitted building plans and *all the supporting documents* and/or plans {including the stormwater management plan) must be reviewed and approved prior to the issuance of any building permits or any other land use development and/or activities on the lot in question.

If you have any questions, please do not hesitate to call me or e-mail me. Additionally, it is my understanding that set of the comments have been forwarded to you as well. If not please let us know immediately.

This e-mail is to serve as notification. Please reply with an acknowledgement that you received this e-mail. Failure to acknowledge receipt does not nullify this notification.

Respectfully submitted.

Horace Jones
Department Director
Development Services Department
33363 West Park Place*, Pensacola, FL*
850-595-3625 or 554-8210
hljones@myescambia.com

From: Jerry's JMA [mailto:jerry@mcguire-assoc.com]
Sent: Thursday, March 29, 2018 4:58 PM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: RE: 5312 Plane Moon Drive Stormwater Permit

Roza,

Been out all day. I'll get on these and I will forward to Rick Faciane.

Jerry

From: Roza I. Sestnov
[mailto:risestnov@myescambia.com]
Sent: Thursday, March 29, 2018 12:04 PM
To: Jerry's JMA
Cc: Horace L Jones; Andrew D. Holmer; Christina L. Smith
Subject: 5312 Plane Moon Drive Stormwater Permit

Jerry,

Please find attached stormwater comments for the referenced stormwater management permit/application. Please let me know if you have any questions.

Regards,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

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From: Colby S. Brown
To: Horace L Jones
Cc: Roza I. Sestnov; Terry D Williams; Andrew D. Holmer; jerry@mcguire-assoc.com
Subject: Re: 5312 Pale Moon Drive Stormwater Permit
Date: Monday, April 09, 2018 7:28:14 AM

To all

Let me know if there is anything that you need from me. I presume that the address is Pale Moon Dr not Plane Moon Dr.

Colby Brown, PE
Asst. County Engineer
Deputy Director Public Works
Design and Transportation
3363 West Park Place
Pensacola, FL 32505
850-554-3034 mobile

From: Horace L Jones
Sent: Monday, April 9, 2018 6:42 AM
To: Colby S. Brown
Cc: Roza I. Sestnov; Terry D Williams; Andrew D. Holmer; jerry@mcguire-assoc.com
Subject: Fwd: 5312 Plane Moon Drive Stormwater Permit

Please review the e-mail below regarding the stormwater permit.

Terry,

Please review the land use approval

Sent from my iPhone

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Rick Faciane
Classic Homes of Pensacola, LLC.
Office: 850-944-6805
Cell: 850-698-5186
Fax: 850-944-2261

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Sent: Friday, April 6, 2018 1:34 PM
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Jerry,

Please bring the most updated signed and sealed for Terry as well.

When does his sit plan review, the site plan should be delineated on the most updated Survey.

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Sent: Friday, April 06, 2018 1:30 PM
To: Horace L Jones <HLJONES@myescambia.com>
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Horace,

Roza has done her final review of the data and is ready to sign off. I'll bring her signed and sealed copies in 1 hour.

Jerry

From: Horace L Jones [mailto:HLJONES@myescambia.com]
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To: 'rickfaciane50@yahoo.com'; 'Jerry's JMA'
Cc: Timothy R. Day; Terry D Williams; Roza I. Sestnov; Andrew D. Holmer; Tim Tolbert; Meredith D. Crawford; Alison A. Rogers; Jack R. Brown; Debbie Kenney
Subject: FW: 5312 Plane Moon Drive Stormwater Permit

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Respectfully submitted.

Horace Jones
Department Director
Development Services Department
33363 West Park Place*, Pensacola, FL*
850-595-3625 or 554-8210
hljones@myescambia.com

From: Jerry's JMA [mailto:jerry@mcguire-assoc.com]
Sent: Thursday, March 29, 2018 4:58 PM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: RE: 5312 Plane Moon Drive Stormwater Permit

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Subject: 5312 Plane Moon Drive Stormwater Permit

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Please find attached stormwater comments for the referenced stormwater management permit/application. Please let me know if you have any questions.

Regards,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

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From: Colby S. Brown
To: Horace L Jones
Cc: Roza I. Sestnov
Subject: RE: 5312 Pale Moon Drive Stormwater Permit
Date: Monday, April 09, 2018 10:40:30 AM

Horace

I signed around 9:30 and Roza needed to add two conditions to the permit.

Colby Brown, PE
Asst. County Engineer
Deputy Director Public Works
Transportation, Survey and Design
3363 West Park Place
Pensacola, FL 32505
850-554-3034 cell

From: Horace L Jones
Sent: Monday, April 9, 2018 7:33 AM
To: Colby S. Brown <CSBROWN@myescambia.com>
Subject: Re: 5312 Pale Moon Drive Stormwater Permit

Yes

Roza stated that she put the permit on your desk for your signature.

Sent from my iPhone

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> Pensacola, FL 32505
> 850-554-3034 mobile
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To: Horace L Jones
Cc: Roza I. Sestnov; Terry D Williams
Subject: Re: 5312 Pale Moon Drive Stormwater Permit
Date: Monday, April 09, 2018 7:41:20 AM

To all
I will be downtown for the directors meeting at 8:30a and will head back to the COC after the meeting to sign the permit.

Colby Brown, PE
Asst. County Engineer
Deputy Director Public Works
Design and Transportation
3363 West Park Place
Pensacola, FL 32505
850-554-3034 mobile

From: Horace L Jones
Sent: Monday, April 9, 2018 7:32 AM
To: Colby S. Brown
Subject: Re: 5312 Pale Moon Drive Stormwater Permit

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> Asst. County Engineer
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> 3363 West Park Place
> Pensacola, FL 32505
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Cc: Roza I. Sestnov; Terry D Williams; Andrew D. Holmer; jerry@mcguire-assoc.com
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> **Reply-To:** Rick Faciane <rickfaciane50@yahoo.com>
>
> Horace--I was at the county Friday about 3pm to pickup the signed release from Rosa but Tim/Cody wasn't there to sign off as well.. Ill be there on Monday around 11am to pickup the approved totally signed release for Classic Homes to permit this job with the building dept... call me on Monday am if this isn't going to be ready and extend the compliance date you keep on threating with...I believe everybody is ready to get this over with....and proceed with the process...Thks for your cooperation...
>
> Rick Faciane
> Classic Homes of Pensacola, LLC.
> Office: 850-944-6805
> Cell: 850-698-5186
> Fax: 850-944-2261

From: Horace L Jones <HLJONES@myescambia.com>
To: 'Jerry's JMA' <jerry@mcguire-assoc.com>
Cc: Terry D Williams <TDWILLIA@myescambia.com>;
'"rickfaciane50@yahoo.com"' <rickfaciane50@yahoo.com>
Sent: Friday, April 6, 2018 1:34 PM
Subject: RE: 5312 Plane Moon Drive Stormwater Permit

Jerry,

Please bring the most updated signed and sealed for Terry as well.

When does his sit plan review, the site plan should be delineated on the most updated Survey.

From: Jerry's JMA [mailto:jerry@mcguire-assoc.com]
Sent: Friday, April 06, 2018 1:30 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: RE: 5312 Plane Moon Drive Stormwater Permit

Horace,

Roza has done her final review of the data and is ready to sign off. I'll bring her signed and sealed copies in 1 hour.

Jerry

From: Horace L Jones [mailto:HLJONES@myescambia.com]
Sent: Monday, April 02, 2018 12:06 PM
To: 'rickfaciane50@yahoo.com'; 'Jerry's JMA'
Cc: Timothy R. Day; Terry D Williams; Roza I. Sestnov; Andrew D. Holmer; Tim Tolbert; Meredith D. Crawford; Alison A. Rogers; Jack R. Brown; Debbie Kenney
Subject: FW: 5312 Plane Moon Drive Stormwater Permit

Good Afternoon, Rick
In the e-mail(s) below, it shows that comments were sent to Jerry **on 3/29/18**, the Engineer of Record (EOR) for the proposed single-family, on the stormwater review plans that were submitted to the County for review. So that we can continue to

move forward with the required review process, please respond ***and address all the comments in accordance with the all the applicable regulations within two-weeks from the March 29th e-mail that was previously sent to Jerry***. If the stormwater management plan review comments have not been **received, addressed ,and approved as compliant with all the applicable regulations** as specified within designated timeframe as highlighted in red above, the County will revoke the Land Disturbance permit and Code Enforcement will schedule this property to be heard at the next available Special Magistrate date to address any outstanding code issues.

Please note that the submitted building plans and *all the supporting documents* and/or plans {including the stormwater management plan) must be reviewed and approved prior to the issuance of any building permits or any other land use development and/or activities on the lot in question.

If you have any questions, please do not hesitate to call me or e-mail me. Additionally, it is my understanding that set of the comments have been forwarded to you as well. If not please let us know immediately.

This e-mail is to serve as notification. Please reply with an acknowledgement that you received this e-mail. Failure to acknowledge receipt does not nullify this notification.

Respectfully submitted.

Horace Jones
Department Director
Development Services Department

33363 West Park Place*, Pensacola, FL*
850-595-3625 or 554-8210
hljones@myescambia.com

From: Jerry's JMA [mailto:jerry@mcguire-assoc.com]
Sent: Thursday, March 29, 2018 4:58 PM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: RE: 5312 Plane Moon Drive Stormwater Permit

Roza,

Been out all day. I'll get on these and I will forward to Rick Faciane.

Jerry

From: Roza I. Sestnov [mailto:risestnov@myescambia.com]
Sent: Thursday, March 29, 2018 12:04 PM
To: Jerry's JMA
Cc: Horace L Jones; Andrew D. Holmer; Christina L. Smith
Subject: 5312 Plane Moon Drive Stormwater Permit

Jerry,

Please find attached stormwater comments for the referenced stormwater management permit/application. Please let me know if you have any questions.

Regards,

Roza Sestnov

Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

P **Please consider the environment before printing this e-mail. Think Green.**

Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.
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From: Roza I. Sestnov
To: Jerry"s JMA
Subject: RE: 5312 Pale Moon Drive
Date: Tuesday, April 10, 2018 8:14:00 AM

Jerry,

Please, also turn on the hatched areas that are included in south swale calculations, as was shown on original drawing.

Thank you,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Jerry's JMA [mailto:jerry@mcguire-assoc.com]
Sent: Tuesday, April 10, 2018 7:21 AM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: RE: 5312 Pale Moon Drive

Roza,

I will get copies made and dropped off today. I turned on the existing spot elevations.

Jerry

From: Roza I. Sestnov [mailto:risestnov@myescambia.com]
Sent: Monday, April 09, 2018 10:50 AM
To: jerry@mcguire-assoc.com
Cc: Horace L Jones; Colby S. Brown; Terry D Williams
Subject: 5312 Pale Moon Drive

Jerry,

I was trying to contact you today, but understand that you are on Jury Duty. I noticed today that final submitted drawing is missing the information that was provided on originally submitted copy: spot elevations, specifically on adjacent to the south property, and the hatched area that was included in your south swale calculations. Please note that it is a very important information and needs to be on the final approved drawing. Please provide revised copy as soon as possible.

Thank you,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

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From: Jerry"s JMA
To: Roza I. Sestnov
Subject: RE: 5312 Pale Moon Drive
Date: Tuesday, April 10, 2018 7:20:53 AM
Attachments: Pale Moon Lot Grading Plan-Lot Grading Plan.pdf

Roza,

I will get copies made and dropped off today. I turned on the existing spot elevations.

Jerry

From: Roza I. Sestnov [mailto:risestnov@myescambia.com]
Sent: Monday, April 09, 2018 10:50 AM
To: jerry@mcguire-assoc.com
Cc: Horace L Jones; Colby S. Brown; Terry D Williams
Subject: 5312 Pale Moon Drive

Jerry,

I was trying to contact you today, but understand that you are on Jury Duty. I noticed today that final submitted drawing is missing the information that was provided on originally submitted copy: spot elevations, specifically on adjacent to the south property, and the hatched area that was included in your south swale calculations. Please note that it is a very important information and needs to be on the final approved drawing. Please provide revised copy as soon as possible.

Thank you,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

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From: Roza I. Sestnov
To: Jerry"s JMA
Cc: Horace L Jones; Terry D Williams; Christina L. Smith
Subject: RE: 5312 Pale Moon Drive
Date: Tuesday, April 10, 2018 12:45:00 PM
Attachments: SW Permit.pdf

Jerry,

Please find attached approved Stormwater Management Permit. Please ensure that as-built certification shall be submitted to DRC upon completion. Also, please read “special conditions” of the permit and make sure that the builder followed the instructions indicated in special condition #2.

Please let me know if you have any questions.

Regards,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Jerry's JMA [mailto:jerry@mcguire-assoc.com]
Sent: Tuesday, April 10, 2018 7:21 AM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: RE: 5312 Pale Moon Drive

Roza,

I will get copies made and dropped off today. I turned on the existing spot elevations.

Jerry

From: Roza I. Sestnov [mailto:risestnov@myescambia.com]
Sent: Monday, April 09, 2018 10:50 AM
To: jerry@mcguire-assoc.com
Cc: Horace L Jones; Colby S. Brown; Terry D Williams
Subject: 5312 Pale Moon Drive

Jerry,

I was trying to contact you today, but understand that you are on Jury Duty. I noticed today that final

submitted drawing is missing the information that was provided on originally submitted copy: spot elevations, specifically on adjacent to the south property, and the hatched area that was included in your south swale calculations. Please note that it is a very important information and needs to be on the final approved drawing. Please provide revised copy as soon as possible.

Thank you,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

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From: Roza I. Sestnov
To: Horace L Jones
Subject: RE: 5312 Pale Moon Sigma Report
Date: Thursday, May 17, 2018 12:48:00 PM

Horace,

I'm not sure, I sent him e-mail today in the morning following our phone conversation and called, but did not get in touch with him. The original e-mail from him is attached to my e-mail below, but it has one response #2 that Jerry misunderstood and is talking about other coefficient, not the one that Sigma report indicates. Other than that, he responded to all items as well. I'll forward Jerry's second e-mail when received.

Thank you,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

From: Horace L Jones
Sent: Thursday, May 17, 2018 12:41 PM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: Re: 5312 Pale Moon Sigma Report

Is jerry going to send a separate response. It would very beneficial if he did.

Thanks tremendously

Sent from my iPhone

On May 17, 2018, at 12:37 PM, Roza I. Sestnov <risestnov@myescambia.com> wrote:

> Horace,
>
> Based on **Stormwater Management Plan Review and Reporting** prepared by Jason Lashley with Sigma Consulting Group, we offer the following:
>
> ## Responses to Sigma Report.
>
> **Stormwater Management Plan Calculations.**

1. The approved drawings have a proposed drainage swale which is offset from the retaining wall, along the north property line. The purpose of this swale is to divert runoffs from the north portion of the property towards the open water, to the west. The plan indicates elevations at the retaining wall are being higher than the bottom of the proposed swale. Please note that property adjacent to the north shall have to be elevated when developed based on the current LDC FFE requirements. So, finished elevations of this lot will match +/- 5312 Pale Moon Drive elevations. Additionally, this lot to the north mainly drains to the center of the lot, away from the developing lot, based on attached map provided by the EOR. Therefore, no negative impact to this lot after construction is anticipated.

2. The County LDC does not have any specific requirements for the 'n' factor. So, it is up to the EOR what Manning Roughness Coefficient to choose. However, United States Department of Transportation- Federal Highway Administration Engineering website recommends this coefficient for open short grass areas to be 0.025-0.035, and not as suggested 0.06 in the report. Additionally, LDC DSM 1-1.5 requires that conveyance systems shall be designed for a 25-year storm event, not 100-year storm event. Based on the above, the proposed swale actually has a freeboard (a minimum of 0.25' for 100-year storm).

Stormwater Management Plan Drawings

1. The entire swale is proposed on the developing property. No disturbance of the adjacent property at 5330 Pale Moon is proposed.

2. The swale shall stay as designed and constructed. There are several notes (##4, 9, 16, and 17) on the drawings that restrict any additional improvements in the conveyance swales. Any negative impact to adjacent property could be reported to the County. Additionally, based on response above, the swale has a freeboard.

3. Pale Moon Drive has curb and gutter. Stormwater from Pale Moon Drive was never flowing in the westerly direction. It was and will be collected by curb and gutter and then further by inlet/piping system and will be discharged to the open water/bay via an existing open ditch. The runoffs from proposed lot will not be discharged to adjacent lots, but will be diverted by two proposed swales to the open water, and the front portion of the lot will be discharging to the Pale Mood Drive curb, gutter, inlet/piping system.

Conclusion

Based on all listed above, the proposed and permitted Stormwater Management Plan satisfies the County Land Development Code and Design Standard Manual.

Please note that the EOR, Jerry McGuire, sent his responses to some of the items listed

in the Sigma Report (see attached). Please let me know if you have any questions.

Thank you,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

<mime-attachment>

<180406.Pale Moon Drive Draft Writeup.05.15.18 with attachments(2).pdf>

<Aerial Contouring Pale Moon Drive.pdf>

From: Jerry McGuire
To: Roza I. Sestnov
Subject: RE: 5312 Pale Moon Sigma Report
Date: Thursday, May 17, 2018 2:35:04 PM

Roza,

This looks good, just take a look at my previous email.

Thanks,
Jerry

From: Roza I. Sestnov <risestnov@myescambia.com>
Sent: Thursday, May 17, 2018 12:34 PM
To: Horace L Jones <HLJONES@myescambia.com>
Cc: Jerry McGuire <jerry@mcguire-assoc.com>
Subject: 5312 Pale Moon Sigma Report

Horace,

Based on **Stormwater Management Plan Review and Reporting** prepared by Jason Lashley with Sigma Consulting Group, we offer the following:

Responses to Sigma Report.

Stormwater Management Plan Calculations.

1. The approved drawings have a proposed drainage swale which is offset from the retaining wall, along the north property line. The purpose of this swale is to divert runoffs from the north portion of the property towards the open water, to the west. The plan indicates elevations at the retaining wall are being higher than the bottom of the proposed swale. Please note that property adjacent to the north shall have to be elevated when developed based on the current LDC FFE requirements. So, finished elevations of this lot will match +/- 5312 Pale Moon Drive elevations. Additionally, this lot to the north mainly drains to the center of the lot, away from the developing lot, based on attached map provided by the EOR. Therefore, no negative impact to this lot after construction is anticipated.

2. The County LDC does not have any specific requirements for the 'n' factor. So, it is up to the EOR what Manning Roughness Coefficient to choose. However, United States Department of Transportation- Federal Highway Administration Engineering website recommends this coefficient for open short grass areas to be 0.025-0.035, and not as suggested 0.06 in the report. Additionally, LDC DSM 1-1.5 requires that conveyance systems shall be designed for a 25-year storm event, not 100-year storm event. Based on the above, the proposed swale actually has a freeboard (a minimum of 0.25' for 100-year storm).

Stormwater Management Plan Drawings

1. The entire swale is proposed on the developing property. No disturbance of the adjacent property at 5330 Pale Moon is proposed.

-

2. The swale shall stay as designed and constructed. There are several notes (##4, 9, 16, and 17) on the drawings that restrict any additional improvements in the conveyance swales. Any negative impact to adjacent property could be reported to the County. Additionally, based on response above, the swale has a freeboard.

