

AGENDA
ESCAMBIA COUNTY PLANNING BOARD
QUASI-JUDICIAL HEARING
February 6, 2018–8:30 a.m.
Escambia County Central Office Complex
3363 West Park Place, Room 104

1. Call to Order.
2. Pledge of Allegiance to the Flag.
3. Proof of Publication and Waive the Reading of the Legal Advertisement.
4. Approval of Minutes.
 - A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the January 9, 2018, Planning Board Rezoning Meeting.
5. Acceptance of Rezoning Planning Board Meeting Packet.
6. Quasi-judicial Process Explanation.
7. Public Hearings.
 - A. Case #: Z-2017-18
Applicant: Rhonda Autrey, Owner
Address: 733 E. Johnson Avenue
Property Size: 4.73 (+/-) acres
From: MDR, Medium Density Residential district (10 du/acre)
To: HDR, High Density Residential district (18 du/acre)
 - B. Case #: Z-2017-19

Applicant: Tom Hammond, Agent for Jennifer Cobb, Team Player Properties, LLC, Owner
Address: 283 Shadow Lawn Lane
Property Size: 0.20 (+/-) acres
From: MDR, Medium Density Residential district (10 du/acre)
To: Com, Commercial district (25 du/acre)

8. Adjournment.



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

Planning Board-Rezoning

4. A.

Meeting Date: 02/06/2018

Agenda Item:

RECOMMENDATION: That the Planning Board review and approve the Meeting Resume' Minutes of the January 9, 2018, Planning Board Rezoning Meeting.

Attachments

Draft January 9, 2018 Planning Board Rezoning Meeting Minutes

DRAFT

RESUMÉ OF THE ESCAMBIA COUNTY PLANNING BOARD QUASI-JUDICIAL REZONING January 9, 2018

CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE, BOARD CHAMBERS
PENSACOLA, FLORIDA
(8:31 A.M. – 10:30 A.M.)

Present: Reid Rushing
Jay Ingwell
Wayne Briske, Chairman
Timothy Pyle
Alan Gray
Patty Hightower
Eric Fears
William Clay
Stephen Opalenik

Staff Present: Allyson Cain, Urban Planner, Planning & Zoning
Caleb MacCartee, Urban Planner, Planning & Zoning
Horace Jones, Director, Development Services
Juan Lemos, Senior Planner, Planning & Zoning
Kayla Meador, Sr Office Assistant
Meredith Crawford, Assistant County Attorney

1. Call to Order.
2. Pledge of Allegiance to the Flag was given by Wayne Briske.
3. Proof of Publication and Waive the Reading of the Legal Advertisement.

Motion by Reid Rushing, Seconded by Alan Gray

Motion was made to approve the proof of publication and to waive the reading of the legal advertisement.
Vote: 7 - 0 Approved
4. Approval of Minutes.
5. Acceptance of Rezoning Planning Board Meeting Packet.

Motion by Eric Fears, Seconded by Reid Rushing

Motion was made to accept the Rezoning Planning Board meeting packet for January 9, 2018.
Vote: 7 - 0 Approved
6. Quasi-judicial Process Explanation.
7. Public Hearings.

A. Case #: Z-2017-17
Applicant: Wanda French-Hawkins,
Agent for Jason Hawkins,
Owner
Address: 6355 Mockingbird Lane
Property Size: 4.86 (+/-) acres
From: MDR, Medium Density
Residential district (10
du/acre)
To: HDMU, High Density
Mixed-use district (25
du/acre)

No planning board member acknowledged visiting the site.

No planning board member acknowledged any ex parte communication regarding this item.

No planning board member abstained from voting on this matter due to any conflict of interest.

Motion by Alan Gray, Seconded by Reid Rushing

Motion was made to accept into evidence "Price Exhibit A".

Vote: 7 - 0 Approved

Motion by Jay Ingwell, Seconded by Alan Gray

Motion was made to recommend denial of the rezoning case to the BCC.

Vote: 6 - 1 Approved

Voted No: William Clay

B. Case #: Z-2017-18
Applicant: Rhonda Autrey, Owner
Address: 733 E. Johnson Avenue
Property Size: 4.73 (+/-) acres
From: MDR, Medium Density
Residential district (10
du/acre)
To: HDMU, High Density
Mixed-use district (25
du/acre)

No planning board member acknowledged visiting the site.

No planning board member acknowledged any ex parte communication regarding this item.

No planning board member abstained from voting on this matter due to any conflict of interest.

Motion by Reid Rushing, Seconded by Jay Ingwell

Motion was made to move the case to the February Planning Board meeting.

Vote: 7 - 0 Approved

8. Adjournment.

Planning Board-Rezoning

7. A.

Meeting Date: 02/06/2018
CASE : Z-2017-18
APPLICANT: Rhonda Autrey, Owner
ADDRESS: 733 E Johnson Avenue
PROPERTY REF. NO.: 21-1S-30-2101-001-002
FUTURE LAND USE: MU-U, Mixed-Use Urban
DISTRICT: 3
OVERLAY DISTRICT: N/A
BCC MEETING DATE: 03/01/2018

SUBMISSION DATA:

REQUESTED REZONING:

FROM: MDR, Medium Density Residential district (10 du/acre)

TO: HDR, High Density Residential district (18 du/acre)

RELEVANT AUTHORITY:

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

APPROVAL CONDITIONS

Criterion a., LDC Sec. 2-7.2(b)(4)

Consistent with Comprehensive Plan.

The proposed zoning is consistent with the future land use (FLU) category as prescribed in LDC Chapter 3, and with all other applicable goals, objectives, and policies of the Comprehensive Plan. If the rezoning is required to properly enact a proposed FLU map amendment transmitted for state agency review, the proposed zoning is consistent with the proposed FLU and conditional to its adoption.

Comprehensive Plan (CPP) FLU 1.1.1 Development Consistency. New development and redevelopment in unincorporated Escambia County shall be consistent with the Escambia County Comprehensive Plan and the Future Land Use Map (FLUM).?
CPP FLU 1.3.1 Future Land Use Categories.? The Mixed-Use Urban (MU-U) Future

Land Use (FLU) category is intended for an intense mix of residential and nonresidential uses while promoting compatible infill development and the separation of urban and suburban land uses within the category as a whole. Range of allowable uses include: Residential, Retail and Services, Professional Office, Light Industrial, Recreational Facilities, Public and Civic. The maximum residential density is 25 dwelling units per acre.

FINDINGS

The proposed amendment to HDR **is consistent** with the intent and purpose of Future Land Use category Mixed-Use Urban (MU-U) as stated in CPP FLU 1.3.1. Residential is allowed within the MU-U area. The request is consistent with the current FLU, not requiring a FLU change, and will not change the existing allowed uses within the Mixed-Use category.

Criterion b., LDC Sec. 2-7.2(b)(4)

Consistent with zoning district provisions.

The proposed zoning is consistent with the purpose and intent and with any other zoning establishment provisions prescribed by the proposed district in Chapter 3.

FINDINGS

The proposed amendment **is consistent** with the intent and purpose of the Land Development Code. The proposed zoning of HDR is a zoning that includes most forms of single-family, two-family and multi-family dwellings. Any non-residential uses are limited to those that are compatible with urban residential neighborhoods. As stated in LDC 3-2.8(f), "Rezoning to HDR may be established only within the Mixed-Use Suburban or Mixed-Use Urban future land use categories. The district is suitable for urban areas with central water and sewer and developed street networks. The district is appropriate to provide transitions between areas zoned or used for high density mixed use or commercial."

Criterion c., LDC Sec. 2-7.2(b)(4)

Compatible with surrounding uses.

All the permitted uses of the proposed zoning, not just those anticipated by the rezoning applicant, are compatible, as defined in Chapter 6, with the surrounding uses. The uses of any surrounding undeveloped land shall be considered the permitted uses of the applicable district. Compatibility is not considered with potential conditional uses or with any nonconforming or unapproved uses. Also, in establishing the compatibility of a residential use, there is no additional burden to demonstrate the compatibility of specific residents or activities protected by fair housing law.

FINDINGS

The proposed amendment **is compatible** with surrounding existing uses in the area. Within the 500' radius impact area, staff observed properties with zoning districts MDR and HDMU. In the area, there are single-family residential, a church, a school, and a condominium. The request to HDR will allow more density although still allowing residential development while restricting commercial developments.

Criterion d., LDC Sec. 2-7.2(b)(4)

Appropriate if spot zoning.

Where the proposed zoning would establish or reinforce a condition of spot zoning as defined in Chapter 6, the isolated district would nevertheless be transitional in character between the adjoining districts, or the differences with those districts would be minor or sufficiently limited. The extent of these mitigating characteristics or conditions demonstrates an appropriate site specific balancing of interests between the isolated district and adjoining lands. **As per LDC Chapter 6, Spot Zoning is:** *Zoning applied to an area of land, regardless of its size, that is different from the zoning of all contiguous land. Such isolated or “spot” zoning is usually higher in its density or intensity of use than the adjoining zoning and may, therefore, extend privileges not generally extended to property similarly located in the area. Spot zoning is not by itself prohibited, but due to its potentially adverse impacts on adjoining zoning it carries a higher burden of demonstration that, if authorized, it will contribute to or result in logical and orderly development.*

FINDINGS

The isolated district would nevertheless be transitional in character between the adjoining districts, or the differences with those districts would be minor or sufficiently limited. The parcel currently has a single-family home and the proposed request allows for a range of residential developments from single-family to multi-family dwellings. This appears to be consistent with the existing development pattern in the area. It will still remain residential and will contribute to or result in logical and orderly development.

Criterion e., LDC Sec. 2-7.2(b)(4)

Appropriate with changed or changing conditions.

If the land uses or development conditions within the area surrounding the property of rezoning have changed, the changes are to such a degree and character that it is in the public interest to allow new uses, density, or intensity in the area through rezoning; and the permitted uses of the proposed district are appropriate and not premature for the area or likely to create or contribute to sprawl.

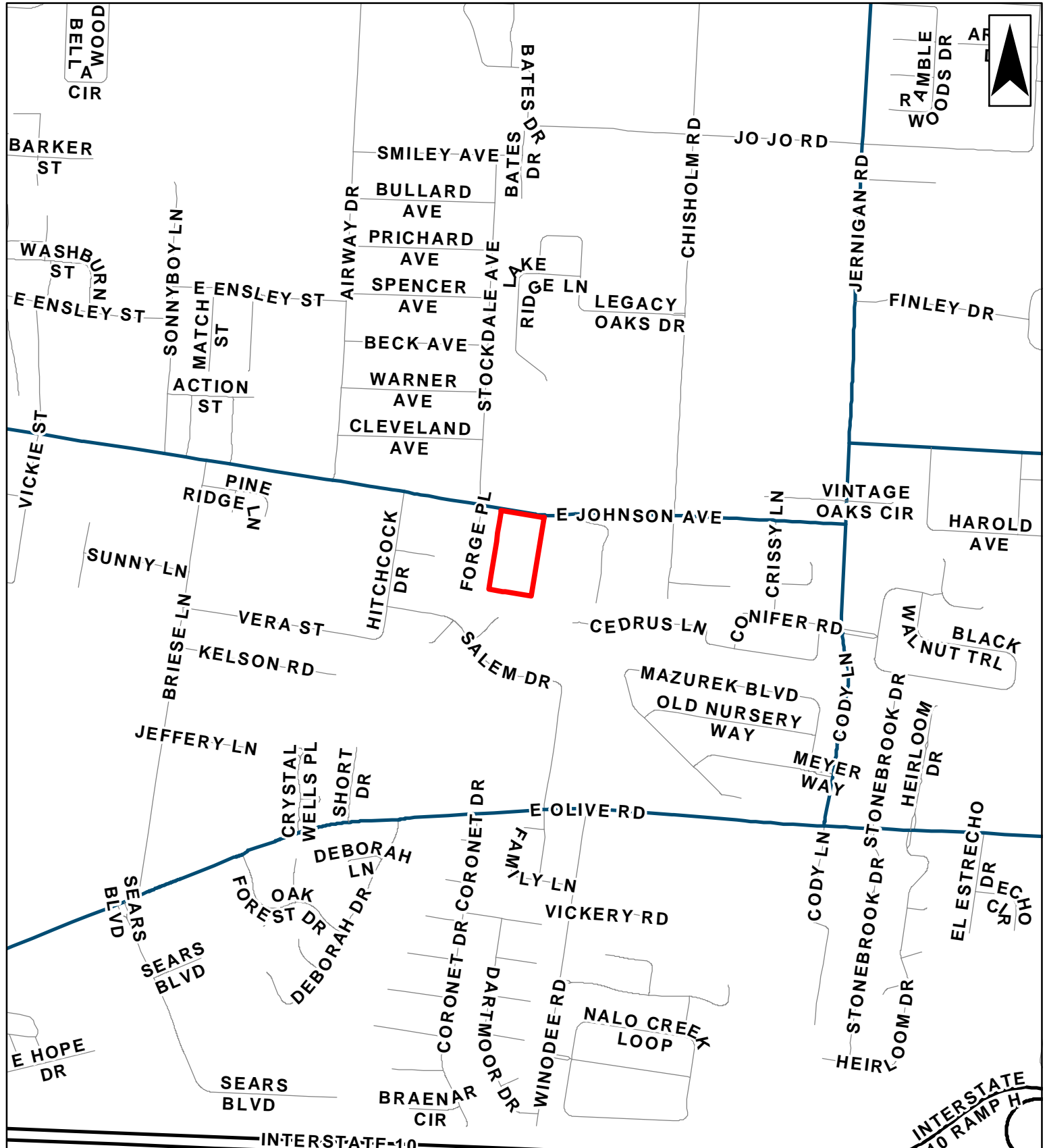
FINDINGS


The land uses or development conditions within the area surrounding the property of rezoning have not changed to such a degree that the proposed rezoning would be inappropriate. The proposed zoning will make for compatible development in the area.

Attachments

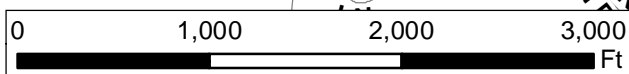
Working Case File





Z-2017-18

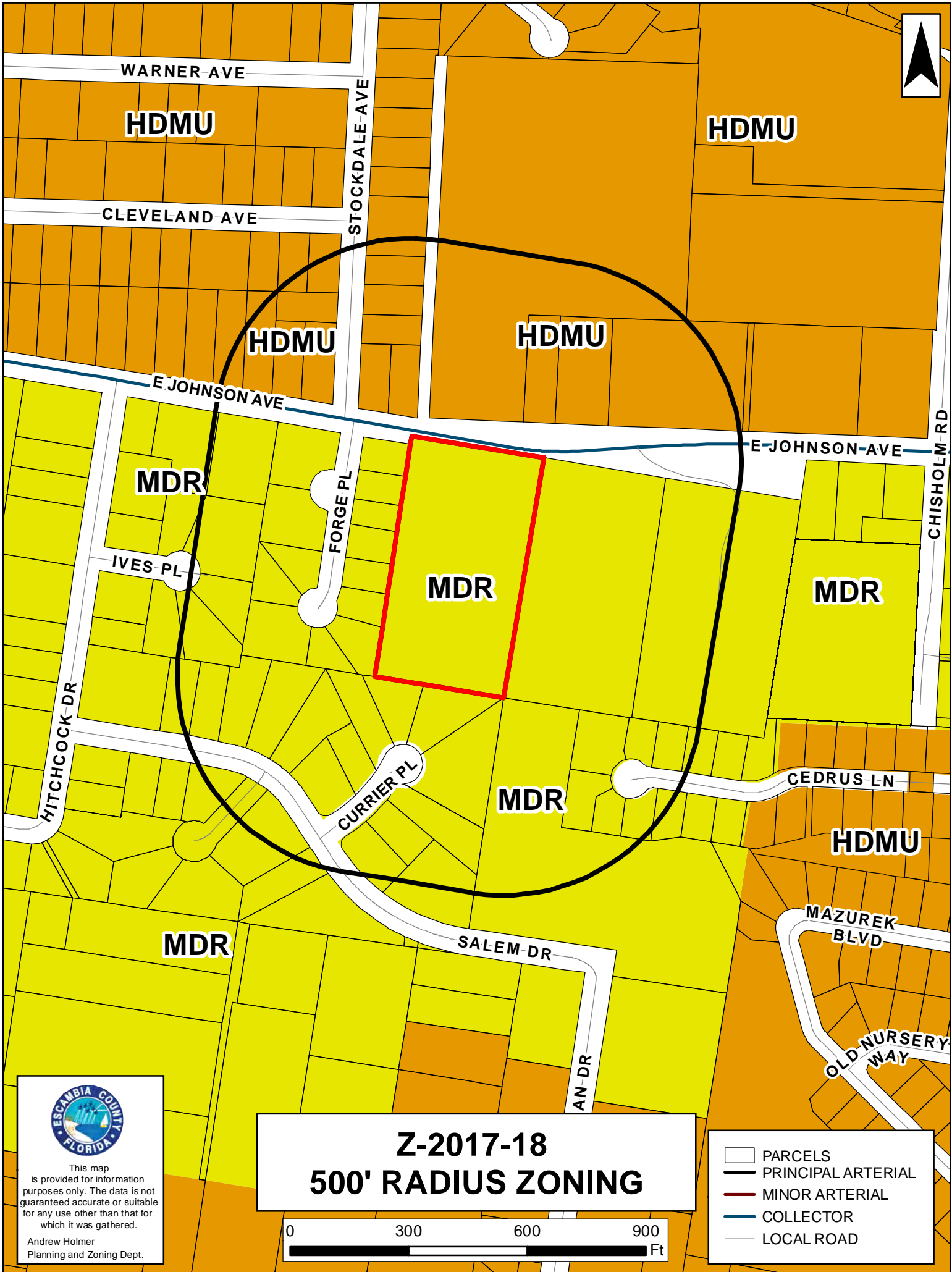



 This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.
 Andrew Holmer
 Planning and Zoning Dept.