-

3. Pale Moon Drive has curb and gutter. Stormwater from Pale Moon Drive was never flowing in the westerly direction. It was and will be collected by curb and gutter and then further by inlet/piping system and will be discharged to the open water/bay via an existing open ditch. The runoffs from proposed lot will not be discharged to adjacent lots, but will be diverted by two proposed swales to the open water, and the front portion of the lot will be discharging to the Pale Mood Drive curb, gutter, inlet/piping system.

Conclusion

Based on all listed above, the proposed and permitted Stormwater Management Plan satisfies the County Land Development Code and Design Standard Manual.

Please note that the EOR, Jerry McGuire, sent his responses to some of the items listed in the Sigma Report (see attached). Please let me know if you have any questions.

Thank you,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

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From: Horace L Jones
To: Roza I. Sestnov
Subject: Re: 5312 Pale Moon Sigma Report
Date: Thursday, May 17, 2018 12:41:28 PM

Is jerry going to send a separate response. It would very beneficial if he did.

Thanks tremendously

Sent from my iPhone

On May 17, 2018, at 12:37 PM, Roza I. Sestnov <risestnov@myescambia.com> wrote:

Horace,

Based on **Stormwater Management Plan Review and Reporting** prepared by Jason Lashley with Sigma Consulting Group, we offer the following:

Responses to Sigma Report.

Stormwater Management Plan Calculations.

1. The approved drawings have a proposed drainage swale which is offset from the retaining wall, along the north property line. The purpose of this swale is to divert runoffs from the north portion of the property towards the open water, to the west. The plan indicates elevations at the retaining wall are being higher than the bottom of the proposed swale. Please note that property adjacent to the north shall have to be elevated when developed based on the current LDC FFE requirements. So, finished elevations of this lot will match +/- 5312 Pale Moon Drive elevations. Additionally, this lot to the north mainly drains to the center of the lot, away from the developing lot, based on attached map provided by the EOR. Therefore, no negative impact to this lot after construction is anticipated.

2. The County LDC does not have any specific requirements for the 'n' factor. So, it is up to the EOR what Manning Roughness Coefficient to choose. However, United States Department of Transportation- Federal Highway Administration Engineering website recommends this coefficient for open short grass areas to be 0.025-0.035, and not as suggested 0.06 in the report. Additionally, LDC DSM 1-1.5 requires that conveyance systems shall be designed for a 25-year storm event, not 100-year storm event. Based on the above, the proposed swale actually has a freeboard (a minimum of 0.25' for 100-year storm).

Stormwater Management Plan Drawings

1. The entire swale is proposed on the developing property. No disturbance of the adjacent property at 5330 Pale Moon is proposed.

2. The swale shall stay as designed and constructed. There are several notes (##4, 9, 16, and 17) on the drawings that restrict any additional improvements in the conveyance swales. Any negative impact to adjacent property could be reported to the County. Additionally, based on response

above, the swale has a freeboard.

3. Pale Moon Drive has curb and gutter. Stormwater from Pale Moon Drive was never flowing in the westerly direction. It was and will be collected by curb and gutter and then further by inlet/piping system and will be discharged to the open water/bay via an existing open ditch. The runoffs from proposed lot will not be discharged to adjacent lots, but will be diverted by two proposed swales to the open water, and the front portion of the lot will be discharging to the Pale Mood Drive curb, gutter, inlet/piping system.

Conclusion

Based on all listed above, the proposed and permitted Stormwater Management Plan satisfies the County Land Development Code and Design Standard Manual.

Please note that the EOR, Jerry McGuire, sent his responses to some of the items listed in the Sigma Report (see attached). Please let me know if you have any questions.

Thank you,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

<mime-attachment>

<180406.Pale Moon Drive Draft Writeup.05.15.18 with attachments(2).pdf>

<Aerial Contouring Pale Moon Drive.pdf>

From: Terry D Williams
To: Roza I. Sestnov; Horace L Jones
Cc: Juan C. Lemos
Subject: Re: 5312 Pale Moon
Date: Monday, March 12, 2018 3:37:29 PM

Horace,

Rick F. submitted construction plans for the reference address this morning. The plans are missing the flood zone certification, but Rick said he would bring them by today.

I am holding the plans pending the flood zone certification and a department review to address all concerns, short comings, and adjustments to the site plan that we can do to met the requirements of the LDC and hopefully eliminate any hazard conditions from either lot.

Terry

From: Roza I. Sestnov
Sent: Monday, March 12, 2018 12:09 PM
To: Terry D Williams
Subject: 5312 Pale Moon

Terry,

Based on our meeting with Rick F. this morning regarding the home development at the above address, stormwater diversion swales, grading towards open waters, should be provided on both sides of the home on the developing property. A drainage swale should be installed in front of the home that will divert runoffs from the existing road. This swale shall be connected to two side swales. Additionally, runoffs from the existing adjacent developed property at 5330 Pale Moon, shall be accommodated by the 5312 Pale Mood site design.

Thanks,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From:	Horace L Jones
To:	Timothy R. Day; Andrew D. Holmer; Terry D Williams; Juan C. Lemos; Roza I. Sestnov; Tim Tolbert; Jennifer A. Hampton
Cc:	Jack R. Brown; Alison A. Rogers; Meredith D. Crawford
Subject:	Re: 5312 Palemoon Drive #11-3S-32-3000-000-001
Date:	Tuesday, March 27, 2018 2:31:59 PM

I should have said that a lot grading plan was submitted. For clarification, the lot grading plan is part of a storm water management plan; but additional documents may be needed once the review initiated.

Sent from my iPhone

On Mar 27, 2018, at 2:18 PM, Horace L Jones <HLJONES@myescambia.com> wrote:

> Tim and All,
>
> The required Stormwater Mangement Plans for the referenced parcel have been submitted per the timeframe as indicated below. The plans were submitted to our office on 3/26/18.
> **By the way, staff have not performed the necessary reviews which will include a detailed review of the necessary documents as of March 27th 2018.**
> For information, another issue has been raised by Mrs Fran regarding an alleged discrepancy with markers. Please see attached e-mail on new issue raised on the survey markers.
>
> **From:** Horace L Jones
> **Sent:** Tuesday, March 27, 2018 2:09 PM
> **To:** Horace L Jones <HLJONES@myescambia.com>
> **Subject:** FW: 5312 Palemoon Drive #11-3S-32-3000-000-001
>
> **From:** Horace L Jones
> **Sent:** Tuesday, March 13, 2018 3:42 PM
> **To:** Jack R. Brown <jrbrown@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Angela D. Crawley <adcrawle@myescambia.com>
> **Cc:** Timothy R. Day <TRDAY@myescambia.com>; Chips Kirschenfeld <JTKIRSCHE@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>
> **Subject:** FW: 5312 Palemoon Drive #11-3S-32-3000-000-001
>
> FYI

From: Horace L Jones
Sent: Tuesday, March 13, 2018 3:38 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

To All:
FYI
I did received a phone call from Mr Faciane today. Briefly, he stated that he will be communicating with his attorney Lisa Minshew.

Additionally, please see attached e-mail referencing the LDC requirement. It appears that the LDC is quite clear on what is required.

From: Horace L Jones
Sent: Tuesday, March 13, 2018 2:17 PM
To: 'rickfaciane50@yahoo.com' <rickfaciane50@yahoo.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Chips Kirschenfeld <JTKIRSCHE@myescambia.com>; Jack R. Brown <jrbrown@myescambia.com>; Angela D. Crawley <adcrawle@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Dianne C. Simpson <dcsimpso@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>; Karla N Moreno <KNMORENO@myescambia.com>
Subject: 5312 Palemoon Drive #11-3S-32-3000-000-001

Good Afternoon, Rick

It is my understanding, from a phone call discussion that you had with Mrs. Roza this morning on 3/13/13, that you will be submitting a detailed Stormwater Plan for the referenced lot for the construction of a single-family dwelling on the lot in question. Please note that a stormwater management plan must be submitted to the Development Services Department for review within two-weeks from this notification. If the stormwater management plan is not received during the time as specified, the County will revoke the Land Disturbance permit and Code Enforcement will schedule this property to be heard at the next available Special Magistrate date to address any outstanding code issues.

The submitted building plans and all the supporting documents and/or plans {including the stormwater management plan) must be reviewed and approved prior to the issuance of any building permits or any other land use development and/or activities on the lot in question.

If you have any questions, please do not hesitate call me or e-mail me

This e-mail is to serve as notification. Please reply with an acknowledgement that you received this e-mail. Failure to acknowledge receipt does not nullify this notification.

Respectfully submitted.

Horace Jones
Department Director
Development Services Department
33363 West Park Place, Pensacola, FL
850-595-3625 or 554-8210
hljones@myescambia.com

Horace Jones
Department Director
Development Services Department
33363 West Park Place, Pensacola, FL
850-595-3625 or 554-8210
hljones@myescambia.com

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From:	Roza I. Sestnov
To:	Horace L Jones; Terry D Williams; Andrew D. Holmer; Bradley D Bane
Cc:	franogdenrd@gmail.com; Jerry"s JMA; Andrew D. Holmer; Terry D Williams; Juan C. Lemos
Subject:	RE: 5312 Palemoon Drive #11-3S-32-3000-000-001
Date:	Wednesday, March 28, 2018 3:14:00 PM

Horace,

If you want, I can include this comments in my stormwater comments, that I'm preparing. Please let me know.

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Horace L Jones
Sent: Wednesday, March 28, 2018 2:41 PM
To: Terry D Williams <TDWILLIA@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Bradley D Bane <BDBANE@myescambia.com>
Cc: franogdenrd@gmail.com; Jerry's JMA <jerry@mcguire-assoc.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>; Terry D Williams <TDWILLIA@myescambia.com>; Juan C. Lemos <JCLEMOS@myescambia.com>
Subject: Re: 5312 Palemoon Drive #11-3S-32-3000-000-001

Please reach out to Fred or Jerry to get the information. I will be off the rest of the week.

Sent from my iPhone

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> The wetland determination letter that is included in the package for dated 24 April 2017 from Wetland Sciences to Fred Thompson is not for the subject site based on the property reference number and attachments within the wetland determination. Please request the applicant to provide the referenced document.
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> Best Regards,
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> Tim

Timothy Day
Senior Manager
Natural Resources Management Department
Escambia County Board of County Commissioiners
221 Palafox Place
Pensacola, FL 32502

trday@myescambia.com
(850) 595-1144 (w)
(850) 554-3073 (c)

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Sent: Wednesday, March 28, 2018 10:29 AM
To: 'franogdenrd@gmail.com' <franogdenrd@gmail.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>; Terry D Williams <TDWILLIA@myescambia.com>; Juan C. Lemos <JCLEMOS@myescambia.com>
Subject: FW: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

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Horace Jones
Department Director
Development Services Department
33363 West Park Place, *Pensacola, FL*
850-595-3625 or 554-8210
hljones@myescambia.com

From: Fran Ogden [mailto:franogdenrd@gmail.com]
Sent: Tuesday, March 27, 2018 5:26 PM
To: Horace L Jones <HLJONES@myescambia.com>; Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>
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---------- Forwarded message ----------
From: "Christina L. Smith" <clsmith1@myescambia.com>
To: Horace L Jones <HLJONES@myescambia.com>
Cc:
Bcc:
Date: Tue, 27 Mar 2018 18:51:46 +0000
Subject: Pale Moon
All documents are in mypermitnow.

Christina Smith
Development Review Coordinator
Development Services Department
3363 West Park Place, Pensacola, FL 32505
(850) 595-3472

--
Fran Ogden
850-737-3436

From:	Juan C. Lemos
To:	Horace L Jones; Timothy R. Day; Andrew D. Holmer; Terry D Williams; Roza I. Sestnov; Tim Tolbert; Jennifer A. Hampton
Cc:	Harry T. Gibson
Subject:	RE: 5312 Palemoon Drive #11-3S-32-3000-000-001
Date:	Tuesday, March 27, 2018 4:11:17 PM
Attachments:	Pale Moon Construction Drawings-(5312).pdf

Horace,

I have reviewed the initial Elevation Certificate (FEMA Form 086-0-33), signed and sealed by Fred R. Thompson, dated 3/14/18, submitted with the site plan. The certificate does reflect the **AE 4'** FEMA SFHA designation. Based on the information provided in the elevation certificate, the proposed finished floor elevation in C2. a), is listed at **7.5'**. That height will meet the FEMA minimum standards and the Escambia County 3-foot freeboard additional requirement. All additional floodplain management standards for this specific project directly relate to management of stormwater on-site. Stormwater Management Plan will be reviewed by Ms. Roza Sestnov.
The two supplementary required elevation certificates, at foundation inspection and a final inspection prior to CO, are received, reviewed for accuracy and approved thru the Building Inspections Department staff.

Thank you,

Juan C. Lemos, CFM
Senior Planner
Development Services Department
Escambia County BCC
3363 West Park Place, Pensacola, FL 32505
(850) 595-3475 Main
(850) 595-3481 Fax

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Subject:	Re: 5312 Palemoon Drive #11-3S-32-3000-000-001
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From: Roza I. Sestnov
Sent: Wednesday, March 28, 2018 3:15 PM
To: Horace L Jones <HLJONES@myescambia.com>; Terry D Williams <TDWILLIA@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Bradley D Bane <BDBANE@myescambia.com>
Cc: franogdenrd@gmail.com; Jerry's JMA <jerry@mcguire-assoc.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Terry D Williams <TDWILLIA@myescambia.com>; Juan C. Lemos <JCLEMOS@myescambia.com>
Subject: RE: 5312 Palemoon Drive #11-3S-32-3000-000-001

Horace,

If you want, I can include this comments in my stormwater comments, that I'm preparing. Please let me know.

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Horace L Jones
Sent: Wednesday, March 28, 2018 2:41 PM
To: Terry D Williams <TDWILLIA@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Bradley D Bane <BDBANE@myescambia.com>
Cc: franogdenrd@gmail.com; Jerry's JMA <jerry@mcguire-assoc.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>; Terry D Williams <TDWILLIA@myescambia.com>; Juan C. Lemos <JCLEMOS@myescambia.com>
Subject: Re: 5312 Palemoon Drive #11-3S-32-3000-000-001

Please reach out to Fred or Jerry to get the information. I will be off the rest of the week.

Sent from my iPhone

On Mar 28, 2018, at 2:29 PM, Timothy R. Day <TRDAY@myescambia.com> wrote:

Horace:

The wetland determination letter that is included in the package for dated 24 April 2017 from Wetland Sciences to Fred Thompson is not for the subject site based on the property reference number and attachments within the wetland determination. Please request the applicant to provide the referenced document.

Best Regards,

Tim

Timothy Day
Senior Manager
Natural Resources Management Department
Escambia County Board of County Commissioiners
221 Palafox Place
Pensacola, FL 32502

trday@myescambia.com
(850) 595-1144 (w)
(850) 554-3073 (c)

From: Horace L Jones
Sent: Wednesday, March 28, 2018 10:29 AM
To: 'franogdenrd@gmail.com' <franogdenrd@gmail.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>; Terry D Williams <TDWILLIA@myescambia.com>; Juan C. Lemos <JCLEMOS@myescambia.com>
Subject: FW: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

Mrs. Fran,

For your information, here the remaining documents that are applicable to the Storm water review for a single-family home and ***that were submitted prior to the deadline***. ***Just to reiterate again***, *there could be additional information/documents that may be needed from Mrs. Roza, our Engineer and other staff members*

that are essential for the site plan review process. We allow our staff as the subject matter experts and based upon the applicable requirements of the Land Development Code and other pertinent regulations to determine if additional information/documents are needed. We will definitely request the needed information/documents as we continue the review process.

Respectfully,

Horace Jones
Department Director
Development Services Department
33363 West Park Place, *Pensacola, FL*
850-595-3625 or 554-8210
hljones@myescambia.com

From: Fran Ogden [mailto:franogdenrd@gmail.com]
Sent: Tuesday, March 27, 2018 5:26 PM
To: Horace L Jones <HLJONES@myescambia.com>; Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>
Subject: Re: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

Dear Mr Jones et al

Again I bring it to your attention that the survey they are using has discrepancies in it (see survey general info. box). The Mindrebos have ignored this just like they ignored the requirements that would allow them to bring MORE than 1800 cubic. yds of dirt. Our shared lot line is one foot overstated in their survey. This discrepancy exists along the entire length of the lot. I do not give the Mindrebo's permission to impose on my lot. This discrepancy is clearly noted in the originally submitted survey for the LDC permit that Brad Banes gave on Feb 2, without any stormwater plan (which I maintain should be revoked).

I maintain that they brought more than 1800 cubic yards of dirt,

I maintain that the status of the wetlands (albeit poor) was hidden due to the unauthorized clearing and filling of the lot.

I maintain that Brad Banes should have demanded clarification on boundries since it was clearly stated on the submitted documents that there was a discrepancy.

I maintain that there is still not a viable floodwater plan and the 2-week extension has passed.

I do not believe that this grading plan is sufficient proof that stormwater will not be diverted to my property. Spring is here. Time is of the essence to insist that the Mindrebo's do not continue to jepordize my home with their stormwater.

They have had more than enough time to fix the situation but Scott Mindrebo has stated that he does not care about neighboring property. It seems that they have tried to razzle-dazzle their way out of a real stormwater plan because they cannot remove the stormwater because of the massive amount of ground that is planned to be covered

Additionally, Mr. Jones has forwarded this to me but I beleive he is aware that it is incomplete, so the requirement to submit a plan by today has been NOT been met.

The retroactive LDC permit granted by Brad Banes on the owner's agent's word, without verification of facts, is long past time be to revoked.

I continue to be injured and I do hope that the code enforcement will begin immediately.

Sincerely,
Fran Ogden

On Tue, Mar 27, 2018 at 4:08 PM, Horace L Jones <HLJONES@myescambia.com> wrote:

> Mrs. Ogden,
>
> Here is a copy of the stormwater management plan /lot grading plan as requested today. Please understand that additional documents that may be needed once Mrs. Roza, our EOR, initiated the review.
>
> horace
>
> ---
>
> **From:** Horace L Jones
> **Sent:** Tuesday, March 27, 2018 2:32 PM
> **To:** Timothy R. Day <TRDAY@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Terry D Williams <TDWILLIA@myescambia.com>; Juan C. Lemos <JCLEMOS@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>
> **Cc:** Jack R. Brown <jrbrown@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Meredith D. Crawford <mdcrawford@myescambia.com>

Subject: Re: 5312 Palemoon Drive #11-3S-32-3000-000-001

I should have said that a lot grading plan was submitted. For clarification, the lot grading plan is part of a storm water management plan; but additional documents may be needed once the review initiated.

Sent from my iPhone

On Mar 27, 2018, at 2:18 PM, Horace L Jones <HLJONES@myescambia.com> wrote:

> Tim and All,
>
> The required Stormwater Mangement Plans for the referenced parcel have been submitted per the timeframe as indicated below. The plans were submitted to our office on 3/26/18.
> **By the way, staff have not performed the necessary reviews, which will include a detailed review of the necessary documents as well, as of March 27th 2018.**
> For information, another issue has been raised by Mrs Fran regarding an alleged discrepancy with markers.
> Please see attached e-mail on new issue raised on the survey markers.
>
> ---
>
> **From:** Horace L Jones
> **Sent:** Tuesday, March 27, 2018 2:09 PM
> **To:** Horace L Jones <HLJONES@myescambia.com>
> **Subject:** FW: 5312 Palemoon Drive #11-3S-32-3000-000-001
>
> ---
>
> **From:** Horace L Jones
> **Sent:** Tuesday, March 13, 2018 3:42 PM
> **To:** Jack R. Brown <jrbrown@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Angela D. Crawley <adcrawle@myescambia.com>
> **Cc:** Timothy R. Day <TRDAY@myescambia.com>; Chips Kirschenfeld <JTKIRSCHE@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>
> **Subject:** FW: 5312 Palemoon Drive #11-3S-32-3000-000-001
>
> FYI

From: Horace L Jones
Sent: Tuesday, March 13, 2018 3:38 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

To All:
FYI
I did received a phone call from Mr Faciane today. Briefly, he stated that he will be communicating with his attorney Lisa Minshew.