Z-2017-18 LOCATION MAP



-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD



WARNER AVE

HDMU

HDMU

CLEVELAND AVE

STOCKDALE AVE

HDMU

HDMU

E JOHNSON AVE

MDR

MDR

MDR

IVES PL

FORGE PL

CHISHOLM RD

E JOHNSON AVE

HITCHCOCK DR

CURRIER PL

MDR

CEDRUS LN

HDMU

MDR

SALEM DR






MAZUREK BLVD

AN DR

OLD NURSERY WAY

Z-2017-18

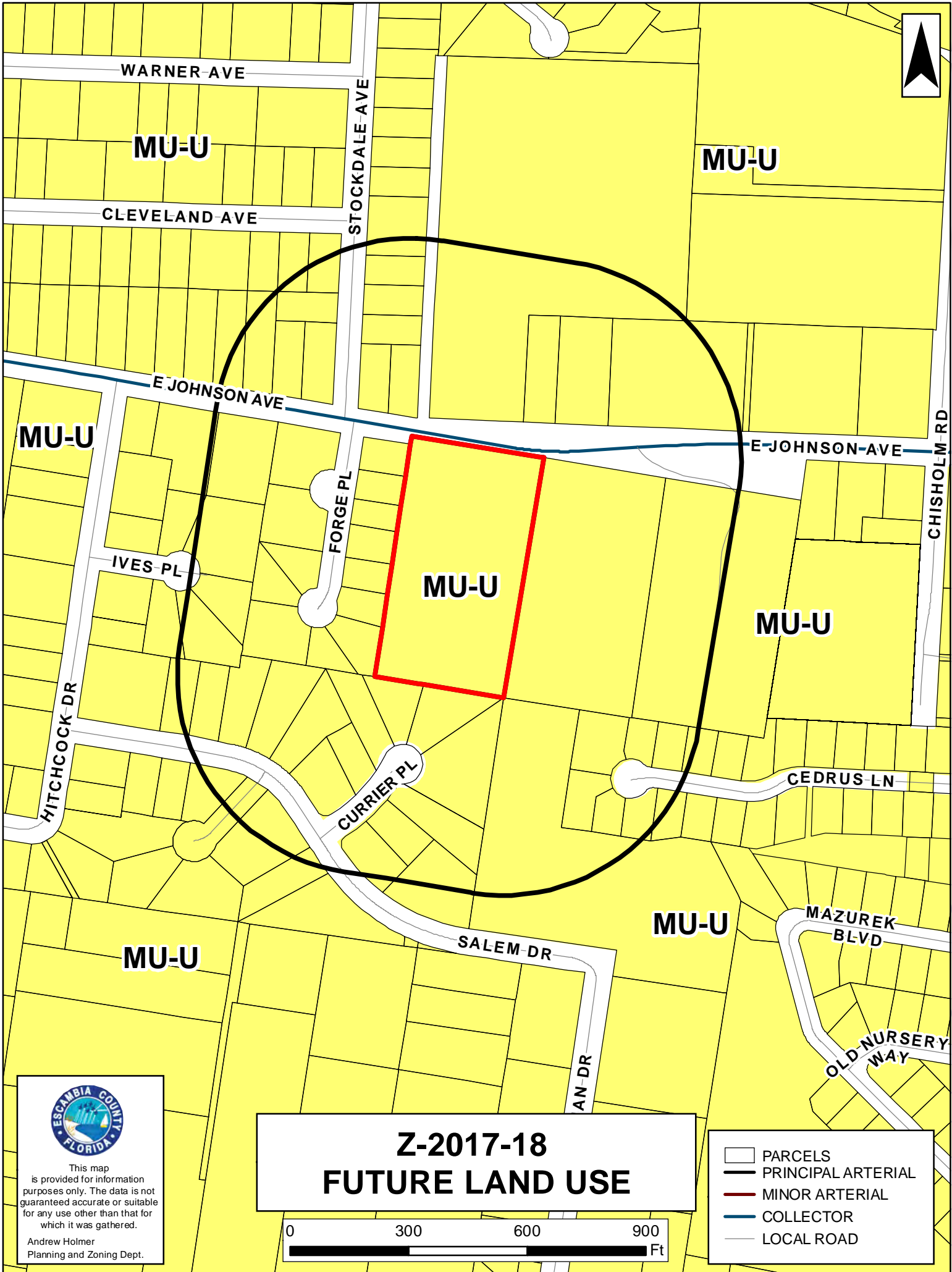

500' RADIUS ZONING

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



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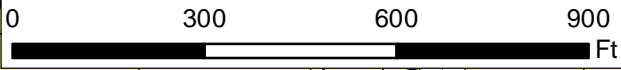
Andrew Holmer
Planning and Zoning Dept.

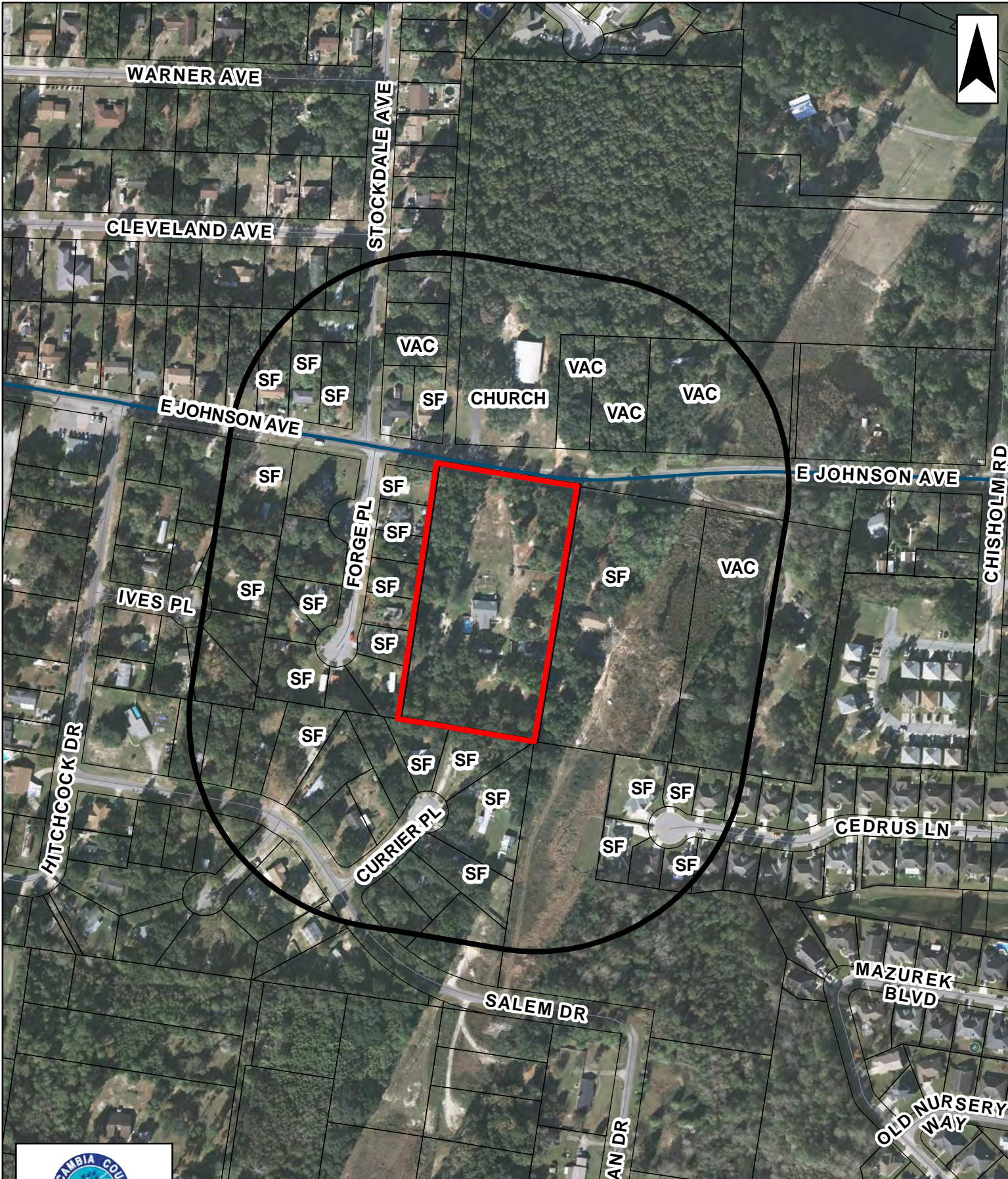
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Andrew Holmer
Planning and Zoning Dept.

Z-2017-18 FUTURE LAND USE



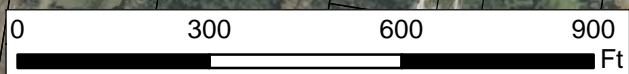
- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



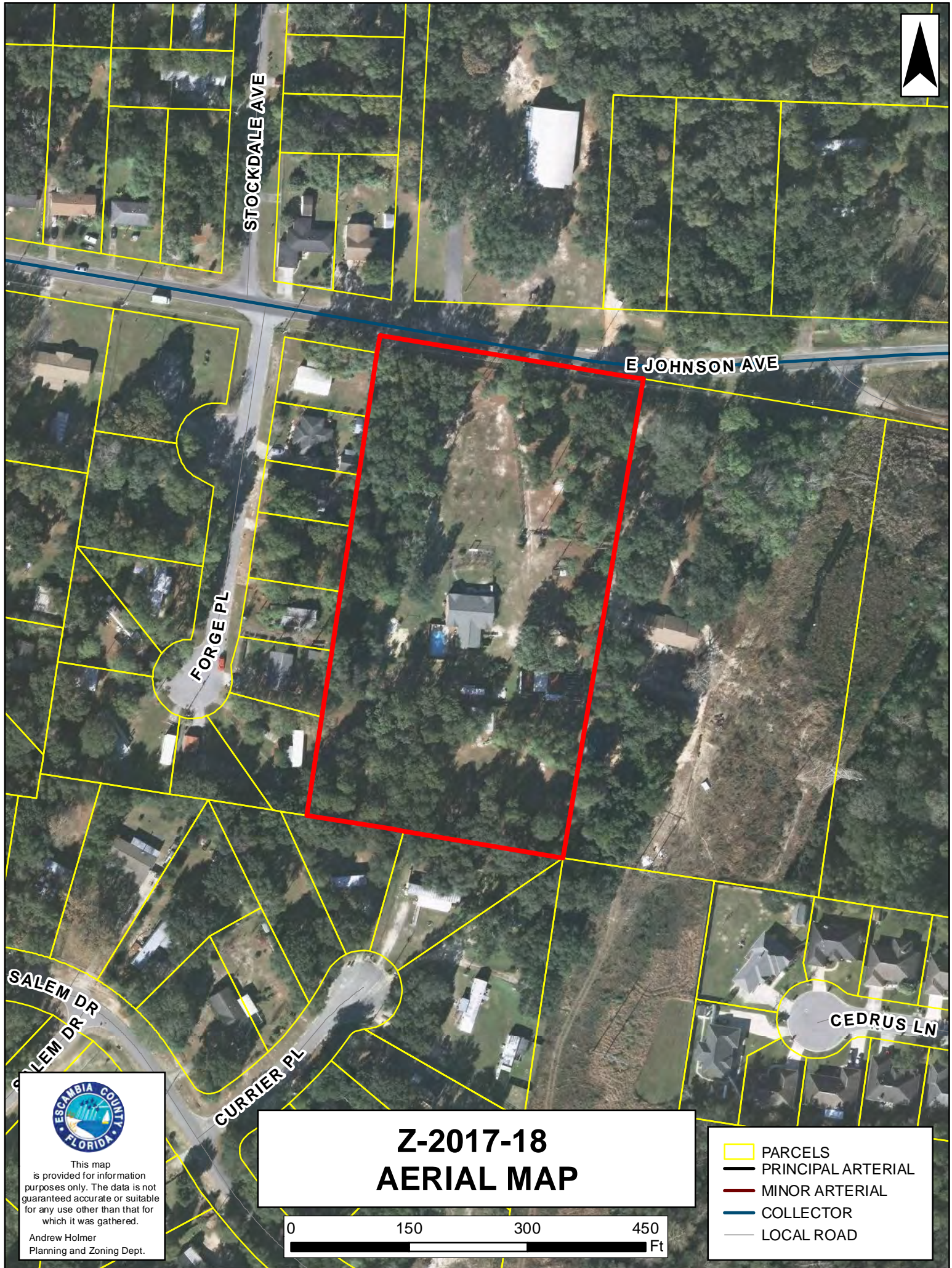
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Planning and Zoning Dept.

Z-2017-18 EXISTING LAND USE



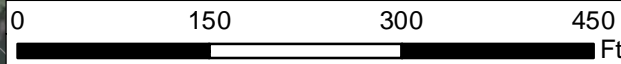
- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



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Andrew Holmer
Planning and Zoning Dept.

Z-2017-18 AERIAL MAP



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



WARNER AVE

ENSLEY

CLEVELAND AVE

STOCKDALE AVE

ENSLEY

E JOHNSON AVE

E JOHNSON AVE

ENSLEY

IVES PL

FORGE PL

ENSLEY

ENSLEY

CHISHOLM RD

HITCHCOCK DR

CURRIER PL

CEDRUS LN

ENSLEY

SALEM DR

ENSLEY MAZUREK BLVD

OLD NURSERY WAY

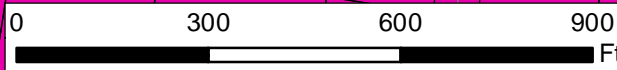
LAN DR



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.

Andrew Holmer
Planning and Zoning Dept.

Z-2017-18 CRA MAP



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



NOTICE OF PUBLIC HEARING REZONING

CASE NO.: Z-2017-18

CURRENT ZONING: MDR PROPOSED ZONING: HDR

PLANNING BOARD

DATE: 02/06/18 TIME: 8:30 AM

LOCATION OF HEARING

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

BOARD OF COUNTY COMMISSIONERS

DATE: 03/01/18 TIME: 5:45 PM

LOCATION OF HEARING

ERNIE LEE MAGAHA GOVERNMENT BLDG
221 PALAFOX PLACE
1ST FLOOR BOARD MEETING ROOM

FOR MORE INFORMATION CALL:
DEVELOPMENT SERVICES AT 585-8478 OR VISIT
WWW.MVESCAMBIA.COM

PLEASE DO NOT REMOVE THIS SIGN
PROPERTY OF ESCAMBIA COUNTY

Public Hearing Sign



Looking into subject property



Looking south at subject property





Looking into subject property



Looking east from subject property



Looking across Johnson Ave. from
subject property



Looking west from subject property



Looking southwest at neighbors from across
Johnson Ave



Looking east toward neighboring parcel from
subject driveway



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>

Rezoning Application

FOR OFFICE USE ONLY - Case Number: Z-2017-18 Accepted by: ACain PB Meeting: 2/6/19

1. Contact Information:

A. Property Owner/Applicant: Rhonda Autrey

Mailing Address: 733 E Johnson Ave. Picola, FL 32514

Business Phone: _____ Cell: 251.362.4672

Email: rhondaautrey@msn.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: 733 E. Johnson Ave Picola, FL 32514

Parcel ID (s): 21-19-30-2101-001-002

B. Total acreage of the subject property: 4.38

C. Existing Zoning: MDR

Proposed Zoning: HDR; explain why necessary and/or appropriate
MDR does not permit the owner to add up to
4 additional dwellings.

FLU Category: M4-U

D. Is the subject property developed (if yes, explain): Property has a single family dwelling, outside buildings

E. Sanitary Sewer: Septic: ✓

3. Amendment Request

Approval conditions. The applicant has the burden of presenting competent substantial evidence to the reviewing board establishing that the requested zoning district would contribute to or result in a logical and orderly development pattern. The appropriate surrounding area within which uses and conditions must be considered may vary with those uses and conditions and is not necessarily the same area required for mailed notification. A logical and orderly pattern shall require demonstration of each of the following conditions:

Please address ALL the following approval conditions for your rezoning request. (use supplement sheets as needed)

a. **Consistent with Comprehensive Plan.** The proposed zoning is consistent with the future land use (FLU) category as prescribed in LDC Chapter 3, and with all other applicable goals, objectives, and policies of the Comprehensive Plan. If the rezoning is required to properly enact a proposed FLU map amendment transmitted for state agency review, the proposed zoning is consistent with the proposed FLU and conditional to its adoption.

Mixed Use Urban - HDR is not in conflict with mu-u in intent, allowable uses, density or intensity. Chart on LDC 3:7 confirms there is no conflict between HDR + mu-u

b. **Consistent with zoning district provisions.** The proposed zoning is consistent with the purpose and intent and with any other zoning establishment provisions prescribed by the proposed district in Chapter 3

all neighboring properties are MDR. Bumping from MDR to HDR preserves the balance + allows neighbors to protect their investments. At the same time the slightly more intense zone allows the owners at 733 to develop their land and help their family.

- c. **Compatible with surroundings.** All of the permitted uses of the proposed zoning, not just those anticipated by the rezoning applicant, are compatible, as defined in Chapter 6, with the surrounding uses. The uses of any surrounding undeveloped land shall be considered the permitted uses of the applicable district. Compatibility is not considered with potential conditional uses or with any nonconforming or unapproved uses. Also, in establishing the compatibility of a residential use, there is no additional burden to demonstrate the compatibility of specific residents or activities protected by fair housing law.

- Stays "non commercial" residential
Moving from medium to high density residential
keeps the property in the "residential" category.
more dwellings per Acre is the ~~only~~^{main} adjustment
the zoning would change.

- d. **Appropriate if spot zoning.** Where the proposed zoning would establish or reinforce a condition of spot zoning as defined in Chapter 6, the isolated district would nevertheless be transitional in character between the adjoining districts, or the differences with those districts would be minor or sufficiently limited. The extent of these mitigating characteristics or conditions demonstrates an appropriate site-specific balancing of interests between the isolated district and adjoining lands.

As per LDC Chapter 6, Spot Zoning is: Zoning applied to an area of land, regardless of its size, that is different from the zoning of all contiguous land. Such isolated or "spot" zoning is usually higher in its density or intensity of use than the adjoining zoning and may, therefore, extend privileges not generally extended to property similarly located in the area. Spot zoning is not by itself prohibited, but due to its potentially adverse impacts on adjoining zoning it carries a higher burden of demonstration that, if authorized, it will contribute to or result in logical and orderly development

All adjoining properties are MDR.
MDR to HDR would be a natural transition as
the zoning continues to be residential.

- e. **Appropriate with changed or changing conditions.** If the land uses or development conditions within the area surrounding the property of rezoning have changed, the changes are to such a degree and character that it is in the public interest to allow new uses, density, or intensity in the area through rezoning; and the permitted uses of the proposed district are appropriate and not premature for the area or likely to create or contribute to sprawl.

Housing is booming in & around our parcel
HDR is appropriate in the conditions
Accdg to LDC 3:40 Sec. 3-2.8 (f) rezoning to HDR
is appropriate to provide transitions between MDR + HDR

4. Please complete the following Forms: Concurrency Determination Acknowledgement and Affidavit of Owner/Limited Power of Attorney (if applicable).

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

Property Reference Number(s): 2115302101001002

Property Address: 733 E Johnson Ave. Pensacola, FL 32514

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

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

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

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

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS 9 DAY OF November, YEAR OF 2017

Rhonda Autrey
Signature of Property Owner

Rhonda Autrey
Printed Name of Property Owner

11.9.17
Date

Signature of Property Owner

Printed Name of Property Owner

Date

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/ds/planning-board> or contact us at 595-3547

Note: Application fees include a \$5 technical fee. Cost of the public notice mailing is to be borne by the applicant. 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 (a 3% fee will be added for credit card payments).

- C. Legal Proof of Ownership (ex: copy of Tax Notice or Warranty Deed) **AND** a Certified Boundary Survey (Include Corporation/LLC documentation if applicable.)
- D. Compatibility Analysis (if applicable): If the subject property does not meet the roadway requirements of Locational Criteria, a compatibility analysis prepared by the applicant is required to provide substantial evidence of unique circumstances regarding the parcel or use that were not anticipated by the alternative criteria. (See "Documented Compatibility" within the request zoning district of the LDC.)
- E. Signed and Notarized Affidavit of Owner/Limited Power of Attorney AND Concurrency Determination Acknowledgement (pages 4 and 5).

By my signature, I hereby certify that:

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

 Signature of Owner/Agent
Rhonda Autrey
 Signature of Owner

 Printed Name Owner/Agent
 Rhonda Autrey
 Printed Name of Owner

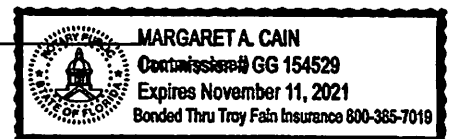
 Date
 1.9.18
 Date

STATE OF Florida COUNTY OF Escambia The foregoing instrument was acknowledged before me this 9th day of January 2018, by Rhonda Autrey.

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

 Signature of Notary
Margaret A. Cain

 Printed Name of Notary
 Margaret A. Cain





Scott Lunsford, CFC • Escambia County Tax Collector

EscambiaTaxCollector.com



facebook.com/ECTaxCollector



twitter.com/escambiatc



SCAN TO PAY ONLINE

2017 Real Estate Property Taxes

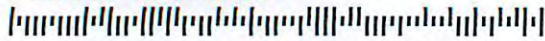
Notice of Ad Valorem and Non-Ad Valorem Assessments

ACCOUNT NUMBER	MILLAGE CODE	ESCROW CODE	PROPERTY REFERENCE NUMBER
02-3575-500	06	CL-0011088	211S302101001002

PROPERTY ADDRESS:
733 E JOHNSON AVE

EXEMPTIONS:
HOMESTEAD EXEMPTION

15dup - 022595 / 013434 JMS8784
AUTREY RHONDA K
733 E JOHNSON AVE
PENSACOLA FL 32514-3904



AD VALOREM TAXES

TAXING AUTHORITY	MILLAGE RATE	ASSESSED VALUE	EXEMPTION AMOUNT	TAXABLE AMOUNT	TAXES LEVIED
COUNTY	6.6165	165,187	50,000	115,187	762.13
PUBLIC SCHOOLS					
By Local Board	2.2480	165,187	25,000	140,187	315.14
By State Law	4.3830	165,187	25,000	140,187	614.44
WATER MANAGEMENT	0.0353	165,187	50,000	115,187	4.07
SHERIFF	0.6850	165,187	50,000	115,187	78.90
M.S.T.U. LIBRARY	0.3590	165,187	50,000	115,187	41.35

Do Not Pay. Your mortgage company has requested your bill.