Additionally, please see attached e-mail referencing the LDC requirement. It appears that the LDC is quite clear on what is required.

From: Horace L Jones
Sent: Tuesday, March 13, 2018 2:17 PM
To: 'rickfaciane50@yahoo.com' <rickfaciane50@yahoo.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Chips Kirschenfeld <JTKIRSCHE@myescambia.com>; Jack R. Brown <jrbrown@myescambia.com>; Angela D. Crawley <adcrawle@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Dianne C. Simpson <dcsimpso@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>; Karla N Moreno <KNMORENO@myescambia.com>
Subject: 5312 Palemoon Drive #11-3S-32-3000-000-001

Good Afternoon, Rick

It is my understanding, from a phone call discussion that you had with Mrs. Roza this morning on 3/13/13, that you will be submitting a detailed Stormwater Plan for the referenced lot for the construction of a single-family dwelling on the lot in question. Please note that a stormwater management plan must be submitted to the Development Services Department

for review within two-weeks from this notification. If the stormwater management plan is not received during the time as specified, the County will revoke the Land Disturbance permit and Code Enforcement will schedule this property to be heard at the next available Special Magistrate date to address any outstanding code issues.

The submitted building plans and all the supporting documents and/or plans {including the stormwater management plan) must be reviewed and approved prior to the issuance of any building permits or any other land use development and/or activities on the lot in question.

If you have any questions, please do not hesitate call me or e-mail me

This e-mail is to serve as notification. Please reply with an acknowledgement that you received this e-mail. Failure to acknowledge receipt does not nullify this notification.

Respectfully submitted.

Horace Jones
Department Director
Development Services Department
33363 West Park Place, Pensacola, FL
850-595-3625 or 554-8210
hljones@myescambia.com

Horace Jones
Department Director
Development Services Department
33363 West Park Place, Pensacola, FL
850-595-3625 or 554-8210
hljones@myescambia.com

<mime-attachment>

<mime-attachment>

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---------- Forwarded message ----------
From: "Christina L. Smith" <clsmith1@myescambia.com>
To: Horace L Jones <HLJONES@myescambia.com>
Cc:
Bcc:
Date: Tue, 27 Mar 2018 18:51:46 +0000
Subject: Pale Moon
All documents are in mypermitnow.

Christina Smith
Development Review Coordinator
Development Services Department
3363 West Park Place, Pensacola, FL 32505
(850) 595-3472

--
Fran Ogden
850-737-3436

From:	Fran Ogden
To:	Horace L Jones
Cc:	Roza I. Sestnov; Timothy R. Day; Alison A. Rogers; Jack R. Brown
Subject:	Re: 5312 Plane Moon Drive Stormwater Permit
Date:	Tuesday, May 01, 2018 12:10:19 PM

Re: floodwater plan 5312 Pale Moon Dr.

To whom it may concern,

I maintain that the Mindrebo's have not made adequate accommodation to contain and direct their stormwater. They have failed to accommodate fr the massive amount of water that the lot held before it was filled in with over 2000 cubic yards of illegal dirt. I have hired an engineer and he is presently researching the situation and will prepare a report. Please give me time to ensure that the Mindreo's will not flood me out. I respectfully request that no building permit be issued until this report is reviewed by all. You have given the Mindrebo's several extension to submit information so I am expecting I will be granted the same. It is unfortunate that I have to incur these expenses, but feel totally unprotected by the review process.

It is also time to resolve the ditch issue with the drainage ditch that is adjacent to my property at 5334 Pale Moon. The overgrown, unmaintained ditch is on my property and I do not believe that it will handle the displaced water from 5312 Pale Moon. Furthermore, I do not grant permission for the trespass of this additional displaced water.

I expect the report to be available to me next week and I will forward directly.

Thank you,
Frances Ogden

On Thu, Apr 12, 2018 at 10:29 AM, Horace L Jones <HLJONES@myescambia.com> wrote:

> Send all the documents
>
> Sent from my iPhone
>
> On Apr 12, 2018, at 9:46 AM, Roza I. Sestnov <risestnov@myescambia.com> wrote:
>
> > Mrs. Ogden,
> >
> > Please find attached approved stormwater permit and approved drawings for the referenced address. Please let me know if you have any questions.
> >
> > Regards,

Roza Sestnov

Engineer

Development Review Division

Development Services Department

Phone (850) 595-3411

Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Horace L Jones
Sent: Thursday, April 12, 2018 8:54 AM
To: Fran Ogden <franogdenrd@gmail.com>; Roza I. Sestnov <risestnov@myescambia.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>
Subject: Re: 5312 Plane Moon Drive Stormwater Permit

Roza

Please sent Mrs. Fran the sign stormwater permit and all the plans associated with that ASAP

Terry & Jennifer

Please send her the all the approved plans and site plans.

Sent from my iPhone

On Apr 12, 2018, at 8:35 AM, Fran Ogden <franogdenrd@gmail.com> wrote:

Good Morning,

Please note that 2 weeks have passed since the stormwater comments were issued. Has the revised stormwater plan been submitted? I believe it is past due and is now time to move forward on revoking retroactive land clearing permit. Time is of the essence, my home remains injured by their arrogant unpermitted activities and I expect the county to move to protect me.

If the contractor has happened to comply, please forward to me the revised plan. I would like to hire my own engineer to ensure that I am protected.

We still do not know the land ability to absorb water. the excessive amount of dirt piled on the lot makes it impossible to be sure without taking core samples. Excessive concrete on the land that has high water saturation levels prior to the illegal dirt being added will impact the stormwater plan and I do not believe that is being considered.

Thank you,

Fran Ogden

On Wed, Apr 4, 2018 at 7:28 PM, Fran Ogden <franogdenrd@gmail.com> wrote:

> Thank-you kindly,
>
> The comments were attached to this email but I could not find it on your 2 previous emails. I appreciate you taking the time to resend it.
>
> I did receive the wetland assessment I know that the land is buildable but I do not believe that it is 100% free from the poor wetland status. This absolutely has to be established behind a shadow of a doubt because it will dictate how saturated the land is prior to having all that dirt on it. The size of the home/and other paved over percolation ground may need to be restricted. The 3500 sq ft. home may be okay, but what about the rest of the outbuildings, garages, carports, lanai, pool areas If we are assuming that the land is high upland, then we are saying that we know the land will absorb run off. We do not know for sure if that is the case. *Only borings will confirm this at this stage of the game.* It would have been easier if they had bothered to do due diligence before the dirt went on the lot. 2000+ cubic yards hides a lot of saturated lands. Additionally, I want to be sure that

the plan reflects a 500-year plan since we so recently had such an event.

Best,

Fran

On Wed, Apr 4, 2018 at 3:03 PM, Horace L Jones <HLJONES@myescambia.com> wrote:

> Mrs. Ogden
>
> Here is roza's comments again.
>
> ---
>
> **From:** Roza I. Sestnov
> **Sent:** Thursday, March 29, 2018 12:04 PM
> **To:** Jerry's JMA <jerry@mcguire-assoc.com>
> **Cc:** Horace L Jones <HLJONES@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Christina L. Smith <clsmith1@myescambia.com>
> **Subject:** 5312 Plane Moon Drive Stormwater Permit
>
> Jerry,
>
> Please find attached stormwater comments for the referenced stormwater management permit/application. Please let me know if you have any questions.
>
> Regards,
>
> Roza Sestnov
>
> Engineer
>
> Development Review Division
>
> Development Services Department

Phone (850) 595-3411

Fax (850) 595-3703

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--

Fran Ogden
850-737-3436

--

Fran Ogden
850-737-3436

<Pale Moon Permit SW.PDF>

<Drawing-Pale Moon.pdf>

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--
Fran Ogden
850-737-3436

From: Roza I. Sestnov
To: Horace L Jones
Subject: RE: 5312 Plane Moon Drive Stormwater Permit
Date: Thursday, April 12, 2018 11:58:00 AM

OK, Christina or Gwenn are helping me with it. Did you get my message about a phone call? Please advise.

Thank you,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

From: Horace L Jones
Sent: Thursday, April 12, 2018 11:34 AM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: Re: 5312 Plane Moon Drive Stormwater Permit

Just make sure get the full set documents fir stormwater that Jerry submitted.

Sent from my iPhone

On Apr 12, 2018, at 10:53 AM, Roza I. Sestnov <risestnov@myescambia.com> wrote:

> Horace,
>
> I just got a call from Mrs. Ogden, she left a message. I'm sending her message to you. Please let me know what to do, and if I should call her back.
>
> Thank you,
>
> Roza Sestnov
> Engineer
> Development Review Division
> Development Services Department
> Phone (850) 595-3411
> Fax (850) 595-3703

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Sent: Thursday, April 12, 2018 10:29 AM
To: Roza I. Sestnov <risestnov@myescambia.com>
Cc: Fran Ogden <franogdenrd@gmail.com>; Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>
Subject: Re: 5312 Plane Moon Drive Stormwater Permit

Send all the documents

Sent from my iPhone

On Apr 12, 2018, at 9:46 AM, Roza I. Sestnov <risestnov@myescambia.com> wrote:

> Mrs. Ogden,
>
> Please find attached approved stormwater permit and approved drawings for the referenced address. Please let me know if you have any questions.
>
> Regards,
>
> Roza Sestnov
> Engineer
> Development Review Division
> Development Services Department
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> Fax (850) 595-3703
>
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>
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> **Sent:** Thursday, April 12, 2018 8:54 AM
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> **Cc:** Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>
> **Subject:** Re: 5312 Plane Moon Drive Stormwater Permit

Roza

Please sent Mrs. Fran the sign stormwater permit and all the plans associated with that ASAP

Terry & Jennifer
Please send her the all the approved plans and site plans.

Sent from my iPhone

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>
> Please note that 2 weeks have passed since the stormwater comments were issued. Has the revised stormwater plan been submitted? I believe it is past due and is now time to move forward on revoking retroactive land clearing permit. Time is of the essence, my home remains injured by their arrogant unpermitted activities and I expect the county to move to protect me.
>
> If the contractor has happened to comply, please forward to me the revised plan. I would like to hire my own engineer to ensure that I am protected.
>
> We still do not know the land ability to absorb water. the excessive amount of dirt piled on the lot makes it impossible to be sure without taking core samples. Excessive concrete on the land that has high water saturation levels prior to the illegal dirt being added will impact the stormwater plan and I do not believe that is being considered.
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> Thank you,
> Fran Ogden
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>
> > Thank-you kindly,
> >
> > The comments were attached to this email but I could not find it on your 2 previous emails. I appreciate you taking the time to resend it.

I did receive the wetland assessment I know that the land is buildable but I do not believe that it is 100% free from the poor wetland status. This absolutely has to be established behind a shadow of a doubt because it will dictate how saturated the land is prior to having all that dirt on it. The size of the home/and other paved over percolation ground may need to be restricted. The 3500 sq ft. home may be okay, but what about the rest of the outbuildings, garages, carports, lanai, pool areas If we are assuming that the land is high upland, then we are saying that we know the land will absorb run off. We do not know for sure if that is the case. *Only borings will confirm this at this stage of the game.* It would have been easier if they had bothered to do due diligence before the dirt went on the lot. 2000+ cubic yards hides a lot of saturated lands. Additionally, I want to be sure that the plan reflects a 500-year plan since we so recently had such an event.

Best,
Fran

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> Mrs. Ogden
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> **From:** Roza I. Sestnov
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> **Cc:** Horace L Jones <HLJONES@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Christina L. Smith <clsmith1@myescambia.com>
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>
> Regards,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

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--
Fran Ogden
850-737-3436

--
Fran Ogden
850-737-3436

<Pale Moon Permit SW.PDF>

<Drawing-Pale Moon.pdf>

From: Horace L Jones
To: Roza I. Sestnov
Subject: Re: 5312 Plane Moon Drive Stormwater Permit
Date: Thursday, April 12, 2018 11:06:34 AM

All documents that you for Palemoon

Sent from my iPhone

On Apr 12, 2018, at 10:43 AM, Roza I. Sestnov <risestnov@myescambia.com> wrote:

> Horace,
>
> Please specify what you mean “all documents”. We have a lot of e-mails, communications with EOR, wetlands specific survey, also originally submitted drawings and documents. Do you want to send all of them? It is more than 20 documents total.
>
> Please advise.
>
> Roza Sestnov
> Engineer
> Development Review Division
> Development Services Department
> Phone (850) 595-3411
> Fax (850) 595-3703
>
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> **From:** Horace L Jones
> **Sent:** Thursday, April 12, 2018 10:29 AM
> **To:** Roza I. Sestnov <risestnov@myescambia.com>
> **Cc:** Fran Ogden <franogdenrd@gmail.com>; Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>
> **Subject:** Re: 5312 Plane Moon Drive Stormwater Permit
>
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> Sent from my iPhone
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>
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Regards,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

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Subject: Re: 5312 Plane Moon Drive Stormwater Permit

Roza

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Terry & Jennifer
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Best,
Fran

On Wed, Apr 4, 2018 at 3:03 PM, Horace L Jones <HLJONES@myescambia.com> wrote:

> Mrs. Ogden
>
> Here is roza's comments again.
>
> ---
>
> **From:** Roza I. Sestnov
> **Sent:** Thursday, March 29, 2018 12:04 PM
> **To:** Jerry's JMA <jerry@mcguire-assoc.com>
> **Cc:** Horace L Jones <HLJONES@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Christina L. Smith <clsmith1@myescambia.com>
> **Subject:** 5312 Plane Moon Drive Stormwater Permit
>
> Jerry,
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> Please find attached stormwater comments for the referenced stormwater management permit/application. Please let me know if you have any questions.
>
> Regards,
>
> Roza Sestnov
> Engineer
> Development Review Division
> Development Services Department
> Phone (850) 595-3411
> Fax (850) 595-3703
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--
Fran Ogden
850-737-3436

--
Fran Ogden
850-737-3436

<Pale Moon Permit SW.PDF>

<Drawing-Pale Moon.pdf>

From: Roza I. Sestnov
To: Horace L Jones
Subject: RE: 5312 Plane Moon Drive Stormwater Permit
Date: Thursday, April 12, 2018 10:53:00 AM

Horace,

I just got a call from Mrs. Ogden, she left a message. I'm sending her message to you. Please let me know what to do, and if I should call her back.

Thank you,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Horace L Jones
Sent: Thursday, April 12, 2018 10:29 AM
To: Roza I. Sestnov <risestnov@myescambia.com>
Cc: Fran Ogden <franogdenrd@gmail.com>; Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>
Subject: Re: 5312 Plane Moon Drive Stormwater Permit

Send all the documents

Sent from my iPhone

On Apr 12, 2018, at 9:46 AM, Roza I. Sestnov <risestnov@myescambia.com> wrote:

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To: Fran Ogden <franogdenrd@gmail.com>; Roza I. Sestnov <risestnov@myescambia.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>
Subject: Re: 5312 Plane Moon Drive Stormwater Permit

Roza

Please sent Mrs. Fran the sign stormwater permit and all the plans associated with that ASAP

Terry & Jennifer
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Sent from my iPhone

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> --
> Fran Ogden
> 850-737-3436

--
Fran Ogden
850-737-3436

<Pale Moon Permit SW.PDF>

<Drawing-Pale Moon.pdf>

From: Horace L Jones
To: Roza I. Sestnov
Cc: Fran Ogden; Timothy R. Day; Alison A. Rogers; Jack R. Brown
Subject: Re: 5312 Plane Moon Drive Stormwater Permit
Date: Thursday, April 12, 2018 10:29:26 AM

Send all the documents

Sent from my iPhone

On Apr 12, 2018, at 9:46 AM, Roza I. Sestnov <risestnov@myescambia.com> wrote:

> Mrs. Ogden,
>
> Please find attached approved stormwater permit and approved drawings for the referenced address. Please let me know if you have any questions.
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> Roza Sestnov
> Engineer
> Development Review Division
> Development Services Department
> Phone (850) 595-3411
> Fax (850) 595-3703
>
> **Please consider the environment before printing this e-mail. Think Green.**
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> ---
>
> **From:** Horace L Jones
> **Sent:** Thursday, April 12, 2018 8:54 AM
> **To:** Fran Ogden <franogdenrd@gmail.com>; Roza I. Sestnov <risestnov@myescambia.com>
> **Cc:** Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>
> **Subject:** Re: 5312 Plane Moon Drive Stormwater Permit
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> Roza
>
> Please sent Mrs. Fran the sign stormwater permit and all the plans associated with that ASAP
>
> Terry & Jennifer
> Please send her the all the approved plans and site plans.

Sent from my iPhone

On Apr 12, 2018, at 8:35 AM, Fran Ogden <franogdenrd@gmail.com> wrote:

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diligence before the dirt went on the lot. 2000+ cubic yards hides a lot of saturated lands. Additionally, I want to be sure that the plan reflects a 500-year plan since we so recently had such an event.

Best,
Fran

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> Mrs. Ogden
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> **From:** Roza I. Sestnov
> **Sent:** Thursday, March 29, 2018 12:04 PM
> **To:** Jerry's JMA <jerry@mcguire-assoc.com>
> **Cc:** Horace L Jones <HLJONES@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Christina L. Smith <clsmith1@myescambia.com>
> **Subject:** 5312 Plane Moon Drive Stormwater Permit
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> Engineer
> Development Review Division
> Development Services Department
> Phone (850) 595-3411
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>
> --
> Fran Ogden
> 850-737-3436

--
Fran Ogden
850-737-3436

<Pale Moon Permit SW.PDF>

<Drawing-Pale Moon.pdf>

From: Roza I. Sestnov
To: Horace L Jones
Subject: RE: 5312 Plane Moon Drive Stormwater Permit
Date: Thursday, April 12, 2018 10:43:00 AM

Horace,

Please specify what you mean “all documents”. We have a lot of e-mails, communications with EOR, wetlands specific survey, also originally submitted drawings and documents. Do you want to send all of them? It is more than 20 documents total.

Please advise.

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Horace L Jones
Sent: Thursday, April 12, 2018 10:29 AM
To: Roza I. Sestnov <risestnov@myescambia.com>
Cc: Fran Ogden <franogdenrd@gmail.com>; Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>
Subject: Re: 5312 Plane Moon Drive Stormwater Permit

Send all the documents

Sent from my iPhone

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> Engineer
> Development Review Division

Development Services Department
Phone (850) 595-3411
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From: Horace L Jones
Sent: Thursday, April 12, 2018 8:54 AM
To: Fran Ogden <franogdenrd@gmail.com>; Roza I. Sestnov <risestnov@myescambia.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>
Subject: Re: 5312 Plane Moon Drive Stormwater Permit

Roza

Please sent Mrs. Fran the sign stormwater permit and all the plans associated with that ASAP

Terry & Jennifer
Please send her the all the approved plans and site plans.