TOTAL MILLAGE 14.3268

AD VALOREM TAXES 1816.03

LEGAL DESCRIPTION

NON-AD VALOREM ASSESSMENTS

LEGAL DESCRIPTION	TAXING AUTHORITY	RATE	AMOUNT
	E 330 FT OF LT 2 LESS OR 115 P 355 S/D E OF RR PLAT DB 2 P 90 OR 4389 P 1824	FIRE PROTECTION	
FOR QUESTIONS ON THIS SECTION ONLY, CALL (850) 595-4960			
NON-AD VALOREM ASSESSMENTS			125.33

Pay online at EscambiaTaxCollector.com

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

COMBINED TAXES AND ASSESSMENTS 1941.36

AMOUNT DUE	NOV 30, 2017	DEC 31, 2017	JAN 31, 2018	FEB 28, 2018	MAR 31, 2018
IF PAID BY	\$ 1863.71	\$ 1883.12	\$ 1902.53	\$ 1921.95	\$ 1941.36

RETAIN FOR YOUR RECORDS

DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT

2017 Real Estate Property Taxes

Make checks payable to:

Scott Lunsford, CFC
Escambia County Tax Collector

P.O. BOX 1312
PENSACOLA, FL 32591

Payments in U.S. funds from a U.S. bank

PAY ONLY ONE AMOUNT

AMOUNT IF PAID BY NOV 30, 2017
\$ 1863.71

AMOUNT IF PAID BY DEC 31, 2017
\$ 1883.12

AMOUNT IF PAID BY JAN 31, 2018
\$ 1902.53

AMOUNT IF PAID BY FEB 28, 2018
\$ 1921.95

AMOUNT IF PAID BY MAR 31, 2018
\$ 1941.36

DO NOT FOLD, STAPLE, OR MUTILATE

ACCOUNT NUMBER

02-3575-500

PROPERTY ADDRESS

733 E JOHNSON AVE

AUTREY RHONDA K
733 E JOHNSON AVE
PENSACOLA FL 32514-3904

1 023575500 2017 ?

BOUNDARY SURVEY

A Portion Of Section 21, Township 1 South, Range 30 West,
County Of Escambia, State Of Florida



LAND DESCRIPTION:

The East 330 feet of Lot 2, Section 21, Township 1 South, Range 30 West, East of the L & N Railroad, Escambia County, Florida, less and except that portion of the subject property conveyed in Official Records Book 113 at Page 335 of the Public Records of Escambia County, Florida.

NOTES:

Source of Information: Recorded Plat. Description as furnished by client. There may be additional restrictions, easements and/or right-of-ways that were not furnished to this firm that may be found in the public records of said County. Footings, foundations or any other subsurface structures not located. No title work performed by this firm. This survey does not reflect or determine ownership. 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. Fences are exaggerated for clarity.

This drawing reflects only those building setback lines that are noted and/or appear on the recorded plat.

Address: 733 East Johnson Avenue

The address shown hereon is based on information furnished by the client and/or their agents. Said address has not been verified with the U.S. Postal Service. Any certifications shown hereon do not apply or cover the said address.

Basis of Bearings: Assuming N00°00'00"E along the Westerly lot line of subject property.

CERTIFIED TO MEET MINIMUM TECHNICAL STANDARDS TO:

Rhonda Autrey
Quicken Loans, Inc.
Title Source, Inc.
Chicago Title Insurance Company

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

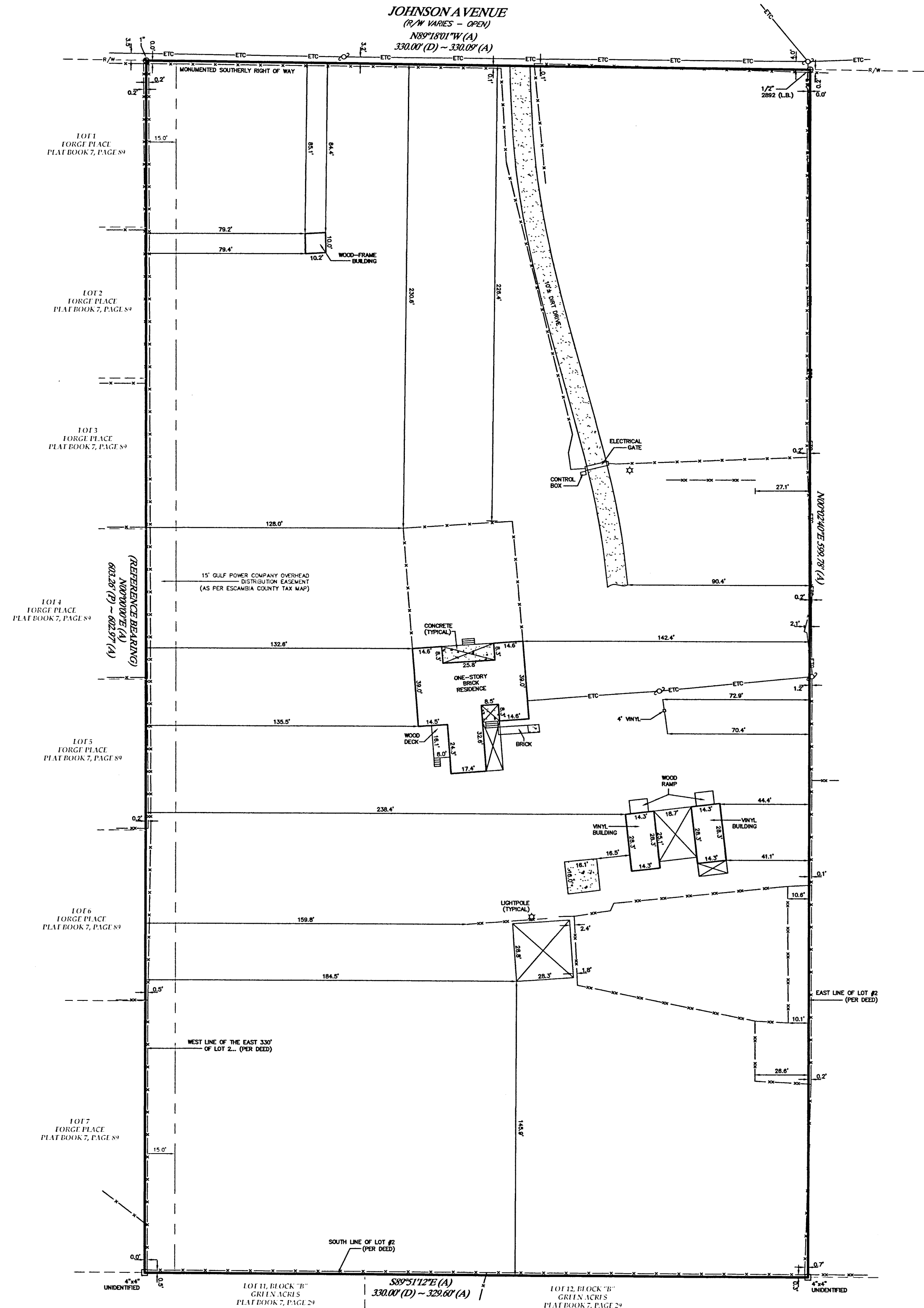
SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS IN CHAPTER 5J-17.050, 5J-17.051 AND 5J-17.052, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

Alvin R. Walker II, P.S.M. No 5948
State of Florida

LEGEND:

□ - 4" x 4" (P.R.M.) Permanent Reference Monument Found ■ - 4" x 4" Concrete Monument Found ⊕ - Capped Iron Rod Found
 ○ - G.C.P. Permanent Control Point Found ▲ - Nail & disk Found ● - 1/2" Capped Iron Rod L.S. #5948 Set ⊕ - Utility Pole
 —X— Chain Link Fence —XX— Wire Fence —O— Wood Fence
 P.C. - Point of Commencement P.D.B. - Point of Beginning P.C. - Point of Curvature P.T. - Point of Tangency P.I. - Point of Intersection
 R - Radius Δ - Delta L - Length of Arc C - Chord CB - Chord Bearing T - Tangent (P) - Plat (D) - Description or Deed (A) - Actual
 [] - Indicates Covered ⊕ - Benchmark ⊕ - Set Hub & Tack NR - Non-Radial N.T.S. - Not to Scale CM - Concrete Monument
 ⊕ - Iron Rod Unnumbered Found ⊕ - Iron Pipe Unnumbered Found —E-T-C— Aerial Electric, Telephone, Cable Lines
 P.R.C. - Point of Reverse Curvature P.C.C. - Point of Compound Curvature (TYP) - Typical L.B. - Licensed Business L.S. - Licensed Surveyor

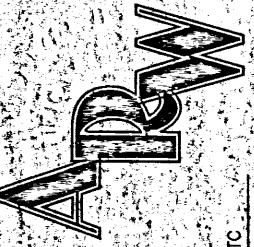


ALVIN R. WALKER
LAND SURVEYING

FAX NO.
(850) 968-0301

1108 KATHLEEN AVENUE CANTONMENT, FL 32533

TELEPHONE NO.
(850) 968-0300



JOB NO. 12-01-059 SCALE: 1"=40'
 CAD FILE: 1201059
 REQUESTED BY: MILES AUTREY
 DATE OF SURVEY: 01/24/12
 FIELD BOOK: 76 PAGE: 5-7
 ENCROACHMENTS: AS SHOWN
 REVISIONS: _____ DRAWN BY: BTC

1
 SHEET 1 OF 1
 FILE NO. E-428



**BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA**

INTEROFFICE MEMORANDUM

**TO: Andrew Holmer, Division Manager
Development Services Department**

**FROM: David Forte, Division Manager
Transportation & Traffic Operations Division**

DATE: January 2, 2018

RE: Transportation & Traffic Operations (TTO) Comments – Z-2017-18

TTO Staff has reviewed the Rezoning Case (Z)-2017-18, 733 E. Johnson Avenue, agenda item for the Planning Board meeting scheduled for January 9, 2018. Please see the below comments.

Currently, there are no Roadway Improvement Projects programmed in the County's Capital Improvement Program within the vicinity of the subject parcel.

Per the Florida-Alabama TPO's Congestion Management Process Plan, Johnson Ave. from US29 to Cody Lane is currently functioning within its allowable capacity for traffic volumes. The maximum level-of-service (LOS) for the roadway segment is LOS D (14,800 trips/day), and as of Year 2016 the roadway segment was functioning at a LOS D (7,600 trips/day) and is expected to remain at a LOS D by Year 2026 (9,264 trips/day).