Sent from my iPhone

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> > **Subject:** 5312 Plane Moon Drive Stormwater Permit
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Regards,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

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--
Fran Ogden
850-737-3436

--
Fran Ogden
850-737-3436

<Pale Moon Permit SW.PDF>

<Drawing-Pale Moon.pdf>

From: Horace L Jones
To: Fran Ogden; Roza I. Sestnov
Cc: Timothy R. Day; Alison A. Rogers; Jack R. Brown
Subject: Re: 5312 Plane Moon Drive Stormwater Permit
Date: Thursday, April 12, 2018 8:54:21 AM

Roza

Please sent Mrs. Fran the sign stormwater permit and all the plans associated with that ASAP

Terry & Jennifer
Please send her the all the approved plans and site plans.

Sent from my iPhone

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850-737-3436

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From:	Roza I. Sestnov
To:	Horace L Jones; Fran Ogden
Cc:	Timothy R. Day; Alison A. Rogers; Jack R. Brown
Subject:	RE: 5312 Plane Moon Drive Stormwater Permit
Date:	Thursday, April 12, 2018 9:45:00 AM
Attachments:	Pale Moon Permit SW.PDF Drawing-Pale Moon.pdf

Mrs. Ogden,

Please find attached approved stormwater permit and approved drawings for the referenced address. Please let me know if you have any questions.

Regards,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

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From: Horace L Jones
Sent: Thursday, April 12, 2018 8:54 AM
To: Fran Ogden <franogdenrd@gmail.com>; Roza I. Sestnov <risestnov@myescambia.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>
Subject: Re: 5312 Plane Moon Drive Stormwater Permit

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Subject: 5312 Plane Moon Drive Stormwater Permit

Jerry,

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Regards,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

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--
Fran Ogden
850-737-3436

--
Fran Ogden
850-737-3436

From:	Christina L. Smith
To:	Roza I. Sestnov
Cc:	Timothy R. Day; Alison A. Rogers; Jack R. Brown; Horace L Jones; Fran Ogden
Subject:	RE: 5312 Plane Moon Drive Stormwater Permit
Date:	Thursday, April 12, 2018 9:41:52 AM
Attachments:	Pale Moon Permit SW.pdf Drawing-Pale Moon.pdf

I have attached a copy of the approved drawings and permit. Let me know if you need anything else.

Thanks,
Christina

From: Roza I. Sestnov
Sent: Thursday, April 12, 2018 9:03 AM
To: Christina L. Smith <clsmith1@myescambia.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>; Horace L Jones <HLJONES@myescambia.com>; Fran Ogden <franogdenrd@gmail.com>
Subject: RE: 5312 Plane Moon Drive Stormwater Permit

Christina,

Please send scanned Stormwater Permit and approved drawings to Mrs. Ogden as soon as possible.

Thank you,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Horace L Jones
Sent: Thursday, April 12, 2018 8:54 AM
To: Fran Ogden <franogdenrd@gmail.com>; Roza I. Sestnov <risestnov@myescambia.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>
Subject: Re: 5312 Plane Moon Drive Stormwater Permit

Roza

Please sent Mrs. Fran the sign stormwater permit and all the plans associated with that ASAP

Terry & Jennifer
Please send her the all the approved plans and site plans.

Sent from my iPhone

On Apr 12, 2018, at 8:35 AM, Fran Ogden <franogdenrd@gmail.com> wrote:

> Good Morning,
>
> Please note that 2 weeks have passed since the stormwater comments were issued. Has the revised stormwater plan been submitted? I believe it is past due and is now time to move forward on revoking retroactive land clearing permit. Time is of the essence, my home remains injured by their arrogant unpermitted activities and I expect the county to move to protect me.
>
> If the contractor has happened to comply, please forward to me the revised plan. I would like to hire my own engineer to ensure that I am protected.
>
> We still do not know the land ability to absorb water. the excessive amount of dirt piled on the lot makes it impossible to be sure without taking core samples. Excessive concrete on the land that has high water saturation levels prior to the illegal dirt being added will impact the stormwater plan and I do not believe that is being considered.
>
> Thank you,
> Fran Ogden
>
> On Wed, Apr 4, 2018 at 7:28 PM, Fran Ogden <franogdenrd@gmail.com> wrote:
>
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> > The comments were attached to this email but I could not find it on your 2 previous emails. I appreciate you taking the time to resend it.
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> > I did receive the wetland assessment I know that the land is buildable but I do not believe that it is 100% free from the poor wetland status. This absolutely has to be established behind a shadow of a doubt because it will dictate how saturated the land is prior to having all that dirt on it. The size of the home/and other paved over percolation ground may need to be restricted. The 3500 sq ft. home may be okay, but what about the rest of the outbuildings, garages, carports, lanai, pool areas If we are assuming that the land is high upland, then we are saying that we know the land will absorb run off. We do not know for sure if that is the case. *Only borings will confirm this at this stage of the game.* It would have been easier if they had bothered to do due diligence before the dirt went on the lot. 2000+ cubic yards

hides a lot of saturated lands. Additionally, I want to be sure that the plan reflects a 500-year plan since we so recently had such an event.

Best,
Fran

On Wed, Apr 4, 2018 at 3:03 PM, Horace L Jones <HLJONES@myescambia.com> wrote:

> Mrs. Ogden
>
> Here is roza's comments again.
>
> ---
>
> **From:** Roza I. Sestnov
> **Sent:** Thursday, March 29, 2018 12:04 PM
> **To:** Jerry's JMA <jerry@mcguire-assoc.com>
> **Cc:** Horace L Jones <HLJONES@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Christina L. Smith <clsmith1@myescambia.com>
> **Subject:** 5312 Plane Moon Drive Stormwater Permit
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> Jerry,
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> Please find attached stormwater comments for the referenced stormwater management permit/application. Please let me know if you have any questions.
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> Roza Sestnov
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> --
> Fran Ogden
> 850-737-3436

--
Fran Ogden
850-737-3436

From:	Roza I. Sestnov
To:	Christina L. Smith
Cc:	Timothy R. Day; Alison A. Rogers; Jack R. Brown; Horace L Jones; Fran Ogden
Subject:	RE: 5312 Plane Moon Drive Stormwater Permit
Date:	Thursday, April 12, 2018 9:03:00 AM

Christina,

Please send scanned Stormwater Permit and approved drawings to Mrs. Ogden as soon as possible.

Thank you,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

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Cc: Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>
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> >
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Sent: Thursday, March 29, 2018 12:04 PM
To: Jerry's JMA <jerry@mcguire-assoc.com>
Cc: Horace L Jones <HLJONES@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Christina L. Smith <clsmith1@myescambia.com>
Subject: 5312 Plane Moon Drive Stormwater Permit

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Regards,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

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--
Fran Ogden
850-737-3436

--
Fran Ogden
850-737-3436

From:	Jerry"s JMA
To:	Horace L Jones; Colby S. Brown
Cc:	Roza I. Sestnov; Terry D Williams; Andrew D. Holmer
Subject:	RE: 5312 Plane Moon Drive Stormwater Permit
Date:	Monday, April 09, 2018 7:33:08 AM

Horace,

I have federal jury duty today and did not see you Friday email until Friday evening.

Jerry

From: Horace L Jones [mailto:HLJONES@myescambia.com]
Sent: Monday, April 09, 2018 6:42 AM
To: Colby S. Brown
Cc: Roza I. Sestnov; Terry D Williams; Andrew D. Holmer; jerry@mcguire-assoc.com
Subject: Fwd: 5312 Plane Moon Drive Stormwater Permit

Please review the e-mail below regarding the stormwater permit.

Terry,

Please review the land use approval

Sent from my iPhone

Begin forwarded message:

> **From:** Rick Faciane <rickfaciane50@yahoo.com>
> **Date:** April 8, 2018 at 10:55:37 PM CDT
> **To:** Horace L Jones <HLJONES@myescambia.com>
> **Cc:** Tim Tolbert <jttolbert@myescambia.com>, Scott Donna Mindrebo <dmindrebo@att.net>, Jerry's JMA <jerry@mcguire-assoc.com>, "Terry D. Williams" <tdwillia@myescambia.com>, "Timothy R. Day" <trday@myescambia.com>
> **Subject: Re: 5312 Plane Moon Drive Stormwater Permit**
> **Reply-To:** Rick Faciane <rickfaciane50@yahoo.com>
>
> Horace--I was at the county Friday about 3pm to pickup the signed release from Rosa but Tim/Cody wasn't there to sign off as well.. Ill be there on Monday around 11am to pickup the approved totally signed release for Classic Homes to permit this job with the building dept... call me on Monday am if this isn't going to be ready and extend the compliance date you keep on threating with...I believe everybody is ready to get this over with....and proceed with the process...Thks for your cooperation...
>
> Rick Faciane

Classic Homes of Pensacola, LLC.
Office: 850-944-6805
Cell: 850-698-5186
Fax: 850-944-2261

From: Horace L Jones <HLJONES@myescambia.com>
To: 'Jerry's JMA' <jerry@mcguire-assoc.com>
Cc: Terry D Williams <TDWILLIA@myescambia.com>; '"rickfaciane50@yahoo.com"' <rickfaciane50@yahoo.com>
Sent: Friday, April 6, 2018 1:34 PM
Subject: RE: 5312 Plane Moon Drive Stormwater Permit

Jerry,

Please bring the most updated signed and sealed for Terry as well.

When does his sit plan review, the site plan should be delineated on the most updated Survey.

From: Jerry's JMA [mailto:jerry@mcguire-assoc.com]
Sent: Friday, April 06, 2018 1:30 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: RE: 5312 Plane Moon Drive Stormwater Permit

Horace,

Roza has done her final review of the data and is ready to sign off. I'll bring her signed and sealed copies in 1 hour.

Jerry

From: Horace L Jones [mailto:HLJONES@myescambia.com]
Sent: Monday, April 02, 2018 12:06 PM
To: 'rickfaciane50@yahoo.com'; 'Jerry's JMA'
Cc: Timothy R. Day; Terry D Williams; Roza I. Sestnov; Andrew D. Holmer; Tim Tolbert; Meredith D. Crawford; Alison A. Rogers; Jack R. Brown; Debbie Kenney
Subject: FW: 5312 Plane Moon Drive Stormwater Permit

Good Afternoon, Rick
In the e-mail(s) below, it shows that comments were sent to Jerry **on 3/29/18**, the Engineer of Record (EOR) for the proposed single-family, on the stormwater review plans

that were submitted to the County for review. So that we can continue to move forward with the required review process, please respond ***and address all the comments in accordance with the all the applicable regulations within two-weeks from the March 29th e-mail that was previously sent to Jerry***.
If the stormwater management plan review comments have not been **received, addressed ,and approved as compliant with all the applicable regulations** as specified within designated timeframe as highlighted in red above, the County will revoke the Land Disturbance permit and Code Enforcement will schedule this property to be heard at the next available Special Magistrate date to address any outstanding code issues.
Please note that the submitted building plans and *all the supporting documents* and/or plans {including the stormwater management plan) must be reviewed and approved prior to the issuance of any building permits or any other land use development and/or activities on the lot in question.

If you have any questions, please do not hesitate to call me or e-mail me. Additionally, it is my understanding that set of the comments have been forwarded to you as well. If not please let us know immediately.

This e-mail is to serve as notification. Please reply with an acknowledgement that you received this e-mail. Failure to acknowledge receipt does not nullify this notification.

Respectfully submitted.

Horace Jones
Department Director
Development Services Department
33363 West Park Place*, Pensacola, FL*
850-595-3625 or 554-8210

hljones@myescambia.com

From: Jerry's JMA [mailto:jerry@mcguire-assoc.com]
Sent: Thursday, March 29, 2018 4:58 PM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: RE: 5312 Plane Moon Drive Stormwater Permit

Roza,

Been out all day. I'll get on these and I will forward to Rick Faciane.

Jerry

From: Roza I. Sestnov [mailto:risestnov@myescambia.com]
Sent: Thursday, March 29, 2018 12:04 PM
To: Jerry's JMA
Cc: Horace L Jones; Andrew D. Holmer; Christina L. Smith
Subject: 5312 Plane Moon Drive Stormwater Permit

Jerry,

Please find attached stormwater comments for the referenced stormwater management permit/application. Please let me know if you have any questions.

Regards,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

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From: Jerry"s JMA
To: Roza I. Sestnov
Subject: RE: 5312 Plane Moon Drive Stormwater Permit
Date: Friday, April 06, 2018 12:50:03 PM
Attachments: Pale Moon Lot Grading Plan-Lot Grading Plan.pdf

Roza,

In regards to your comments we offer the following:

Item 4: Instead of an inlet and removing the existing seawall, we propose a 12" x 24" wide rectangular slot cut into the wall and framed out to allow runoff on both sides of the property pass through the seawall. We also added/called out riprap with geotextile on the west side (water side) of the wall. Please note that the wall is having riprap installed up to and against the wall when completed.

Item 6: We have revised the flow arrows to show the water not having a chance to enter the swale. The elevations can't the driveway to the north so that the runoff has to run off the north edge of the driveway.

Thanks,

Jerry McGuire

From: Roza I. Sestnov [mailto:risestnov@myescambia.com]
Sent: Friday, April 06, 2018 11:19 AM
To: Jerry's JMA
Cc: Horace L Jones; Andrew D. Holmer; Christina L. Smith; Terry D Williams
Subject: RE: 5312 Plane Moon Drive Stormwater Permit

Jerry,

Thank you for your responses to stormwater comments. Please address the below in **RED**.

Please let me know if you have any questions.

Regards,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Jerry's JMA [mailto:jerry@mcguire-assoc.com]
Sent: Friday, April 06, 2018 9:40 AM
To: Roza I. Sestnov <risestnov@myescambia.com>
Cc: Horace L Jones <HLJONES@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Christina L. Smith <clsmith1@myescambia.com>
Subject: RE: 5312 Plane Moon Drive Stormwater Permit

Roza,

In response to your comments, we offer the following:

1. We have expanded the negative impact statements in the SWMP. It addresses the reduced impacts to adjacent properties, the swale to collect runoff from the south lot onto this lot, the receiving drainage system. There is no impact on the area-wide drainage system. Adjacent properties will not be damaged, but rather reduced by this work. **OK**
2. There is no conveyance swale along the north property line, but an existing landscape wall constructed to a top elevation to 7.0'. All grades on our lot will be lower than the 7.0' elevation, so no water will leave our lot and head north. We have removed the flow arrows from the lot to the north. **OK**
3. We have indicated the proposed FFE to be 7.50', based on the BFE Certification. **OK**
4. We have added grading to the front, sides and rear to the drawings. We also show lot contouring to collect and convey our water to the Bay as naturally exists. No impacts to surrounding lots. **It appears that per indicated spot elevations some runoffs from the front yard will enter proposed south swale, rather than flow to the street, specifically from the south portion of the driveway and area to the south from the garages. Please verify and revise as needed.**
5. Any downspouts from the house will be routed to the drainage swale along the south or north boundary. Note 15 on the plans covers this. **OK**
6. The north and south conveyance swales will collect behind the existing seawall along the shoreline. This area is 2' lower than the top of wall and the sands in the area percolate anywhere from 5.95 to 19 inches per hour based on the WebSoil Survey. There should be no ponding of water. **We still have a concern about the seawall being more than 1.5' higher than swales (discharge points). Suggest yard inlets and discharge pipes trough the seawall.**
7. We have called out the benchmarks with elevation and shown their locations. **OK**
8. Private Drainage Swale Detail:
    a) We have removed the "Easement" from the drainage swale labeling. **OK**
    b) We have revised the drainage swale detail to call a maximum depth of 1'. We have also revised the swale cross slope to be 2.5:1. Suggest keeping 1' maximum depth to achieve greater freeboard in the swale. **OK**
9. We have removed notes ## 7 & 11 from "Homebuilder Lot Grading & Erosion Control Notes". **OK**
10. The builder has spoken to the Building Inspection Department about the wall and the BID indicated there is no permit required for the wall. **OK**
11. Attached is the correct Wetland Assessment Report for this lot. We received an email from Brad Bane that it was satisfactory. See attached email from Brad and the report itself he reviewed. **OK,**

thank you.

12. We have added the requested notes on the plan as Notes 20 thru 27. **OK**

a) "The project engineer (engineer of record) shall provide to Escambia County "As- Built" record drawings for verification and approval by Escambia County one week prior to requesting a final inspection and certificate of occupancy, or provide "As-Built" certification that the project construction adheres to the permitted plans and specifications. The "As-Built" certification or the "As-Built" record drawings must be signed, sealed and dated by a registered Florida Professional Engineer".

b) "All aspects of the stormwater/drainage components and/or transportation components shall be completed prior to issuance of a final certificate of occupancy."

c) "No deviations or revisions from these plans by the contractor shall be allowed without prior approval from both the design engineer and the Escambia County. Any deviations may result in delays in obtaining a certificate of occupancy."

d) "The contractor shall install prior to the start of construction and maintain during construction all sediment control measures as required to retain all sediments on the site. Improper sediment control measures may result in Code Enforcement
Violation."

e) "The owner or his agent shall arrange/schedule with the County a final inspection of the development upon completion and any intermediate inspections at (850) 595-3472. As-built certification is required prior to request for final inspection/approval."

f) "Contractor shall obtain Building Inspection Department permit(s) for any retaining wall higher than 2 feet."

g) "Notify Sunshine utilities 48 hours in advance prior to digging within R/W; 1-800-432-4770."

h) "Any damage to existing roads during construction will be repaired by the developer prior to final "as-built" sign off from the county."

I will bring signed and sealed paperwork later today.

Thanks,
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Development Review Division

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Sent: Thursday, March 29, 2018 12:04 PM
To: Jerry's JMA
Cc: Horace L Jones; Andrew D. Holmer; Christina L. Smith
Subject: 5312 Plane Moon Drive Stormwater Permit

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Development Review Division
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To:	Roza I. Sestnov
Cc:	Horace L Jones; Andrew D. Holmer; Christina L. Smith
Subject:	RE: 5312 Plane Moon Drive Stormwater Permit
Date:	Friday, April 06, 2018 9:41:42 AM
Attachments:	March 29 2018 letter to Brad Bane.pdf Re Mindrebo 5312 Pale Moon Drive; WSI #2017-687.msg sw_management_plan.pdf Pale Moon Lot Grading Plan-Lot Grading Plan.pdf

---

Roza,

In response to your comments, we offer the following:

1. We have expanded the negative impact statements in the SWMP. It addresses the reduced impacts to adjacent properties, the swale to collect runoff from the south lot onto this lot, the receiving drainage system. There is no impact on the area-wide drainage system. Adjacent properties will not be damaged, but rather reduced by this work.
2. There is no conveyance swale along the north property line, but an existing landscape wall constructed to a top elevation to 7.0'. All grades on our lot will be lower than the 7.0' elevation, so no water will leave our lot and head north. We have removed the flow arrows from the lot to the north.
3. We have indicated the proposed FFE to be 7.50', based on the BFE Certification.
4. We have added grading to the front, sides and rear to the drawings. We also show lot contouring to collect and convey our water to the Bay as naturally exists. No impacts to surrounding lots.
5. Any downspouts from the house will be routed to the drainage swale along the south or north boundary. Note 15 on the plans covers this.
6. The north and south conveyance swales will collect behind the existing seawall along the shoreline. This area is 2' lower than the top of wall and the sands in the area percolate anywhere from 5.95 to 19 inches per hour based on the WebSoil Survey. There should be no ponding of water.
7. We have called out the benchmarks with elevation and shown their locations.
8. Private Drainage Swale Detail:
    a) We have removed the "Easement" from the drainage swale labeling.
    b) We have revised the drainage swale detail to call a maximum depth of 1'. We have also revised the swale cross slope to be 2.5:1. Suggest keeping 1' maximum depth to achieve greater freeboard in the swale.
9. We have removed notes ## 7 & 11 from "Homebuilder Lot Grading & Erosion Control Notes".
10. The builder has spoken to the Building Inspection Department about the wall and the BID indicated there is no permit required for the wall.
11. Attached is the correct Wetland Assessment Report for this lot. We received an email from Brad Bane that it was satisfactory. See attached email from Brad and the report itself he reviewed.
12. We have added the requested notes on the plan as Notes 20 thru 27.

a) "The project engineer (engineer of record) shall provide to Escambia County "As- Built" record drawings for verification and approval by Escambia County one week prior to requesting a final inspection and certificate of occupancy, or provide "As-Built" certification that the project construction adheres to the permitted plans and specifications. The "As-Built" certification or the "As-Built" record drawings must be signed, sealed and dated by a registered Florida Professional

Engineer".
b) "All aspects of the stormwater/drainage components and/or transportation components shall be completed prior to issuance of a final certificate of occupancy."
c) "No deviations or revisions from these plans by the contractor shall be allowed without prior approval from both the design engineer and the Escambia County. Any deviations may result in delays in obtaining a certificate of occupancy."
d) "The contractor shall install prior to the start of construction and maintain during construction all sediment control measures as required to retain all sediments on the site. Improper sediment control measures may result in Code Enforcement
Violation."
e) "The owner or his agent shall arrange/schedule with the County a final inspection of the development upon completion and any intermediate inspections at (850) 595-3472. As-built certification is required prior to request for final inspection/approval."
f) "Contractor shall obtain Building Inspection Department permit(s) for any retaining wall higher than 2 feet."
g) "Notify Sunshine utilities 48 hours in advance prior to digging within R/W; 1-800-432-4770."
h) "Any damage to existing roads during construction will be repaired by the developer prior to final "as-built" sign off from the county."

I will bring signed and sealed paperwork later today.

Thanks,
Jerry

From: Roza I. Sestnov [mailto:risestnov@myescambia.com]
Sent: Thursday, March 29, 2018 12:04 PM
To: Jerry's JMA
Cc: Horace L Jones; Andrew D. Holmer; Christina L. Smith
Subject: 5312 Plane Moon Drive Stormwater Permit

Jerry,

Please find attached stormwater comments for the referenced stormwater management permit/application. Please let me know if you have any questions.

Regards,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

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From: Horace L Jones
To: Jack R. Brown
Cc: Tim Tolbert; Roza I. Sestnov; Timothy R. Day; Alison A. Rogers; Angela D. Crawley
Subject: Re: 5312 Plane Moon Drive Stormwater Permit
Date: Thursday, May 03, 2018 8:32:27 PM

By the way, I did speak to her after this e-mail was sent by her. She was aware and is aware that Building permit has been issued. Furthermore, the stormwater
Management plan and the associated documents and site plans were reviewed and permit was issued PRiOR TO the building permit being issued.

She is unhappy with the issuance of the permit.

Sent from my iPhone

On May 3, 2018, at 7:56 PM, Jack R. Brown <jrbrown@myescambia.com> wrote:

> Horace / Roza / Tim,
>
> Please put together your thoughts and see me after the Director's meeting on Monday.
> Thanks, Jack
>
> Jack R. Brown
> County Administrator
> Escambia County
> 221 Palafox Place, Suite 420
> Pensacola, Florida 3502
> Email: jrbrown@myescambia.com
> Phone: (850) 595-4947
> Cell: (850) 490-5905
> Fax: (850) 595-4908
>
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> **From:** Fran Ogden [mailto:franogdenrd@gmail.com]
> **Sent:** Tuesday, May 01, 2018 12:10 PM
> **To:** Horace L Jones <HLJONES@myescambia.com>
> **Cc:** Roza I. Sestnov <risestnov@myescambia.com>; Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>

Subject: Re: 5312 Plane Moon Drive Stormwater Permit

Re: floodwater plan 5312 Pale Moon Dr.

To whom it may concern,

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I expect the report to be available to me next week and I will forward directly.

Thank you,
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On Thu, Apr 12, 2018 at 10:29 AM, Horace L Jones <HLJONES@myescambia.com> wrote:

> Send all the documents
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> Sent from my iPhone
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> > Regards,
> >
> > Roza Sestnov
> > Engineer
> > Development Review Division
> > Development Services Department
> > Phone (850) 595-3411

Fax (850) 595-3703

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To: Fran Ogden <franogdenrd@gmail.com>; Roza I. Sestnov <risestnov@myescambia.com>
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Subject: Re: 5312 Plane Moon Drive Stormwater Permit

Roza

Please sent Mrs. Fran the sign stormwater permit and all the plans associated with that ASAP

Terry & Jennifer
Please send her the all the approved plans and site plans.

Sent from my iPhone

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Thank you,
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> >
> > **From:** Roza I. Sestnov
> > **Sent:** Thursday, March 29, 2018 12:04 PM
> > **To:** Jerry's JMA <jerry@mcguire-assoc.com>
> > **Cc:** Horace L Jones <HLJONES@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>;

Christina L. Smith <clsmith1@myescambia.com>
Subject: 5312 Plane Moon Drive Stormwater Permit

Jerry,

Please find attached stormwater comments for the referenced stormwater management permit/application. Please let me know if you have any questions.

Regards,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

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--
Fran Ogden
850-737-3436

--
Fran Ogden
850-737-3436

<Pale Moon Permit SW.PDF>

<Drawing-Pale Moon.pdf>

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Fran Ogden
850-737-3436

From:	Christina L. Smith
To:	Roza I. Sestnov; Timothy R. Day; Alison A. Rogers; Jack R. Brown; Horace L Jones; Fran Ogden
Subject:	RE: 5312 Plane Moon Drive Stormwater Permit
Date:	Friday, April 13, 2018 8:46:12 AM
Attachments:	1803956PLM-Elevation Certificate.pdf 1803956PLM-Land Distrubance 7 Clearing Permit.pdf 1803956PLM-North Landscape Wall Permitted & Installed.pdf 1803956PLM-Response to Comments 3-26.pdf 1803956PLM-Site Specific Survey 3-29.pdf 1803956PLM-Stormwater Comments.pdf 1803956PLM-Stormwater Management Plan 4-5.pdf 1803956PLM-Wetland Sciences Maps.pdf 1803956PLM-Aerial of basins.pdf 1803956PLM-Boundary Survey.pdf

---

Attached are the additional documents that we have for the stormwater permit.

Thanks,
Christina

From: Christina L. Smith
Sent: Thursday, April 12, 2018 9:42 AM
To: Roza I. Sestnov <risestnov@myescambia.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>; Horace L Jones <HLJONES@myescambia.com>; Fran Ogden <franogdenrd@gmail.com>
Subject: RE: 5312 Plane Moon Drive Stormwater Permit

I have attached a copy of the approved drawings and permit. Let me know if you need anything else.

Thanks,
Christina

From: Roza I. Sestnov
Sent: Thursday, April 12, 2018 9:03 AM
To: Christina L. Smith <clsmith1@myescambia.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>; Horace L Jones <HLJONES@myescambia.com>; Fran Ogden <franogdenrd@gmail.com>
Subject: RE: 5312 Plane Moon Drive Stormwater Permit

Christina,

Please send scanned Stormwater Permit and approved drawings to Mrs. Ogden as soon as possible.

Thank you,

Roza Sestnov
Engineer

Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

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850-737-3436

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From: Jack R. Brown
To: Tim Tolbert; Horace L Jones
Cc: Roza I. Sestnov; Timothy R. Day; Alison A. Rogers; Angela D. Crawley
Subject: RE: 5312 Plane Moon Drive Stormwater Permit
Date: Thursday, May 03, 2018 7:56:14 PM

Horace / Roza / Tim,

Please put together your thoughts and see me after the Director's meeting on Monday. Thanks, Jack

Jack R. Brown
County Administrator
Escambia County
221 Palafox Place, Suite 420
Pensacola, Florida 3502
Email: jrbrown@myescambia.com
Phone: (850) 595-4947
Cell: (850) 490-5905
Fax: (850) 595-4908

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> > --
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>
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> Fran Ogden
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> <Pale Moon Permit SW.PDF>
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Fran Ogden
850-737-3436

From: Horace L Jones
To: Roza I. Sestnov
Subject: Re: 5312 Plane Moon Drive Stormwater Permit
Date: Thursday, April 12, 2018 11:34:27 AM

Just make sure get the full set documents fir stormwater that Jerry submitted.

Sent from my iPhone

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>
> > Mrs. Ogden,
> >
> > Please find attached approved stormwater permit and approved drawings

for the referenced address. Please let me know if you have any questions.

Regards,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Horace L Jones
Sent: Thursday, April 12, 2018 8:54 AM
To: Fran Ogden <franogdenrd@gmail.com>; Roza I. Sestnov <risestnov@myescambia.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>
Subject: Re: 5312 Plane Moon Drive Stormwater Permit

Roza

Please sent Mrs. Fran the sign stormwater permit and all the plans associated with that ASAP

Terry & Jennifer
Please send her the all the approved plans and site plans.

Sent from my iPhone

On Apr 12, 2018, at 8:35 AM, Fran Ogden <franogdenrd@gmail.com> wrote:

> Good Morning,
>
> Please note that 2 weeks have passed since the stormwater comments were issued. Has the revised stormwater plan been submitted? I believe it is past due and is now time to move forward on revoking retroactive land clearing permit.

Time is of the essence, my home remains injured by their arrogant unpermitted activities and I expect the county to move to protect me.

If the contractor has happened to comply, please forward to me the revised plan. I would like to hire my own engineer to ensure that I am protected.

We still do not know the land ability to absorb water. the excessive amount of dirt piled on the lot makes it impossible to be sure without taking core samples. Excessive concrete on the land that has high water saturation levels prior to the illegal dirt being added will impact the stormwater plan and I do not believe that is being considered.

Thank you,
Fran Ogden

On Wed, Apr 4, 2018 at 7:28 PM, Fran Ogden <franogdenrd@gmail.com> wrote:

> Thank-you kindly,
>
> The comments were attached to this email but I could not find it on your 2 previous emails. I appreciate you taking the time to resend it.
>
> I did receive the wetland assessment I know that the land is buildable but I do not believe that it is 100% free from the poor wetland status. This absolutely has to be established behind a shadow of a doubt because it will dictate how saturated the land is prior to having all that dirt on it. The size of the home/and other paved over percolation ground may need to be restricted. The 3500 sq ft. home may be okay, but what about the rest of the outbuildings, garages, carports, lanai, pool areas If we are assuming that the land is high upland, then we are saying that we know the land will absorb run off. We do not know for sure if that is the case. *Only borings will confirm this at this stage of the game.* It would have been easier if they had bothered to do due diligence before the dirt went on the lot. 2000+ cubic yards hides a lot of saturated lands. Additionally, I want to be sure that the plan reflects a 500-year plan since we so recently had such an event.
>
> Best,

Fran

On Wed, Apr 4, 2018 at 3:03 PM, Horace L Jones <HLJONES@myescambia.com> wrote:

> Mrs. Ogden
>
> Here is roza's comments again.
>
> ---
>
> **From:** Roza I. Sestnov
> **Sent:** Thursday, March 29, 2018 12:04 PM
> **To:** Jerry's JMA <jerry@mcguire-assoc.com>
> **Cc:** Horace L Jones <HLJONES@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Christina L. Smith <clsmith1@myescambia.com>
> **Subject:** 5312 Plane Moon Drive Stormwater Permit
>
> Jerry,
>
> Please find attached stormwater comments for the referenced stormwater management permit/application. Please let me know if you have any questions.
>
> Regards,
>
> Roza Sestnov
> Engineer
> Development Review Division
> Development Services Department
> Phone (850) 595-3411
> Fax (850) 595-3703
>
> **Please consider the environment before printing this e-mail. Think Green.**
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> --
> Fran Ogden
> 850-737-3436

--
Fran Ogden
850-737-3436

<Pale Moon Permit SW.PDF>

<Drawing-Pale Moon.pdf>

From: Jerry"s JMA
To: Roza I. Sestnov
Subject: RE: 5312 Plane Moon Drive Stormwater Permit
Date: Thursday, March 29, 2018 4:58:22 PM

Roza,

Been out all day. I'll get on these and I will forward to Rick Faciane.

Jerry

From: Roza I. Sestnov [mailto:risestnov@myescambia.com]
Sent: Thursday, March 29, 2018 12:04 PM
To: Jerry's JMA
Cc: Horace L Jones; Andrew D. Holmer; Christina L. Smith
Subject: 5312 Plane Moon Drive Stormwater Permit

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Please find attached stormwater comments for the referenced stormwater management permit/application. Please let me know if you have any questions.

Regards,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
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From: Roza I. Sestnov
To: Jerry McGuire
Subject: RE: floodwater plan 5312 Pale Moon
Date: Thursday, May 17, 2018 9:08:00 AM

Jerry,

Thank you so much for your response and input in this matter. As per our phone conversation please review your response #2. I think that Sigma report was referring to n-factor, roughness coefficient, and not to C-factor. Please respond.

Thanks again,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Jerry McGuire [mailto:jerry@mcguire-assoc.com]
Sent: Wednesday, May 16, 2018 2:33 PM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: RE: floodwater plan 5312 Pale Moon

Roza,

We have reviewed the report from the neighbor's engineer and offer the following:

1. **Page 1 of report – regarding the lot drainage to the north of 5312 Pale Moon Drive** - the adjacent lot to the north mainly drains to the center of the lot based on the attached aerial with contouring. During the development of this lot the lot owner should be afforded the same benefits of the lot we permitted and they can install a swale on their south property line through the Stormwater Permitting Management Permitting process. I don't see additional erosion concerns if they design it property and stabilize it.
2. **Regarding the C factor used:** attached is a table of common C factors used. The soil based on the soil survey is a Type A soil, and is a very well drained sand, and on a gentle slope. The C factor used could be up to 0.30, but a well maintained lawn could be down to 0.10. I would never use a c = 0.60 for this soil condition. Let me say, that the engineer for the owner to the south, when using a c=0.60 still calculates and shows the swale does not overtop in a 100-year event. I know of no freeboard required for drainage swales under the LDC DSM.
3. **Location of swale:** Please note that the swale is totally located on 5312 Pale Moon Drive.

None of the swale is on the lot the south. WE are receiving water/runoff from the yard to the south and it is accounted for in the swale design. Furthermore, this is a grassed swale and not to be landscaped with any impediments that would hinder flow along the ditch.

4. **Lot Grading Plan addressing adjacent lots:** The Lot Grading Plan does indeed take into account the flows from the south lot in the swale design. The north lot mainly drains to the center of the lto, but one someone develops they can follow the same requirements as 5312 Pale Moon Drive had to follow. At that time they can install a swale along their lot lines.

Thanks,
Jerry

From: Roza I. Sestnov <risestnov@myescambia.com>
Sent: Wednesday, May 16, 2018 8:49 AM
To: Jerry's JMA <jerry@mcguire-assoc.com>
Subject: FW: floodwater plan 5312 Pale Moon

FYI.

Thank you!

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

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From: Horace L Jones
Sent: Tuesday, May 15, 2018 4:20 PM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: Fwd: floodwater plan 5312 Pale Moon

Sent from my iPhone

Begin forwarded message:

> **From:** "Fran Ogden" <franogdenrd@gmail.com>
> **To:** "Tim Tolbert" <JTTOLBERT@myescambia.com>, "Timothy R. Day" <TRDAY@myescambia.com>, "Horace L Jones" <HLJONES@myescambia.com>
> **Cc:** "Alison A. Rogers" <aarogers@co.escambia.fl.us>, "Jack R. Brown"

<jrbrown@myescambia.com>
Subject: floodwater plan 5312 Pale Moon

Dear Mr. Tolbert, Mr. Jones, Mr.Day, and other whom this subject may concern,

Attached you will find an engineering report that I was forced to commission when the county did not sufficiently protect my property. It is obvious to all but the permit reviewers that the Mindrebo's filling in the property 3-4 feet higher than the adjacent properties will cause all the surrounding areas higher flooding risks.

You will see that in the submitted proposals there are insufficient and incorrect data

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I also maintain that more than 1800 cu. yds. was hauled in. (could you not reverse the permit based upon false statements in the after-the-fact application? because you certainly can add existing landscape wall to the list of falsehoods. I have a dozen neighbors to attest to this fact that it was not existing. Is the truth irrelevant?.) Please, let's verify this information with the dirt company. I think we can fairly say that the the Mindrebos and Rick Classic Homes have a blatant disregard for the surrounding area. Please protect us.

Several additional questions are also posed on this report. I strongly request that the permitting dept. halts the progress of this ongoing build until these significant questions have been answered.

Regards,
Fran Ogden
--
Fran Ogden
850-737-3436

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From:	Jerry McGuire
To:	Roza I. Sestnov
Subject:	RE: floodwater plan 5312 Pale Moon
Date:	Wednesday, May 16, 2018 2:34:19 PM
Attachments:	Aerial Contouring Pale Moon Drive.pdf C factor table.pdf

Roza,

We have reviewed the report from the neighbor's engineer and offer the following:

1. **Page 1 of report – regarding the lot drainage to the north of 5312 Pale Moon Drive** - the adjacent lot to the north mainly drains to the center of the lot based on the attached aerial with contouring. During the development of this lot the lot owner should be afforded the same benefits of the lot we permitted and they can install a swale on their south property line through the Stormwater Permitting Management Permitting process. I don't see additional erosion concerns if they design it property and stabilize it.
2. **Regarding the C factor used:** attached is a table of common C factors used. The soil based on the soil survey is a Type A soil, and is a very well drained sand, and on a gentle slope. The C factor used could be up to 0.30, but a well maintained lawn could be down to 0.10. I would never use a c = 0.60 for this soil condition. Let me say, that the engineer for the owner to the south, when using a c=0.60 still calculates and shows the swale does not overtop in a 100-year event. I know of no freeboard required for drainage swales under the LDC DSM.
3. **Location of swale:** Please note that the swale is totally located on 5312 Pale Moon Drive. None of the swale is on the lot the south. WE are receiving water/runoff from the yard to the south and it is accounted for in the swale design. Furthermore, this is a grassed swale and not to be landscaped with any impediments that would hinder flow along the ditch.
4. **Lot Grading Plan addressing adjacent lots:** The Lot Grading Plan does indeed take into account the flows from the south lot in the swale design. The north lot mainly drains to the center of the lto, but one someone develops they can follow the same requirements as 5312 Pale Moon Drive had to follow. At that time they can install a swale along their lot lines.

Thanks,
Jerry

From: Roza I. Sestnov <risestnov@myescambia.com>
Sent: Wednesday, May 16, 2018 8:49 AM
To: Jerry's JMA <jerry@mcguire-assoc.com>
Subject: FW: floodwater plan 5312 Pale Moon

FYI.

Thank you!