TTO's review is solely based off the application submittal packet, so the comments above hold no bearing on any future TTO comments during the Development Review process.

cc: Horace Jones, Development Services Department Director
Joy Blackmon, P.E., Public Works Department Director
Colby Brown, P.E., Public Works Department Deputy Director

Planning Board-Rezoning

7. B.

Meeting Date: 02/06/2018
CASE : Z-2017-19
APPLICANT: Tom Hammond, Agent for Jennifer Cobb, Team Player Properties, LLC, Owner
ADDRESS: 283 Shadow Lawn Lane
PROPERTY REF. NO.: 38-2S-30-1000-001-004
FUTURE LAND USE: MU-U, Mixed-Use Urban
DISTRICT: 2
OVERLAY DISTRICT: Warrington
BCC MEETING DATE: 03/01/2018

SUBMISSION DATA:

REQUESTED REZONING:

FROM: MDR, Medium Density Residential district (10 du/acre)

TO: Com, Commercial district (25 du/acre)

RELEVANT AUTHORITY:

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

APPROVAL CONDITIONS

Criterion a., LDC Sec. 2-7.2(b)(4)

Consistent with Comprehensive Plan

The proposed zoning is consistent with the future land use (FLU) category as prescribed in LDC Chapter 3, and with all other applicable goals, objectives, and policies of the Comprehensive Plan. If the rezoning is required to properly enact a proposed FLU map amendment transmitted for state agency review, the proposed zoning is consistent with the proposed FLU and conditional to its adoption.

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

suburban land uses within the category as a whole.

Range of Allowable Uses: Residential, retail and services, professional office, light industrial, recreational facilities, public and civic, limited agriculture. The maximum residential density is 25 dwelling units per acre.

FLU 1.5.1 New Development and Redevelopment in Built Areas. To promote the efficient use of existing public roads, utilities, and service infrastructure, the County will encourage the redevelopment in underutilized properties to maximize development densities and intensities located in the MU-S, MU-U, Commercial, and Industrial Future Land Use categories (with the exception of residential development).

FINDINGS

The proposed amendment to Commercial **is consistent** with the intent and purpose of Future Land Use category MU-U, as stated in CPP FLU 1.3.1. The range of allowable uses under the MU-U FLU category provides for a mixture of commercial and residential development, as described in the application. The property is located in an area around Navy Boulevard that has been under redevelopment for the past several years. The project will promote the use of existing public roads, utilities and infrastructure, fulfilling the requirements under CPP FLU 1.5.1.

Criterion b., LDC Sec. 2-7.2(b)(4)

Consistent with The Land Development Code.

The proposed zoning is consistent with the purpose and intent and with any other zoning establishment provisions prescribed by the proposed district in Chapter 3.

Sec. 3-2.7 Medium Density Residential district (MDR).

(a) Purpose. The Medium Density Residential (MDR) district establishes appropriate areas and land use regulations for residential uses at medium densities within suburban or urban areas. The primary intent of the district is to provide for residential neighborhood development in an efficient urban pattern of well-connected streets and at greater dwelling unit density than the Low Density Residential district. Residential uses within the MDR district are limited to single-family and two-family dwellings. The district allows non-residential uses that are compatible with suburban and urban residential neighborhoods.

Sec. 3-2.10 Commercial district (Com).

(a) Purpose. The Commercial (Com) district establishes appropriate areas and land use regulations for general commercial activities, especially the retailing of commodities and services. The primary intent of the district is to allow more diverse and intense commercial uses than the neighborhood commercial allowed within the mixed-use districts. To maintain compatibility with surrounding uses, all commercial operations within the Commercial district are limited to the confines of buildings and not allowed to produce undesirable effects on surrounding property. To retain adequate area for commercial activities, new and expanded residential development within the district is limited, consistent with the Commercial (C) future land use category.

(b) Permitted uses. Permitted uses within the Commercial district are limited to the

following:

(1) Residential. The following residential uses are allowed throughout the district, but if within the Commercial (C) future land

use category they are permitted only if part of a predominantly commercial development:

a. Group living, excluding dormitories, fraternity and sorority houses, and residential facilities providing substance abuse treatment, post-incarceration reentry, or similar services.

b. Manufactured (mobile) homes, including new or expanded manufactured home parks or subdivisions.

c. Single-family dwellings (other than manufactured homes), detached or attached, including townhouses and zero lot line subdivisions.

d. Two-family and multi-family dwellings.

See also conditional uses in this district.

(2) Retail sales. Retail sales, including Low-THC marijuana dispensing facilities, sales of alcoholic beverages and automotive fuels, but excluding motor vehicle sales and permanent outdoor storage. See also conditional uses in this district.

(3) Retail services. The following retail services, excluding permanent outdoor storage:

a. Car washes, automatic or manual, full service or self-serve.

b. Child care facilities.

c. Hotels, motels and all other public lodging, including boarding and rooming houses.

d. Personal services, including those of beauty shops, health clubs, pet groomers, dry cleaners and tattoo parlors.

e. Professional services, including those of realtors, bankers, accountants, engineers, architects, dentists, physicians, and attorneys.

f. Repair services, including appliance repair, furniture refinishing and upholstery, watch and jewelry repair, small engine and motor services, but excluding major motor vehicle or boat service or repair, and outdoor work.

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.

See also conditional uses in this district.

(4) Public and civic.

a. Broadcast stations with satellite dishes and antennas, including towers.

b. Cemeteries, including family cemeteries.

c. Community service facilities, including auditoriums, libraries, museums, and neighborhood centers.

d. Educational facilities, including preschools, K-12, colleges, and vocational schools.

e. Emergency service facilities, including law enforcement, fire fighting, and medical assistance.

f. Foster care facilities.

g. Funeral establishments.

- h. Hospitals.
- i. Offices for government agencies or public utilities.
- j. Places of worship.
- k. Public utility structures, including telecommunications towers, but excluding any industrial uses.
- l. Warehousing or maintenance facilities for government agencies or for public utilities.

See also conditional uses in this district.

(5) Recreation and entertainment.

- a. Campgrounds and recreational vehicle parks on lots five acres or larger.
- b. Indoor recreation or entertainment facilities, including movie theaters, bowling alleys, skating rinks, arcade amusement centers, bingo facilities and shooting ranges, but excluding bars, nightclubs or adult entertainment facilities.
- c. Marinas, private and commercial.
- d. Parks without permanent restrooms or outdoor event lighting.

See also conditional uses in this district.

(6) Industrial and related.

- a. Printing, binding, lithography and publishing.
- b. Wholesale warehousing with gross floor area 10,000 sq.ft. or less per lot.

See also conditional uses in this district.

(7) Agricultural and related.

- a. Agricultural food production primarily for personal consumption by the producer, but no farm animals.
- b. Nurseries and garden centers, including adjoining outdoor storage or display of plants.
- c. Veterinary clinics.

See also conditional uses in this district.

(8) Other uses.

- a. Billboard structures.
- b. Outdoor storage if minor and customarily incidental to the allowed principal use, and if in the rear yard, covered, and screened from off-site view, unless otherwise noted.
- c. Parking garages and lots, commercial.
- d. Self-storage facilities, excluding vehicle rental.

(e) Location criteria. All new non-residential uses proposed within the Commercial district that are not part of a planned unit development or not identified as exempt by the district shall be on parcels that satisfy at least one of the following location criteria:

(1) Proximity to intersection. Along an arterial or collector street and within one-quarter mile of its intersection with an arterial street.

(2) Proximity to traffic generator. Along an arterial or collector street and within a one-quarter mile radius of an individual traffic generator of more than 600 daily trips, such as an apartment complex, military base, college campus, hospital, shopping mall or similar generator.

(3) Infill development. Along an arterial or collector street, in an area where already established non-residential uses are otherwise consistent with the Commercial district, and where the new use would constitute infill development of similar intensity as the conforming development on surrounding parcels. Additionally, the location would

promote compact development and not contribute to or promote strip commercial development.

(4) Site design. Along an arterial or collector street, no more than one-half mile from its intersection with an arterial or collector street, not abutting a single-family residential zoning district (RR, LDR or MDR), and all of the following site design conditions:

- a. Any intrusion into a recorded subdivision is limited to a corner lot.
- b. A system of service roads or shared access is provided to the maximum extent made feasible by lot area, shape, ownership patterns, and site and street characteristics.
- c. Adverse impacts to any adjoining residential uses are minimized by placing the more intensive elements of the use, such as solid waste dumpsters and truck loading/unloading areas, furthest from the residential uses.

(5) Documented compatibility. A compatibility analysis prepared by the applicant provides competent substantial evidence of unique circumstances regarding the potential uses of parcel that were not anticipated by the alternative criteria, and the proposed use, or rezoning as applicable, will be able to achieve long-term compatibility with existing and potential uses. Additionally, the following conditions exist:

- a. The parcel has not been rezoned by the landowner from the mixed-use, commercial, or industrial zoning assigned by the county.
- b. If the parcel is within a county redevelopment district, the use will be consistent with the district's adopted redevelopment plan, as reviewed and recommended by the Community Redevelopment Agency (CRA).

Sec. 3-3.8 Warrington Overlay (Warr-OL).

(a) Purpose. The Warrington Overlay (Warr-OL) district establishes supplemental land use regulations to support the objectives of the adopted Warrington area community redevelopment plan. The intent of the additional land use controls is to enhance the character of an area undergoing revitalization, especially along those commercial corridors that provide primary access or gateways to the adjoining military installations within the Warrington area.

(b) Permitted uses. Within the Warr-OL district, the permitted uses of the underlying zoning districts are limited by the following:

(1) Mix of uses. For any mix of residential and non-residential uses within the same building, the non-residential uses shall occupy the first or bottom floor and the residential uses shall occupy the second or upper floors.

(2) Separation of same uses. Any two locations of the same use shall be separated by at least 2500 feet as measured between the closest points of the two property boundaries for the following uses:

- a. Bars and nightclubs.
- b. Check cashing services.
- c. Convenience stores.
- d. Pawnshops.
- e. Retail sales of alcohol for off-premises consumption.
- f. Tattoo parlors.

(c) Conditional uses. The Warr-OL district does not modify the conditional uses of any underlying zoning districts except for those uses prohibited by the overlay and the requirement that uses be separated as required for permitted uses within the overlay.

FINDINGS

The proposed amendment **is not consistent** with the intent and purpose of the Land Development Code. The Commercial district establishes appropriate areas and land use regulations for general commercial activities, especially the retailing of commodities and services. The primary intent of the district is to allow more diverse and intense commercial uses than the neighborhood commercial allowed within the mixed-use districts. To maintain compatibility with surrounding uses, all commercial operations within the Commercial district are limited to the confines of buildings and not allowed to produce undesirable effects on surrounding property. The proposed amendment however **does not meet** the location criteria requirements, as stated in Sec. 3-10(e), do to the property located along two local roads, however the applicant has submitted a compatibility analysis. The Planning Board or the BCC have the right to waive the locational criteria upon reviewing the compatibility analysis submitted by the applicant.

Criterion c., LDC Sec. 2-7.2(b)(4)

Compatible with surrounding uses.

All the permitted uses of the proposed zoning, not just those anticipated by the rezoning applicant, are compatible, as defined in Chapter 6, with the surrounding uses. The uses of any surrounding undeveloped land shall be considered the permitted uses of the applicable district. Compatibility is not considered with potential conditional uses or with any nonconforming or unapproved uses. Also, in establishing the compatibility of a residential use, there is no additional burden to demonstrate the compatibility of specific residents or activities protected by fair housing law.

FINDINGS

The proposed amendment **is not compatible** with surrounding existing uses in the area. Within the 500' radius impact area, staff observed properties with zoning districts Com, MDR, HCLI and HDMU. The current property has already established a commercial use, but as a non-conforming or grandfathered type of use. Any new uses or changes to the property would have to proceed through the Development Review Process. All site plan regulations such as parking, buffering and uses would have to meet all the Land Development Code regulations.

Criterion d., LDC Sec. 2-7.2(b)(4)

Appropriate if spot zoning.

Where the proposed zoning would establish or reinforce a condition of spot zoning as defined in Chapter 6, the isolated district would nevertheless be transitional in character between the adjoining districts, or the differences with those districts would be minor or sufficiently limited. The extent of these mitigating characteristics or conditions demonstrates an appropriate site specific balancing of interests between the isolated district and adjoining lands. **As per LDC Chapter 6, Spot Zoning is:** *Zoning applied to an area of land, regardless of its size, that is different from the zoning of all contiguous land. Such isolated or "spot" zoning is usually higher in its density or intensity of use than the adjoining zoning and may, therefore, extend privileges not generally extended to property similarly located in the area. Spot zoning is not by itself prohibited, but due to its potentially adverse impacts on adjoining zoning it carries a higher burden of demonstration that, if authorized, it will contribute to or result in logical and orderly*

development

FINDINGS

The isolated district would nevertheless be transitional in character between the adjoining districts, or the differences with those districts would be minor or sufficiently limited. The current area has a consecration of commercial zoning and uses already in place. The subject parcel already has a commercial type of use and not a residential. However, the parcel does adjoin a parcel to the East which is a current single family resident with a MDR zoning, but also joins a much more intense zoning HC/LI to the South, while surrounding the West and North side by a local street.

Criterion e., LDC Sec. 2-7.2(b)(4)

Appropriate with changed or changing conditions.

If the land uses or development conditions within the area surrounding the property of rezoning have changed, the changes are to such a degree and character that it is in the public interest to allow new uses, density, or intensity in the area through rezoning; and the permitted uses of the proposed district are appropriate and not premature for the area or likely to create or contribute to sprawl.?

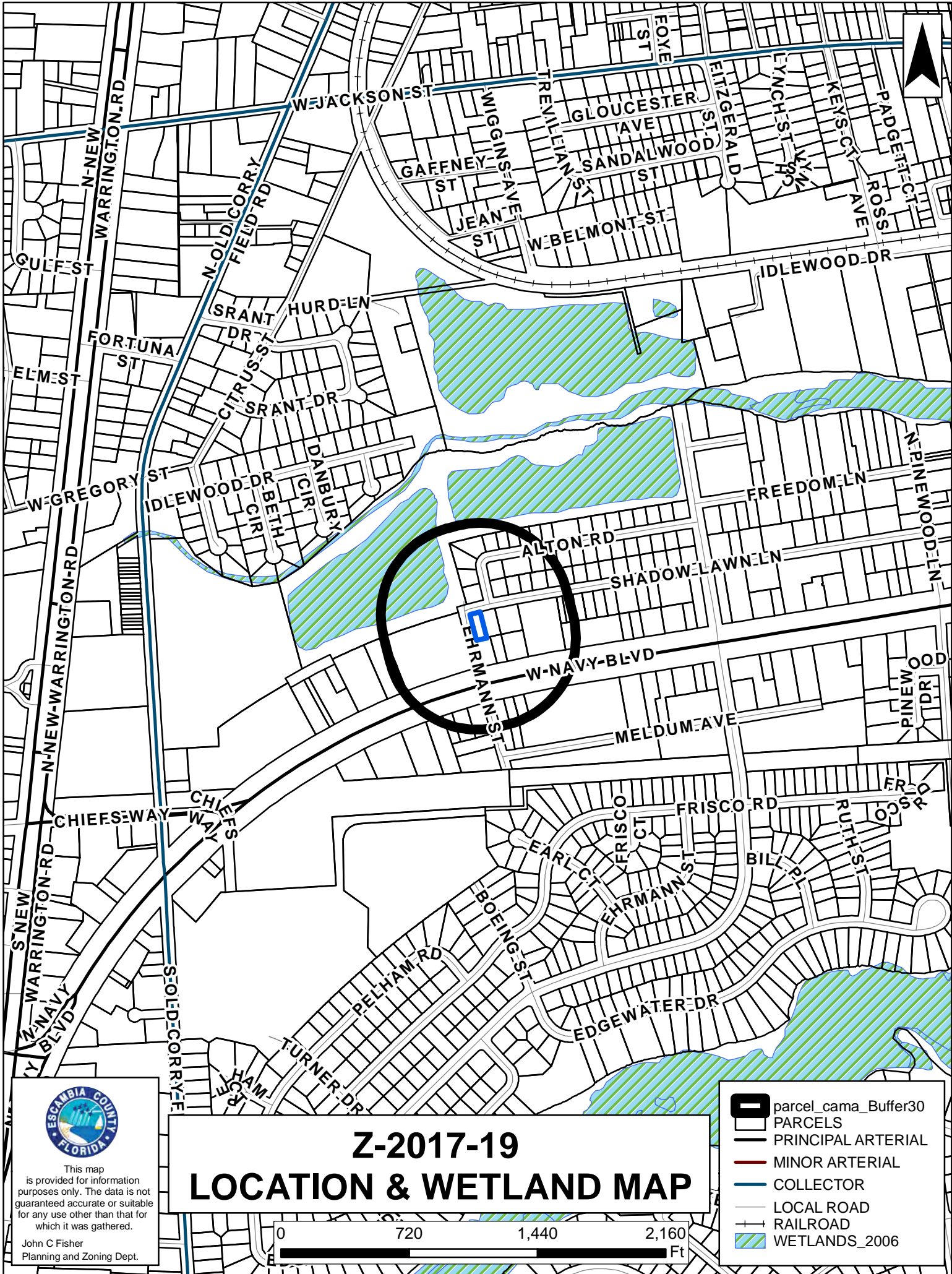
FINDINGS

The land uses or development conditions within the area surrounding the property of rezoning **have** changed. A rezoning case, Z-2012-17, two properties to the East was rezoned from R-2 to C-1, which was approved by the Planning Board and BCC. The characteristics of the block between W Navy Blvd and Shadow Lawn within the 500-foot radius are of a non-residential aspect. The history of the site already being a warehouse use and the over all city block area has established more of a commercial land use in the area has seen a overall commercial aspect.

Attachments

Working Case File

Z-2017-19



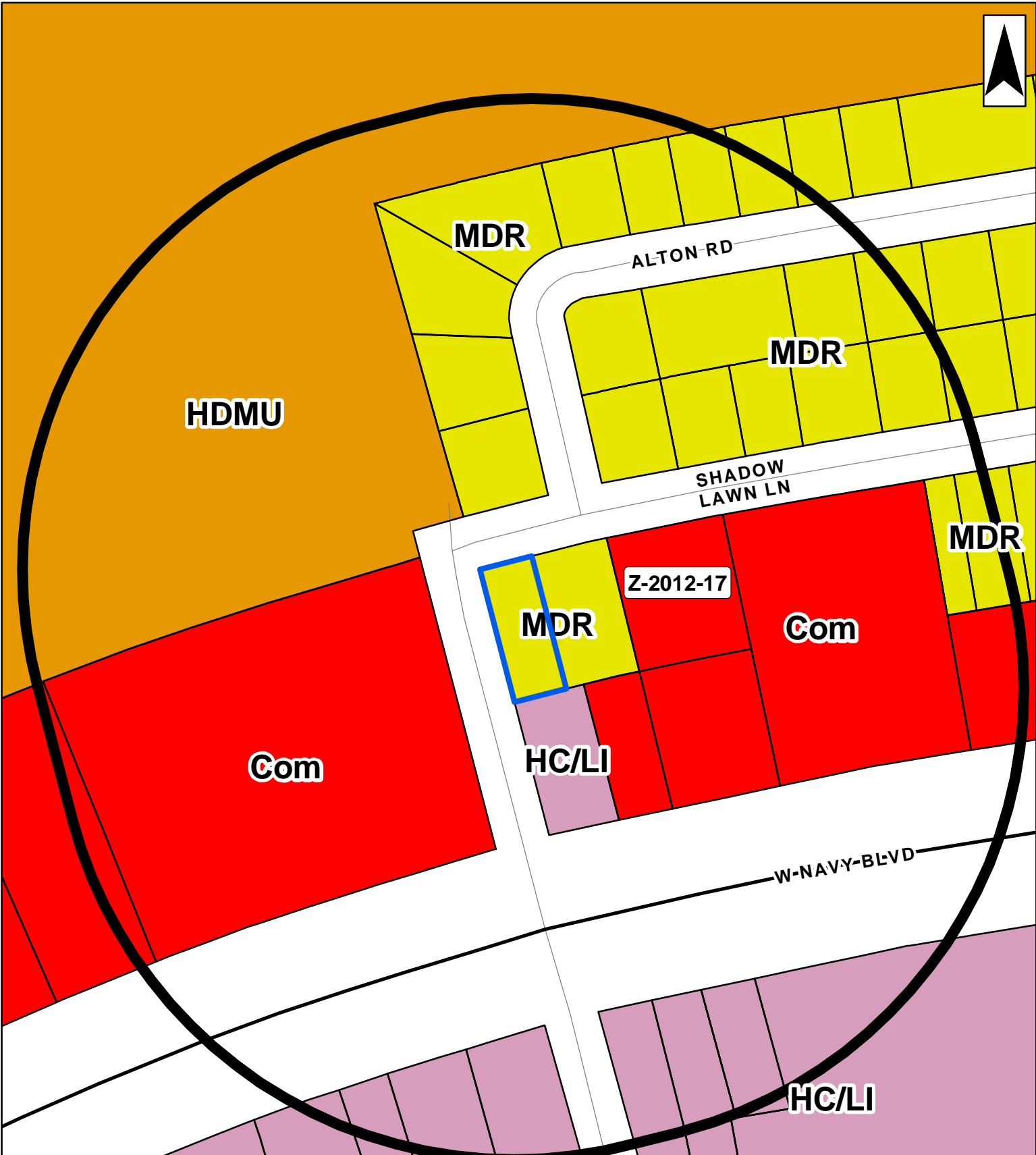
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

John C Fisher
Planning and Zoning Dept.