Roza Sestnov
Engineer

Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Horace L Jones
Sent: Tuesday, May 15, 2018 4:20 PM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: Fwd: floodwater plan 5312 Pale Moon

Sent from my iPhone

Begin forwarded message:

> **From:** "Fran Ogden" <franogdenrd@gmail.com>
> **To:** "Tim Tolbert" <JTTOLBERT@myescambia.com>, "Timothy R. Day" <TRDAY@myescambia.com>, "Horace L Jones" <HLJONES@myescambia.com>
> **Cc:** "Alison A. Rogers" <aarogers@co.escambia.fl.us>, "Jack R. Brown" <jrbrown@myescambia.com>
> **Subject: floodwater plan 5312 Pale Moon**
>
> Dear Mr. Tolbert, Mr. Jones, Mr.Day, and other whom this subject may concern,
>
> Attached you will find an engineering report that I was forced to commission when the county did not sufficiently protect my property. It is obvious to all but the permit reviewers that the Mindrebo's filling in the property 3-4 feet higher than the adjacent properties will cause all the surrounding areas higher flooding risks.
>
> You will see that in the submitted proposals there are insufficient and incorrect data
>
> There has been no provisions made for the pre-exsting flow of the water from Pale Moon Drive to Perdido Bay. The existing homes have been engineered with the original elevations which allowed water to flow to the bay. It was filled illegally and with out any consideration of the impact that the changed elevations would cause. Mr. Mindrebo stated he was only concerned with his dream home and did not need to consider the neighbors. I believe this is exactly why we have a permitting process. Unfortunately, Mr. Banes, failed to make proper consideration and granted a permit with out a required floodwater plan. Ms. Roza of the LDC approved a retro actively submitted floodwater plan based on figures submitted from Jerry Maguire, but I have found his figures to be incorrect. Please review the attached report from Sigma to confirm.

I also maintain that more than 1800 cu. yds. was hauled in. (could you not reverse the permit based upon false statements in the after-the-fact application? because you certainly can add existing landscape wall to the list of falsehoods. I have a dozen neighbors to attest to this fact that it was not existing. Is the truth irrelevant?.) Please, let's verify this information with the dirt company. I think we can fairly say that the the Mindrebos and Rick Classic Homes have a blatant disregard for the surrounding area. Please protect us.

Several additional questions are also posed on this report. I strongly request that the permitting dept. halts the progress of this ongoing build until these significant questions have been answered.

Regards,
Fran Ogden
--
Fran Ogden
850-737-3436

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From: Roza I. Sestnov
To: Horace L Jones
Subject: RE: floodwater plan 5312 Pale Moon
Date: Wednesday, May 16, 2018 2:07:00 PM
Attachments: Responses to Sigma Report.docx

Horace,

I'm attaching my draft responses to the Sigma Report. I'm still waiting on Jerry's input/response. But please look at my draft and let me know. I could not be more generic, because his report is very specific.

Thank you,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

Please consider the environment before printing this e-mail. Think Green.

From: Horace L Jones
Sent: Tuesday, May 15, 2018 4:20 PM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: Fwd: floodwater plan 5312 Pale Moon

Sent from my iPhone

Begin forwarded message:

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Regards,
Fran Ogden
--
Fran Ogden
850-737-3436

From: Jerry McGuire
To: Roza I. Sestnov
Subject: RE: floodwater plan 5312 Pale Moon
Date: Thursday, May 17, 2018 2:35:18 PM
Attachments: Swale Calculations 25-Year Event.pdf

Roza,

You are correct, they are referring to the n-factor. Attached is a page from the FDOT Drainage Manual for various factors. You will note the FDOT recommends a design "n" of 0.025 to 0.035 for grass swales for this case. Also, note that we calculated the flow from a 100-year storm. Since we know from the report generated by Sigma that a 100-year storm will not exceed the swale, we decided to run a 25-year storm as required by County Code. We will use a n-factor of 0.03.

25-Year Storm Event:
Area = 0.57 Acres
Intensity = 6.00 inches/hour (FDOT Zone 1)
Cw = 0.47
Q=cia = 0.47 x 6 x 0.57 = 1.61 cfs

Based on the County DSM for a 25-year storm, the depth of flow for the swale would be 0.63'. That leaves a freeboard in the swale of 0.37'. Combine this with the sandy soils, we see no problems with the swale as designed meeting and exceeding the County requirements.

Jerry

From: Roza I. Sestnov <risestnov@myescambia.com>
Sent: Thursday, May 17, 2018 9:09 AM
To: Jerry McGuire <jerry@mcguire-assoc.com>
Subject: RE: floodwater plan 5312 Pale Moon

Jerry,

Thank you so much for your response and input in this matter. As per our phone conversation please review your response #2. I think that Sigma report was referring to n-factor, roughness coefficient, and not to C-factor. Please respond.

Thanks again,

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

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From: Jerry McGuire [mailto:jerry@mcguire-assoc.com]
Sent: Wednesday, May 16, 2018 2:33 PM
To: Roza I. Sestnov <risestnov@myescambia.com>
Subject: RE: floodwater plan 5312 Pale Moon

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To: Jerry's JMA <jerry@mcguire-assoc.com>
Subject: FW: floodwater plan 5312 Pale Moon

FYI.

Thank you!

Roza Sestnov
Engineer
Development Review Division
Development Services Department
Phone (850) 595-3411
Fax (850) 595-3703

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Regards,
Fran Ogden
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Fran Ogden
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From:	Timothy R. Day
To:	Horace L Jones; "franogdenrd@gmail.com"; Jerry"s JMA
Cc:	Andrew D. Holmer; Roza I. Sestnov; Terry D Williams; Juan C. Lemos
Subject:	RE: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001
Date:	Wednesday, March 28, 2018 2:29:39 PM

Horace:

The wetland determination letter that is included in the package for dated 24 April 2017 from Wetland Sciences to Fred Thompson is not for the subject site based on the property reference number and attachments within the wetland determination. Please request the applicant to provide the referenced document.

Best Regards,

Tim

Timothy Day
Senior Manager
Natural Resources Management Department
Escambia County Board of County Commissioiners
221 Palafox Place
Pensacola, FL 32502

trday@myescambia.com
(850) 595-1144 (w)
(850) 554-3073 (c)

From: Horace L Jones
Sent: Wednesday, March 28, 2018 10:29 AM
To: 'franogdenrd@gmail.com' <franogdenrd@gmail.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>; Terry D Williams <TDWILLIA@myescambia.com>; Juan C. Lemos <JCLEMOS@myescambia.com>
Subject: FW: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

Mrs. Fran,

For your information, here the remaining documents that are applicable to the Storm water review for a single-family home and ***that were submitted prior to the deadline***. ***Just to reiterate again***, *there could be additional*

information/documents that may be needed from Mrs. Roza, our Engineer and other staff members that are essential for the site plan review process.

We allow our staff as the subject matter experts and based upon the applicable requirements of the Land Development Code and other pertinent regulations to determine if additional information/documents are needed. We will definitely request the needed information/documents as we continue the review process.

Respectfully,

Horace Jones
Department Director
Development Services Department
33363 West Park Place, *Pensacola, FL*
850-595-3625 or 554-8210
hljones@myescambia.com

From: Fran Ogden [mailto:franogdenrd@gmail.com]
Sent: Tuesday, March 27, 2018 5:26 PM
To: Horace L Jones <HLJONES@myescambia.com>; Timothy R. Day <TRDAY@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Jack R. Brown <jrbrown@myescambia.com>
Subject: Re: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

Dear Mr Jones et al

Again I bring it to your attention that the survey they are using has discrepancies in it (see survey general info. box). The Mindrebos have ignored this just like they ignored the requirements that would allow them to bring MORE than 1800 cubic. yds of dirt. Our shared lot line is one foot overstated in their survey. This discrepancy exists along the entire length of the lot. I do not give the Mindrebo's permission to impose on my lot. This discrepancy is clearly noted in the originally submitted survey for the LDC permit that Brad Banes gave on Feb 2, without any stormwater plan (which I maintain should be revoked).

I maintain that they brought more than 1800 cubic yards of dirt,

I maintain that the status of the wetlands (albeit poor) was hidden due to the unauthorized clearing and filling of the lot.

I maintain that Brad Banes should have demanded clarification on boundries since it was clearly stated on the submitted documents that there was a discrepancy.

I maintain that there is still not a viable floodwater plan and the 2-week extension has passed.

I do not believe that this grading plan is sufficient proof that stormwater will not be diverted to my property. Spring is here. Time is of the essence to insist that the Mindrebo's do not continue to jepordize my home with their stormwater.

They have had more than enough time to fix the situation but Scott Mindrebo has stated that he does not care about neighboring property. It seems that they have tried to razzle-dazzle their way out of a real stormwater plan because they cannot remove the stormwater because of the massive amount of ground that is planned to be covered

Additionally, Mr. Jones has forwarded this to me but I beleive he is aware that it is incomplete, so the requirement to submit a plan by today has been NOT been met.

The retroactive LDC permit granted by Brad Banes on the owner's agent's word, without verification of facts, is long past time be to revoked.

I continue to be injured and I do hope that the code enforcement will begin immediately.

Sincerely,
Fran Ogden

On Tue, Mar 27, 2018 at 4:08 PM, Horace L Jones <HLJONES@myescambia.com> wrote:

> Mrs. Ogden,
>
> Here is a copy of the stormwater management plan /lot grading plan as requested today. Please understand that additional documents that may be needed once Mrs. Roza, our EOR, initiated the review.
>
> horace
>
> ---
>
> **From:** Horace L Jones
> **Sent:** Tuesday, March 27, 2018 2:32 PM
> **To:** Timothy R. Day <TRDAY@myescambia.com>; Andrew D. Holmer <ADHOLMER@myescambia.com>; Terry D Williams <TDWILLIA@myescambia.com>; Juan C. Lemos <JCLEMOS@myescambia.com>; Roza I. Sestnov <risestnov@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>
> **Cc:** Jack R. Brown <jrbrown@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Meredith D. Crawford <mdcrawford@myescambia.com>
> **Subject:** Re: 5312 Palemoon Drive #11-3S-32-3000-000-001
>
> I should have said that a lot grading plan was submitted. For clarification, the lot grading plan is part of a storm water management plan; but additional documents may be needed once the review initiated.
>
> Sent from my iPhone

On Mar 27, 2018, at 2:18 PM, Horace L Jones <HLJONES@myescambia.com> wrote:

Tim and All,

The required Stormwater Mangement Plans for the referenced parcel have been submitted per the timeframe as indicated below. The plans were submitted to our office on 3/26/18.
By the way, staff have not performed the necessary reviews, which will include a detailed review of the necessary documents as well, as of March 27th 2018.
For information, another issue has been raised by Mrs Fran regarding an alleged discrepancy with markers. Please see attached e-mail on new issue raised on the survey markers.

From: Horace L Jones
Sent: Tuesday, March 27, 2018 2:09 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

From: Horace L Jones
Sent: Tuesday, March 13, 2018 3:42 PM
To: Jack R. Brown <jrbrown@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Angela D. Crawley <adcrawle@myescambia.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Chips Kirschenfeld <JTKIRSCHE@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>
Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

FYI

From: Horace L Jones
Sent: Tuesday, March 13, 2018 3:38 PM
To: Horace L Jones <HLJONES@myescambia.com>
Subject: FW: 5312 Palemoon Drive #11-3S-32-3000-000-001

To All:
FYI

I did received a phone call from Mr Faciane today. Briefly, he stated that he will be communicating with his attorney Lisa Minshew.

Additionally, please see attached e-mail referencing the LDC requirement. It appears that the LDC is quite clear on what is required.

From: Horace L Jones
Sent: Tuesday, March 13, 2018 2:17 PM
To: 'rickfaciane50@yahoo.com' <rickfaciane50@yahoo.com>
Cc: Timothy R. Day <TRDAY@myescambia.com>; Tim Tolbert <JTTOLBERT@myescambia.com>; Chips Kirschenfeld <JTKIRSCHE@myescambia.com>; Jack R. Brown <jrbrown@myescambia.com>; Angela D. Crawley <adcrawle@myescambia.com>; Alison A. Rogers <aarogers@co.escambia.fl.us>; Dianne C. Simpson <dcsimpso@myescambia.com>; Jennifer A. Hampton <jahampton@myescambia.com>; Karla N Moreno <KNMORENO@myescambia.com>
Subject: 5312 Palemoon Drive #11-3S-32-3000-000-001

Good Afternoon, Rick

It is my understanding, from a phone call discussion that you had with Mrs. Roza this morning on 3/13/13, that you will be submitting a detailed Stormwater Plan for the referenced lot for the construction of a single-family dwelling on the lot in question. Please note that a stormwater management plan must be submitted to the Development Services Department for review within two-weeks from this notification. If the stormwater management plan is not received during the time as specified, the County will revoke the Land Disturbance permit and Code Enforcement will schedule this property to be heard at the next available Special Magistrate date to address any outstanding code issues.

The submitted building plans and all the supporting documents and/or plans {including the stormwater management plan) must be reviewed and approved prior to the issuance of any building permits or any other land use development and/or activities on the lot in question.

If you have any questions, please do not hesitate call me or e-mail me

This e-mail is to serve as notification. Please reply with an acknowledgement that you received this e-mail. Failure to acknowledge receipt does not nullify this notification.

Respectfully submitted.

Horace Jones
Department Director
Development Services Department
33363 West Park Place, Pensacola, FL
850-595-3625 or 554-8210
hljones@myescambia.com

Horace Jones
Department Director
Development Services Department
33363 West Park Place, Pensacola, FL
850-595-3625 or 554-8210
hljones@myescambia.com

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Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.

---------- Forwarded message ----------
From: "Christina L. Smith" <clsmith1@myescambia.com>
To: Horace L Jones <HLJONES@myescambia.com>
Cc:
Bcc:
Date: Tue, 27 Mar 2018 18:51:46 +0000
Subject: Pale Moon
All documents are in mypermitnow.

Christina Smith
Development Review Coordinator
Development Services Department
3363 West Park Place, Pensacola, FL 32505
(850) 595-3472

--
Fran Ogden
850-737-3436

Stormwater Management Plan
For
5312 Pale Moon Drive
For
Escambia County, Florida

JMA # - 2018.5312PM.00

Prepared By:

JMA
Engineering Services, Inc.
• Civil Engineering • Planning •

P.O. Box 4348
Milton, Florida 32572-4348

Phone: (850) 995-7323
Fax: (850) 995-7236

E-mail: jma@mcguire-assoc.com

Engineering Business # 00028905

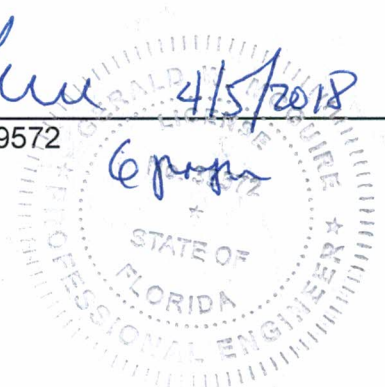
Certification Page

5312 Pale Moon Drive

JMA # - 2018.5312PM.00

4/5/2018

Gerald W. McGuire, P.E. #39572



5312 Pale Moon Drive

Stormwater Management Plan
March 2018 Rev.

Project Scope & Existing Conditions

The 0.72 acre site is an undeveloped lot in the Perdido Bay subdivision located at 5312 Pale Moon Drive. The parcel is bounded on the south by an existing residence, to the north by a vacant lot, the right of way of Pale Moon Drive on the east, and Perdido Bay to the west. Natural topography for the site prior to home construction gently sloped from the east at an elevation of 5+' at Pale Moon Drive gently to the west into Perdido Bay. The mean high water elevation at this point in Perdido Bay is 0.87' (NAVD88).

Several years back, the lot was purchased for the construction of a single family home with driveways, carport and a pool/lanai. Prior to this report, the lot has been filled to roughly an elevation of 7' to elevate the house slab above the flood plain. The lot fill is placed to grade most of the front part of the lot to Pale Moon Drive, with the rear of the lot graded toward Perdido Bay and stops approximately 50' back from the permitted seawall ().

Permits have been pulled from Escambia County or the State WMD for the following:

- Land and Tree Permit (Permit No. 1802404PLM) to clear trees and fill the lot;
- ERP Permit No. 0359395-001-002-EE for a seawall located landward of the established mean high water along Perdido Bay (permitted by Wetland Sciences, Inc.); Please note that Wetland Sciences has also furnished a letter stating there were no wetlands on the lot impacted by the existing fill (see attached letter and ERP Permit).
- A permit for the wall along the northern boundary of the lot is in process through the Escambia County Building Inspections Department.

PROPOSED WORK

The owner proposes to construct a new 6,250 SF home on the lot with a 1,300 SF pool/lanai area, and 2,240 SF driveway and other concrete work. The balance of the lot will either be sodded or along the shoreline and to the east of the seawall left in its natural state.

Side lot drainage will collected in a swale 0.5' to 1' deep along the southerly 5' wide strip the south side, and along an existing landscape wall that will prevent all flows to the north lot. The existing landscape wall is being permitted through Escambia County Building Inspections and has a top elevation of 7'. This wall prevents any water from leaving the site and flowing onto the lot to the north. The proposed swale along the

south boundary will collect and convey runoff from both this lot and the flows from the lot to the south.

SURROUNDING PROPERTY IMPACTS

The lot to the south drains approximately 50% of its runoff on to 5312 Pale Moon Drive. So as not to block this runoff and create an impact on the lot to the south, a swale is proposed along the property line between the lots that will collect the runoff from both lots and convey it westerly toward the Bay. This swale will be totally on 5312 Pale Moon and will collect water from the contributing area as seen on the attached aerial:

AERIAL OF BASINS (Existing Lot to South and 5312 Pale Moon Drive Lot)

As was stated earlier in this report, the landscape timber wall along the north boundary of 5312 Pale Moon Drive will prevent any runoff to discharge to the north. Therefore, this project will not negatively impact any surrounding lots.

Swale Sizing Along Southern Boundary of Lot:

From the above, we can see the following areas contributing to the swale's flow:

Contributing Lot area to south	14,558.46 SF
Contributing Lot for this lot	10,431.81 SF
Total Area Contributing	**24,990.27 SF = 0.57 Acres**

The weighted Rational Coefficient calculated for pre-development versus post-development conditions is as follows:

Pervious C	0.25
Impervious C	0.90

Composite c Calculations

Pre-Development	
c-pre	0.25
Onsite area	0.75 acres
Offsite	0.69 acres
Total Basin	1.44

Post Development Prior to Home Construction				
	Impervious Area =		**SF**	**Acres**
		Building	0.00	0.00
		Asphalt	0.00	0.00
		Conc. Curb/walks	0.00	0.00
		Offsite	11,950.78	0.27
			11,951	0.27
c-per.	0.25	1.17		
c-imp.	0.9	0.27		
	Cpost			
	=	0.37		
	Cpost prior to additions = 0.37			

Post Development After Home Construction				
	Impervious Area =		**SF**	**Acres**
		Building	6,251.00	0.14
		Pool/Lanai	1,300.00	0.03
		Concrete Drives	2,240.00	0.05
		Offsite	11,950.78	0.27
			21,741.78	0.50
c-per.	0.25	0.94		
c-imp.	0.9	0.50		
	Cpost =			
	=	0.47		
	Cpost after additions = 0.47			

Based on the Cpost, contributing acreage and a 100-year storm, we see the following:

Calculate Area Contributing to Swale Along South Boundary

	SF	Acres
OnSite	10431.8	0.24
OffSite	14558.5	0.33
Total Area	24990.3	0.57

Rainfall Intensity 9 inches/hour

Q = c*i*A 2.41 cfs

SWALE DESIGN:

The runoff collected in the proposed swale along the boundary between the lots will be 0.6' deep at its maximum depth and will carry the runoff generated by the contributing acreage from both lots. See attached swale calculations for the swale functioning.

Channel Report

Hydraflow Express Extension for Autodesk® AutoCAD® Civil 3D® by Autodesk, Inc. Friday, Apr 6 2018

<Name>

Triangular

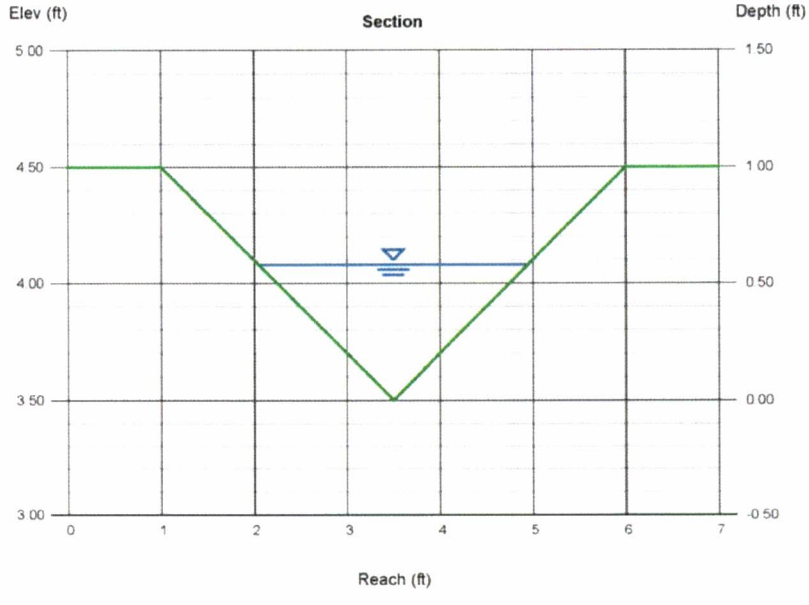
Side Slopes (z:1)	= 2.50, 2.50
Total Depth (ft)	= 1.00
Invert Elev (ft)	= 3.50
Slope (%)	= 0.50
N-Value	= 0.015

Calculations

Compute by:	Known Q
Known Q (cfs)	= 2.41

Highlighted

Depth (ft)	= 0.58
Q (cfs)	= 2.410
Area (sqft)	= 0.84
Velocity (ft/s)	= 2.87
Wetted Perim (ft)	= 3.12
Crit Depth, Yc (ft)	= 0.57
Top Width (ft)	= 2.90
EGL (ft)	= 0.71



Based on the above, the inclusion of the swale along the boundary with the lot to the south will prevent runoff from leaving our site and impacting the southerly lot, as well as collect runoff from the south lot to 5312 Pale Moon without blocking the flows.

Soil Map—Escambia County, Florida
(Web Soil Survey)

Map Scale: 1:1,850 if printed on A landscape (11" x 8.5") sheet.

N

Meters
0 25 50 100 150

Feet
0 50 100 200 300

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 16N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Escambia County, Florida
Survey Area Data: Version 16, Nov 21, 2017

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Dec 31, 2009—Mar 7, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
4	Pickney sand	0.8	5.9%
9	Leon sand, 0 to 2 percent slopes	2.2	16.2%
11	Hurricane sand, 0 to 5 percent slopes	4.4	32.4%
19	Foxworth sand, 0 to 5 percent slopes	3.5	25.3%
100	Waters of the Gulf of Mexico	2.8	20.3%
Totals for Area of Interest		**13.7**	**100.0%**

Escambia County, Florida

19—Foxworth sand, 0 to 5 percent slopes

Map Unit Setting

National map unit symbol: 2ttkk
Elevation: 20 to 250 feet
Mean annual precipitation: 59 to 68 inches
Mean annual air temperature: 63 to 72 degrees F
Frost-free period: 209 to 295 days
Farmland classification: Not prime farmland

Map Unit Composition

Foxworth and similar soils: 95 percent
Minor components: 5 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Foxworth

Setting

Landform: Ridges on marine terraces
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Interfluve
Down-slope shape: Convex
Across-slope shape: Linear
Parent material: Eolian or sandy marine deposits

Typical profile

A - 0 to 6 inches: sand
C - 6 to 67 inches: sand
Cg - 67 to 80 inches: sand

Properties and qualities

Slope: 0 to 5 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Moderately well drained
Runoff class: Negligible
Capacity of the most limiting layer to transmit water (Ksat): High to very high (5.95 to 19.98 in/hr)
Depth to water table: About 42 to 72 inches
Frequency of flooding: None
Frequency of ponding: None
Salinity, maximum in profile: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Sodium adsorption ratio, maximum in profile: 4.0
Available water storage in profile: Low (about 4.8 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 3s
Hydrologic Soil Group: A

Ecological site: Longleaf Pine-Turkey Oak Hills (R133AY002FL)
Forage suitability group: Sandy soils on rises, knolls, and ridges of mesic uplands (G133AA121FL)
Hydric soil rating: No

Minor Components

Lakeland

Percent of map unit: 4 percent
Landform: Hills on marine terraces
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Interfluve
Down-slope shape: Convex
Across-slope shape: Linear
Other vegetative classification: Longleaf Pine-Turkey Oak Hills (R133AY002FL)
Hydric soil rating: No

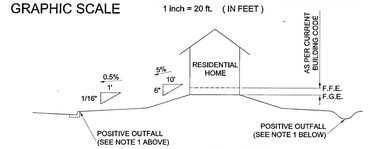
Chipley

Percent of map unit: 1 percent
Landform: Ridges on marine terraces
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Interfluve
Down-slope shape: Convex
Across-slope shape: Linear
Hydric soil rating: No

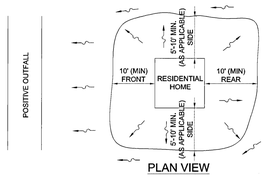
Data Source Information

Soil Survey Area: Escambia County, Florida
Survey Area Data: Version 16, Nov 21, 2017

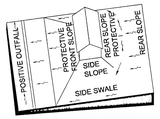
GRAPHIC SCALE 1 Inch = 20 ft. (IN FEET)



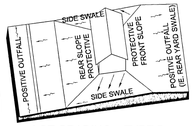
ELEVATION VIEW



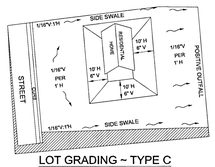
PLAN VIEW



LOT GRADING ~ TYPE A
ALL DRAINAGE TO STREET



LOT GRADING ~ TYPE B
DRAINAGE TO STREET & TO REAR LOT LINE



LOT GRADING ~ TYPE C
ALL DRAINAGE TOREAR LOT LINE

LEGEND:
F.F.E. - FINISH HABITABLE FLOOR ELEVATION
F.G.E. - FINISH GRADE ELEVATION
——→— - STORMWATER FLOW DIRECTION ARROW
/ - GRADE SLOPE (MINIMUM)
•—•— - MINIMUM GRADE

NOTES:
1. A POSITIVE DRAINAGE OUTFALL IS A CONVEYANCE SYSTEM (DRAINAGE EASEMENT, ROADWAY WITH A DRAINAGE SYSTEM – CURB & GUTTER, OR DITCH) WHICH CONTAINS, CONTROLS, AND TRANSMITS STORMWATER RUNOFF TO A CREEK, STREAM, RIVER, BAY, GULF, OCEAN, OR OTHER WATERS OF THE STATE, OR WATERS OF THE UNITED STATES, OR TO ANY FUNCTIONING ESCAMBIA COUNTY OR STATE DRAINAGE SYSTEM.
2. FINISH FLOOR ELEVATION SHALL BE AS SPECIFIED BY BUILDING CODE.
3. THESE ARE MINIMAL REQUIREMENTS AND DO NOT RELIEVE THE BUILDER FROM PROVIDING ADDITIONAL GRADING TO DIRECT STORMWATER TO A POSITIVE OUTFALL DRAINAGE SYSTEM AND ELIMINATE NEGATIVE IMPACTS TO ADJACENT LOTS AND PROPERTIES.
4. DISTURBED LOT AREAS SHALL BE COMPLETELY STABILIZED WITH SOD. IF THE HOME IS CONSTRUCTED, STABILIZE THE FIRST 10' WITH SOD AND SOD AND/OR SEED AND MULCH THE REMAINDER OF THE LOT.
5. THE HOMEBUILDER SHALL COMPLY WITH STATE PERMITTING REQUIREMENTS FOR LARGE AND SMALL CONSTRUCTION SITES, SPECIFICALLY THE NPDES PERMITS WHICH REQUIRES A DETAILED STORMWATER POLLUTION PREVENTION PLAN (SWPPP) BEING AVAILABLE ONSITE FOR REVIEW DURING ALL PHASES OF CONSTRUCTION.
6. LOT CLEARING ACTIVITIES SHALL NOT PROCEED WITHOUT BUILDING PERMITS FOR THOSE LOTS EXCLUDING CLEARING REQUIRED FOR CONSTRUCTION OF CONVEYANCE SWALES OR DRAINAGE FEATURES DESIGNATED AS THE DEVELOPER'S RESPONSIBILITY.
7. ALL NEW RUNOFF, DOWNSPOUTS, AND GUTTERS SHALL BE ROUTED TO CARRY ALL STORMWATER TO THE ROADS OR SWALES THAT LEAD TO THE RETENTION POND OR APPROVED DRAINAGE SYSTEM.
8. PROVIDE EROSION CONTROL MEASURES TO ENSURE ALL SEDIMENTS SHALL BE RETAINED ON INDIVIDUAL LOT.
9. WETLANDS SHALL BE PROTECTED WITH FABRIC SILT FENCING AND BURIED HAYBALE SYSTEMS (DOUBLE ROWS AS NECESSARY).

MINIMUM STANDARDS FOR TYPICAL RESIDENTIAL GRADING CONTROL PLAN

N.T.S.

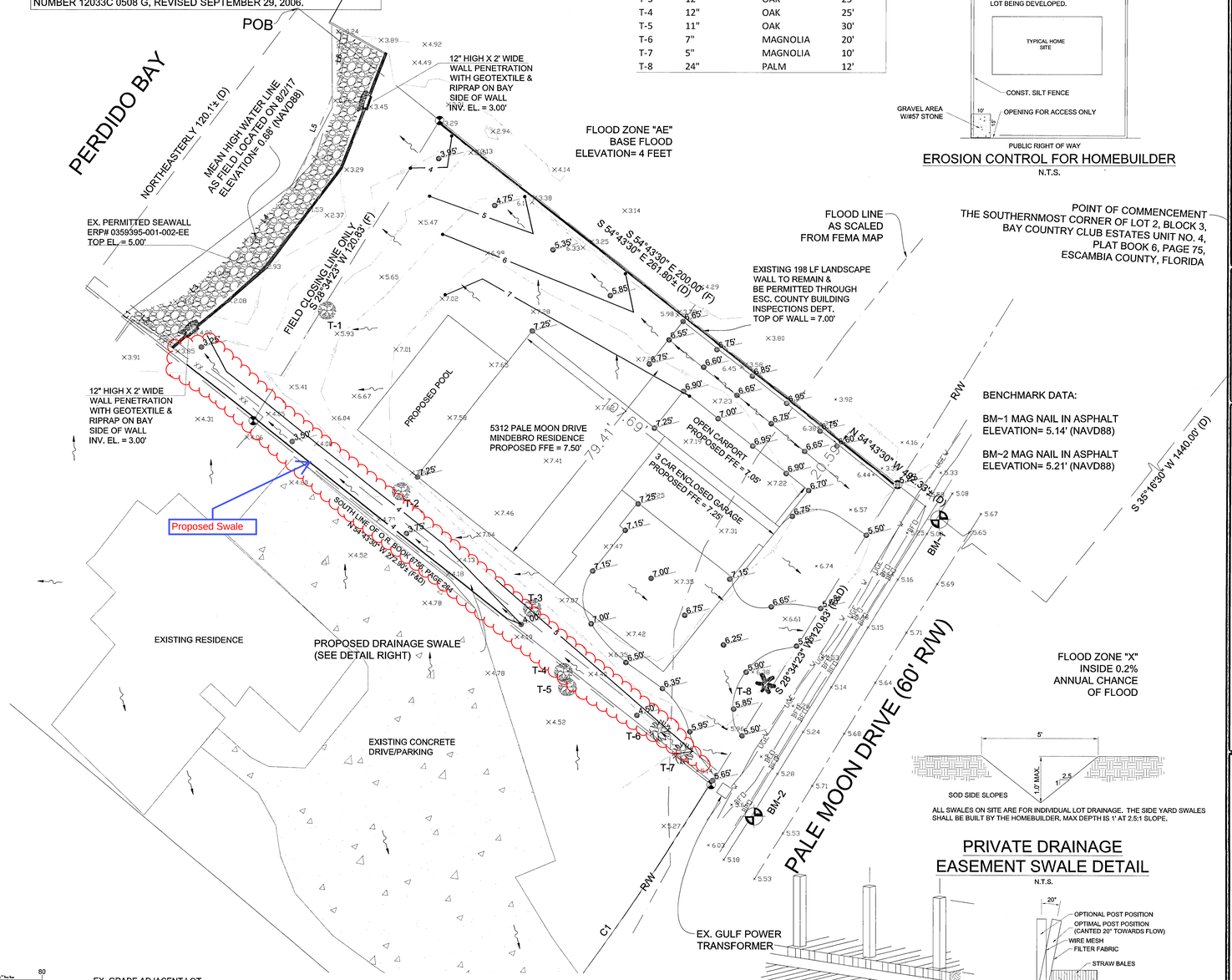
HOMEBUILDER LOT GRADING & EROSION CONTROL PLAN

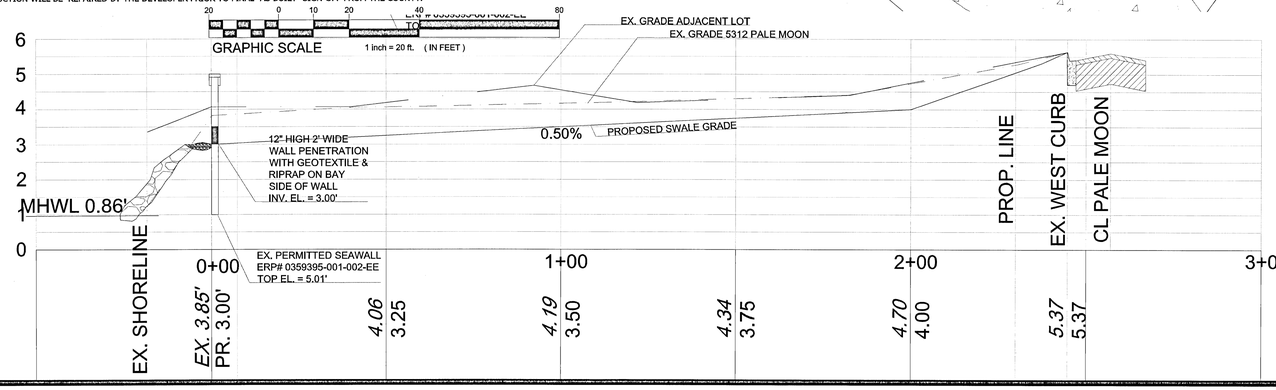
1. HOMEBUILDER IS REQUIRED TO CONSTRUCT AND MAINTAIN, AT ALL TIMES DURING CONSTRUCTION, APPROPRIATE EROSION CONTROL MEASURES (SILT FENCE, HAY BALES, ETC) TO ENSURE THAT NO SEDIMENTS LEAVE THE LOT UNDER CONSTRUCTION OR THE RIGHT-OF-WAY ADJACENT TO THE LOT UNDER CONSTRUCTION. ANY VIOLATIONS COULD RESULT IN CODE ENFORCEMENT ACTION FROM ESCAMBIA COUNTY, FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OR ENVIRONMENTAL PROTECTION AGENCY.
2. HOMEBUILDER SHALL COMPLY WITH STATE PERMITTING REQUIREMENTS FOR CONSTRUCTION ACTIVITIES. WITHIN THE FIRST 6" OF THE FIRST 10' OF THE HOME SHALL COMPLY WITH CURRENT BUILDING CODES. HOMEBUILDER MUST PROVIDE PROOF OF APPLICATION OF THE NPDES PERMIT WHICH REQUIRES A DETAILED STORMWATER POLLUTION PREVENTION PLAN (SWPPP) BEING AVAILABLE ON-SITE DURING ALL PHASES OF CONSTRUCTION.
3. HOMEBUILDER IS TO ENSURE THAT, AT ALL TIMES DURING CONSTRUCTION, STORMWATER FLOWS FROM AREAS UPSTREAM OF THE LOT UNDER CONSTRUCTION ARE NOT IMPEDED IN ANY WAY. CONSTRUCTION OF SWALES WITHIN THE FRONT, REAR AND SIDE YARDS MAY BE REQUIRED TO ENSURE PRE-DEVELOPMENT DRAINAGE PATTERNS ARE NOT ALTERED. THE TREATMENT OR SIDE YARD SWALES SHALL BE BUILT BY THE HOMEBUILDER. BOTTOM OF SIDE SWALE SHALL BE MINIMUM OF 6" BELOW ADJACENT GRADE.
4. A POSITIVE OUTFALL IS A CONVEYANCE SYSTEM WHICH CONTAINS, CONTROLS AND TRANSMITS STORMWATER RUNOFF TO A CREEK, STREAM, RIVER, BAY, GULF, OCEAN, OTHER WATERS OF THE STATE, WATERS OF THE UNITED STATES OR TO ANY APPROVED ESCAMBIA COUNTY OR FLORIDA DEPARTMENT OF TRANSPORTATION DRAINAGE SYSTEM. OUTFALL DRAINAGE SYSTEM ELIMINATES NEGATIVE IMPACTS TO ADJACENT LOTS AND PROPERTIES.
5. LOT CLEARING ACTIVITIES SHALL NOT PROCEED WITHOUT BUILDING PERMITS FOR THOSE LOTS EXCLUDING CLEARING REQUIRED FOR CONSTRUCTION OF CONVEYANCE SWALES OR DRAINAGE FEATURES DESIGNATED AS THE DEVELOPER'S RESPONSIBILITY.
6. UNTREATED STORMWATER RUNOFF DIRECTLY INTO WATER BODIES OR JURISDICTIONAL WETLANDS IS PROHIBITED.
7. LOT SHALL CONFORM TO TYPE "B" LOT GRADING - DRAIN TO THE STREET AND REAR OF LOT.
8. DISTURBED R/W AREAS NOT PAVED SHALL BE STABILIZED WITH A HEALTHY GROWTH OF GRASS PRIOR TO RECEIVING CERTIFICATE OF OCCUPANCY. DISTUBED LOT AREAS NOT PAVED SHALL BE STABILIZED WITH SOD PRIOR TO RECEIVING CERTIFICATE OF OCCUPANCY.
9. THESE ARE MINIMUM REQUIREMENTS AND DO NOT RELIEVE THE BUILDER FROM PROVIDING ADDITIONAL GRADING TO DIRECT STORMWATER TO POSITIVE OUTFALL DRAINAGE SYSTEM AND ELIMINIATE NEGATIVE IMPACTS TO ADJACENT LOTS AND PROPERTIES.
10. DISTURBED RIGHT-OF-WAY AREAS SHALL BE STABILIZED WITH A HEALTHY GROWTH OF GRASS PRIOR TO RECEIVING COUNTY ACCEPTANCE.
11. DISTURBED AREAS NOT PAVED SHALL BE STABILIZED WITH A HEALTHY GROWN OF GRASS.
12. DISTURBED LOT AREAS SHALL BE COMPLETELY STABILIZED WITH SOD.
13. THE HOMEBUILDER SHALL COMPLY WITH STATE PERMITTING REQUIREMENTS FOR LARGE & SMALL CONSTRUCTION SITES, SPECIFICALLY THE NPDES PERMIT WHICH REQUIRES A DETAILED STORMWATER POLLUTION PREVENTION PLAN (SWPPP) BEING AVAILABLE ONSITE FOR REVIEW DURING ALL PHASES OF CONSTRUCTION.
14. LOT CLEARING ACTIVITIES SHALL NOT PROCEED WITHOUT BUILDING PERMITS FOR THOSE LOTS EXCLUDING CLEARING REQUIRED FOR CONSTRUCTION OF CONVEYANCE SWALES OR DRAINAGE FEATURES DESIGNATED AS THE DEVELOPER'S RESPONSIBILITY.
15. ALL NEW ROOF RUNOFF, DOWNSPOUTS, AND GUTTERS SHALL BE ROUTED TO CARRY ALL STORMWATER TO THE ROADS OR SWALES THAT LEAD TO A POSITIVE DRAINAGE OUTFALL.
16. FENCES SHALL BE INSTALLED TO NOT IMPEDE STORMWATER FLOW. NO FENCES SHALL BE CONSTRUCTED IN DRAINAGE/ACCESS EASEMENTS THAT MAY PROHIBIT ACCESS TO THESE EASEMENTS.
17. HOME EQUIPMENT (I.E. AC UNITS) SHALL NOT IMPEDE STORMWATER FLOW.
18. THE SIDE YARD SWALES SHALL BE BUILT BY THE HOMEBUILDER.
19. A MINIMUM ONE (1) FOOT GROUND COVER IS REQUIRED FOR ALL UNDERGROUND PIPES.
20. THE PROJECT ENGINEER (ENGINEER OF RECORD) SHALL PROVIDE TO ESCAMBIA COUNTY "AS- BUILT" RECORD DRAWINGS FOR VERIFICATION AND APPROVAL BY ESCAMBIA COUNTY ONE WEEK PRIOR TO REQUESTING A FINAL INSPECTION AND CERTIFICATE OF OCCUPANCY, OR PROVIDE "AS-BUILT" CERTIFICATION THAT THE PROJECT CONSTRUCTION ADHERES TO THE PERMITTED PLANS AND SPECIFICATIONS. THE "AS-BUILT" CERTIFICATION OR THE "AS-BUILT" RECORD DRAWINGS MUST BE SIGNED, SEALED AND DATED BY A REGISTERED FLORIDA PROFESSIONAL ENGINEER.
21. ALL ASPECTS OF THE STORMWATER/DRAINAGE COMPONENTS AND/OR TRANSPORTATION COMPONENTS SHALL BE COMPLETED PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY.
22. NO DEVIATIONS OR REVISIONS FROM THESE PLANS BY THE CONTRACTOR SHALL BE ALLOWED WITHOUT PRIOR APPROVAL FROM BOTH THE DESIGN ENGINEER AND THE ESCAMBIA COUNTY. ANY DEVIATIONS MAY RESULT IN DELAYS IN OBTAINING A CERTIFICATE OF OCCUPANCY.
23. THE CONTRACTOR SHALL INSTALL PRIOR TO THE START OF CONSTRUCTION AND MAINTAIN DURING CONSTRUCTION ALL SEDIMENT CONTROL MEASURES AS REQUIRED TO RETAIN ALL SEDIMENTS ON THE SITE. IMPROPER SEDIMENT CONTROL MEASURES MAY RESULT IN CODE ENFORCEMENT VIOLATION.
24. THE OWNER OR HIS AGENT SHALL ARRANGE/SCHEDULE WITH THE COUNTY A FINAL INSPECTION OF THE DEVELOPMENT UPON COMPLETION AND ANY INTERMEDIATE INSPECTIONS AT (850) 595-3472. AS-BUILT CERTIFICATION IS REQUIRED PRIOR TO REQUEST FOR FINAL INSPECTION/APPROVAL.
25. CONTRACTOR SHALL OBTAIN BUILDING INSPECTION DEPARTMENT PERMIT(S) FOR ANY RETAINING WALL HIGHER THAN 2 FEET.
26. NOTIFY SUNSHINE UTILITIES 48 HOURS IN ADVANCE PRIOR TO DIGGING WITHIN R/W; 1-800-432-4770.
27. ANY DAMAGE TO EXISTING ROADS DURING CONSTRUCTION WILL BE REPAIRED BY THE DEVELOPER PRIOR TO FINAL "AS-BUILT" SIGN OFF FROM THE COUNTY.

THE PROPERTY AS SHOWN HEREON IS LOCATED IN FLOOD ZONE "AE", BASE FLOOD ELEVATION 4 FEET AND IN FLOOD ZONE "X" INSIDE 0.2% ANNUAL CHANCE OF FLOOD, AS DETERMINED FROM FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP OF ESCAMBIA COUNTY, FLORIDA (UNINCORPORATED AREAS), MAP NUMBER 12033C 0508 G, REVISED SEPTEMBER 29, 2006.

TREE TABLE

TREE NO.	DIAMETER	TYPE	CANOPY
T-1	17"	OAK	20'
T-2	17"	OAK	20'
T-3	12"	OAK	25'
T-4	12"	OAK	25'
T-5	11"	OAK	30'
T-6	7"	MAGNOLIA	20'
T-7	5"	MAGNOLIA	10'
T-8	24"	PALM	12'

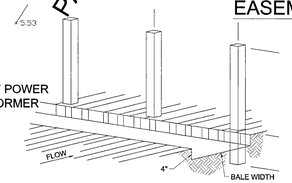




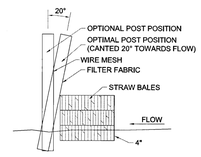
ALL SWALES ON SITE ARE FOR INDIVIDUAL LOT DRAINAGE. THE SIDE YARD SWALES SHALL BE BUILT BY THE HOMEBUILDER. MAX DEPTH IS 1' AT 2.5:1 SLOPE.

PRIVATE DRAINAGE EASEMENT SWALE DETAIL

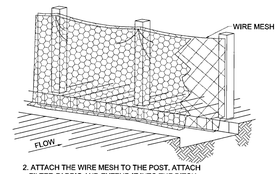
N.T.S.



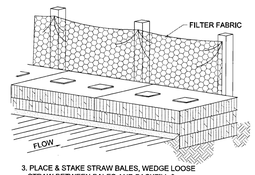
1. SET POSTS AND EXCAVATE A 4" DEEP & BALE WIDTH TRENCH UPSLOPE ALONG THE LINE OF POSTS. POSTS SHOULD BE 2"X4" WOOD OR 2-1/2" " STEEL (1.33 LBS/FT MIN).



SECTION



2. ATTACH THE WIRE MESH TO THE POST. ATTACH FILTER FABRIC AND EXTEND IT INTO THE DITCH. FILTER FABRIC TO CONFORM WITH FDOT SPECIFICATIONS, SECTION 985.



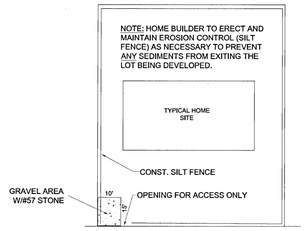
3. PLACE & STAKE STRAW BALES, WEDGE LOOSE STRAW BETWEEN BALES AND BACKFILL & COMPACT EXCAVATED SOIL.

HOMEBUILDER SILT FENCE DETAIL

NOT TO SCALE

*WIRE BACKED SILT FENCE TO USED ALONG FRONT OF TYPICAL LOTS. STAKE FABRIC SILT FENCE FOR ALL OTHER SIDES AS NEEDED.

NOTE: HOME BUILDER TO ERECT AND MAINTAIN EROSION CONTROL (SILT FENCE) AS NECESSARY TO PREVENT ANY SEDIMENTS FROM EXITING THE LOT BEING DEVELOPED.



EROSION CONTROL FOR HOMEBUILDER

N.T.S.

NO.	DATE	REVISIONS
1		
2		
3		
4		

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JWA ENGINEERING SERVICES INC.
CIVIL ENGINEERING - PLANNING
P.O. BOX 4848
MILTON, FLORIDA 32572-4848
PHONE: (850) 995-7323
FAX: (850) 995-7326
EMAIL: jim@mcguire-assoc.com
Certificate of Authorization #28905
Serena Lee Chapin-P.E. # 61249
Engineering Business #28905

5312 PALE MOON DRIVE

LOT GRADING PLAN

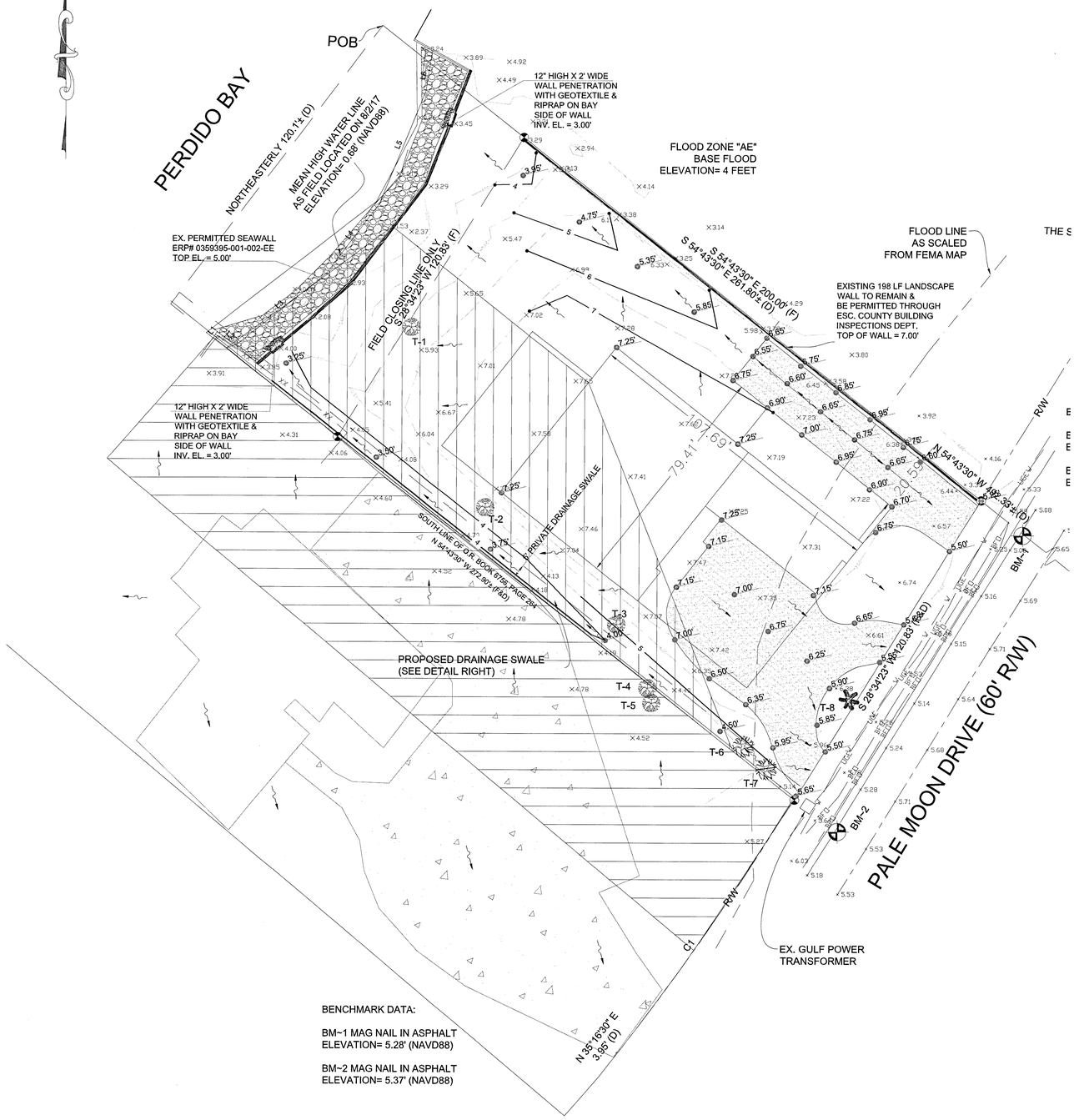
ESCAMBIA COUNTY FLORIDA

DRAWN BY: HAH
DESIGNED BY: GWM
CHECKED BY: GWM
DATE: MAR 2018
SCALE: 1"= 20'
NOT RELEASED FOR CONSTRUCTION
BY: DATE:

PROJECT NO: 2018.5312PMD
FILE NO: 2018.5312.LGP
SHEET: 1 OF 1

20 0 10 20 40 80

GRAPHIC SCALE 1 inch = 20 ft. (IN FEET)



BENCHMARK DATA:

BM-1 MAG NAIL IN ASPHALT
ELEVATION= 5.28' (NAVD88)

BM-2 MAG NAIL IN ASPHALT
ELEVATION= 5.37' (NAVD88)

NO.	DATE	REVISIONS
1		
2		
3		
4		

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JWA
ENGINEERING SERVICES INC.
CIVIL ENGINEERING • PLANNING
EMAIL: jma@mcguire-assoc.com
Gerald W. McGuire, P.E. # 36572
Seren Lee Chaplo-P.E. # 61249
Engineering Business #28905
MILTON, FLORIDA 32572-6348
P.O. BOX 6348
PHONE: (850) 995-7328
FAX: (850) 995-7386

5312 PALE MOON DRIVE

DRAINAGE BASIN MAP

FLORIDA

ESCAMBIA COUNTY

DRAWN BY: HAH
DESIGNED BY: GWM
CHECKED BY: GWM
DATE: MAR 2018
SCALE: 1"= 20'
NOT RELEASED FOR CONSTRUCTION
BY: DATE:

PROJECT NO: 2018.5312PMD
FILE NO: 2018.5312.LGP
SHEET: 1 OF 1

BOARD OF ADJUSTMENT
ESCAMBIA COUNTY, FLORIDA

Frances Ogden,
Petitioner

v.

Parcel No. 11-3S-32-3000-000-001
Address: 5312 Pale Moon Drive
Date of Decision: February 12, 2018

ESCAMBIA COUNTY, a political subdivision of the State of Florida,
Respondent.
_____/

NOTICE OF APPEARANCE

The undersigned counsel, Meredith D. Crawford, Esq., hereby announces her appearance on behalf of Development Services Department, Escambia County, Florida, a political subdivision of the State of Florida, and respectfully requests that copies of all notices, pleadings, and papers filed in this action be served upon the undersigned at the designated e-mail addresses listed below:

1. Primary E-mail Address #1: mdcrawford@myescambia.com
2. Primary E-mail Address #2: aespinosa@myescambia.com

Respectfully submitted,
Alison Rogers, County Attorney
221 Palafox Pl, Ste 430, Pensacola, FL 32502
Phone: (850) 595-4970, Fax: (850) 595-4979

E-signed Meredith D. Crawford
By: Meredith D. Crawford
Assistant County Attorney
Escambia County Attorney's Office
Florida Bar Number 0048086
mdcrawford@myescambia.com
Attorney for Escambia County, Florida

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was filed with Kayla Meador, Clerk to the Board of Adjustment, Escambia County via electronic mail krmeador@myescambia.com, and furnished to Lisa S. Minshew, Lisa S. Minshew, P. A., 433 E. Government St., Pensacola, FL 32502, by electronic mail at lsminshew@lisaminshewlaw.com, and to Petitioner, Frances Ogden, 5312 Pale Moon Drive, Pensacola, Florida 32507, by electronic mail at franogdenrd@gmail.com this the 12th day of July, 2018.

By: *E-signed* Meredith D. Crawford
Meredith D. Crawford
Assistant County Attorney

BOARD OF ADJUSTMENT
ESCAMBIA COUNTY, FLORIDA

Frances Ogden,

Petitioner

v.

Parcel No. 11-3S-32-3000-000-001
Address: 5312 Pale Moon Drive
Date of Decision: February 12, 2018

ESCAMBIA COUNTY, a political subdivision of the State of Florida,

Respondent.
_____/

MOTION TO DISMISS APPLICATION FOR APPEAL OF PERMIT #1802404PLM

COMES NOW, Scott Mindrebo and Donna Mindrebo (the "Mindrebos"), by and through the undersigned attorney, and moves to dismiss the Application for Appeal of Land Disturbance Permit #1802404PLM filed by Frances Ogden on June 11, 2018; and as grounds, allege as follows:

1. Land Disturbance Permit #1802404PLM was issued on February 12, 2018, by Escambia County, Florida.
2. Frances Ogden filed her Application for Appeal of Land Disturbance Permit #1802404PLM on June 11, 2018 (hereafter "Appeal").
3. The Appeal should be dismissed as it was untimely filed four months late. Appeals are required to be filed within fifteen (15) days after the date of the decision being appealed pursuant to Section 2-6.10 (b)(1) of the Escambia County Land Development Code (the "LDC").
4. Frances Ogden initiated the complaint to Escambia County Code Enforcement, and

the remedy requested by Escambia County was for the Mindrebos to apply for the Land Disturbance Permit, which was issued to the Mindrebos agent Rick Faciane.

5. Frances Ogden has repeatedly contacted Escambia County officials since making the complaint and is well versed in the LDC.

6. Frances Ogden has shown no good cause or excusable neglect in her untimely filing of this appeal four months late on June 11, 2018.

7. The Mindrebos have relied upon the appeal timing provisions of the LDC and Escambia County's issuance of the Land Disturbance Permit to proceed with obtaining building permits and starting construction of their home.

8. Further, the Ogden Application for Appeal fails to establish standing as required by Section 2-6.10(b)(3)(b) of the LDC, Ogden cannot show impact that differs in kind(as opposed to degree) to any alleged adverse impact suffered by the community as a whole, in the issuance of the Land Disturbance Permit.

9. The Ogden Application for Appeal fails to include the mandatory information required in Section 2-6.10(b)(1) (b), (c) or (e), citing reference to no section of the LDC, which was allegedly violated in the issuance of the permit.

10. Francis Ogden was not present during the land clearing or the placement of fill at the Mindrebo property, therefore she will be unable to testify to same pursuant to Rule 5.4(a)(1) of the Rules of Procedure of Escambia County.

11. Francis Ogden is not qualified as an expert and strict proof thereof is demanded prior to her presenting any testimony consisting of opinions or inferences, pursuant to Rule 5.4(b) of the Rules of Procedure of Escambia County, concerning any issue related

to the Mindrebo property.

WHEREFORE, Scott Mindrebo and Donna Mindrebo respectfully request that the Application for Appeal of Land Disturbance Permit #1802404PLM filed by Frances Ogden on June 11, 2018, be dismissed.

Dated this 13th day of July, 2018.

/s/ Lisa S. Minshew
LISA S. MINSHEW, ESQ.
Lisa S. Minshew, PA
433 East Government Street
Pensacola, Florida 32502
Florida Bar No.: 618322
(850) 434-6859
lsminshew@lisaminshewlaw.com
Attorney for Scott Mindrebo
and Donna Mindrebo

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was filed with Kayla Meador, Clerk to the Board of Adjustment, Escambia County by electronic mail to krmeador@myescambia.com; and furnished to Meredith D. Crawford, Assistant County Attorney, Escambia County Attorney's Office, by electronic mail to mdcrawford@myescambia.com; aespinosa@myescambia.com; and to Petitioner, Frances Ogden, by US Mail to 5330 Pale Moon Drive, Pensacola, Florida 32507, on this 13th day of July, 2018.

/s/ Lisa S. Minshew
LISA S. MINSHEW