Z-2017-19 LOCATION & WETLAND MAP



- parcel_cama_Buffer30
- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- RAILROAD
- WETLANDS_2006



HDMU

MDR

ALTON RD

MDR

SHADOW
LAWN LN

MDR

Z-2012-17

MDR

Com

Com

HC/LI

W-NAVY-BLVD

HC/LI


HC/LI

EH

Z-2017-19 500' RADIUS ZONING MAP MDR

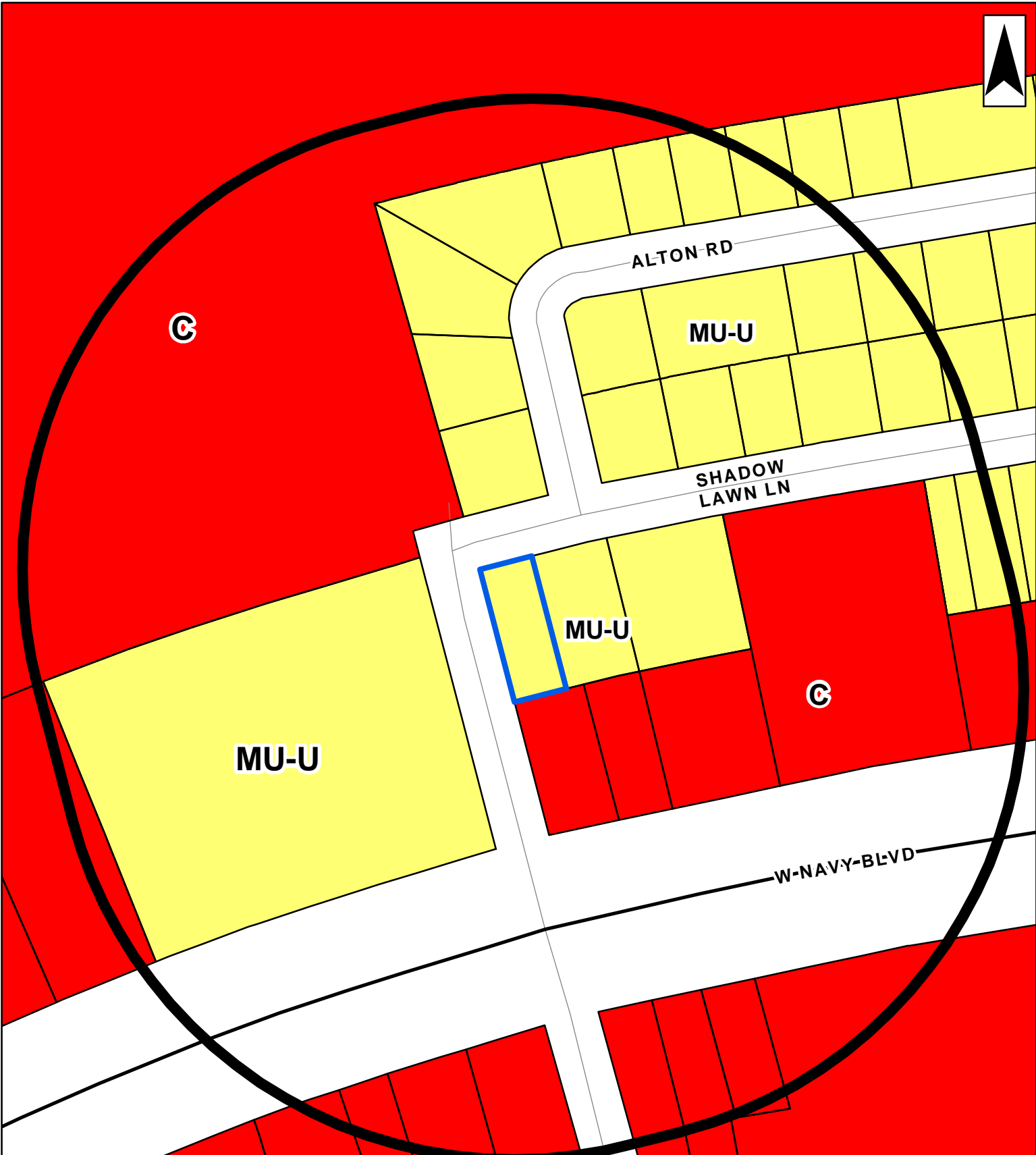


- 500 FOOT RADIUS
- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- RAILROAD



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

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Planning and Zoning Dept.



C

MU-U

MU-U

MU-U

C

W-NAVY-BLVD

ALTON RD

SHADOW
LAWN LN

EH



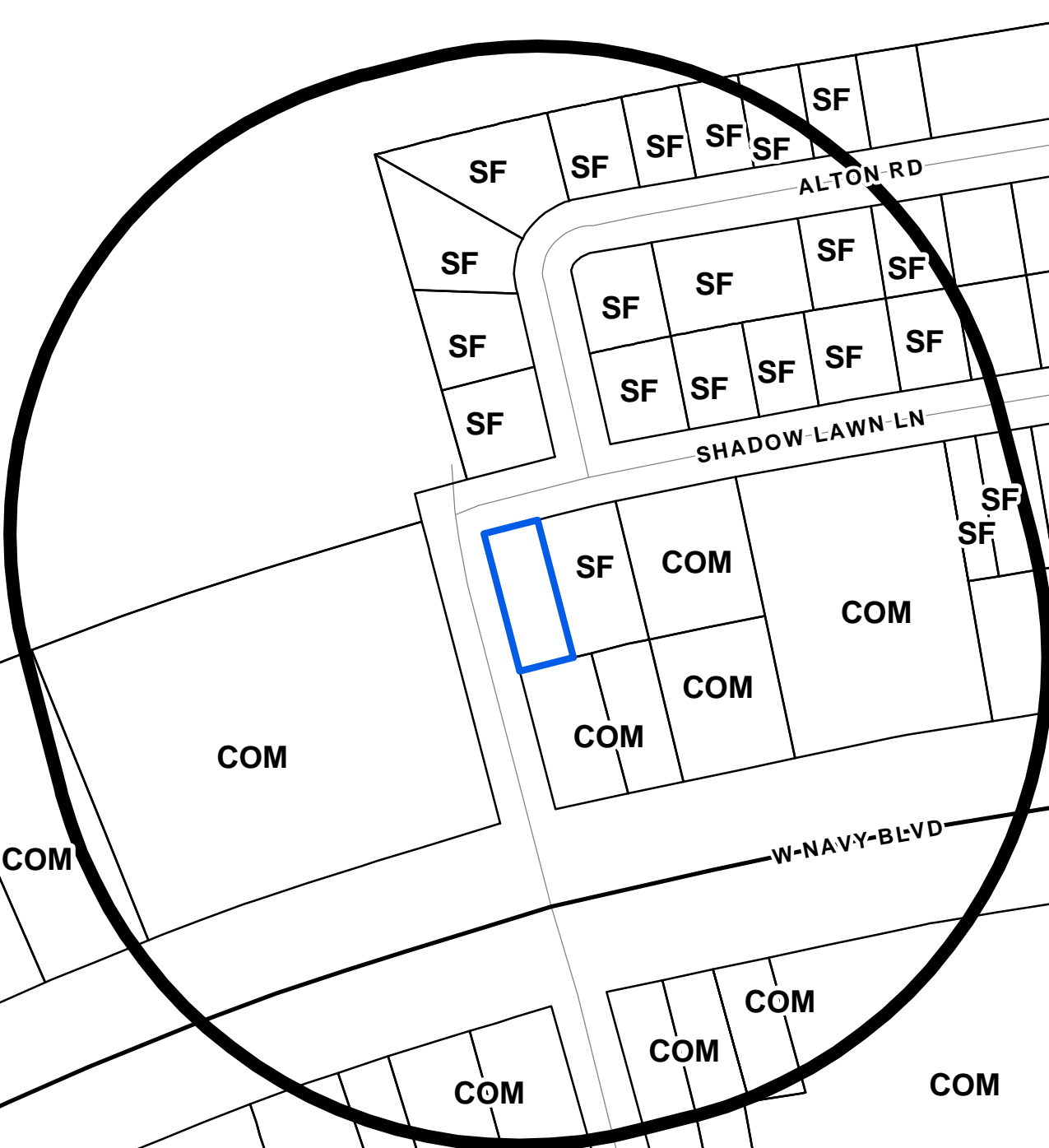
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Planning and Zoning Dept.

Z-2017-19 500' RADIUS FLU MAP MU-U



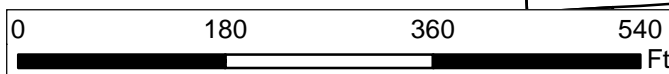
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- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- RAILROAD



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John C Fisher
Planning and Zoning Dept.

Z-2017-19 ELU MAP



- parcel_cama_Buffer30
- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- RAILROAD



ALTON RD

SHADOW LAWN LN

Z-2012-17

W NAVY BLVD

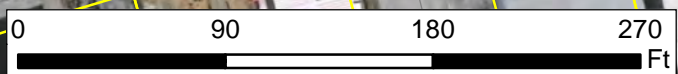
EHRMANN



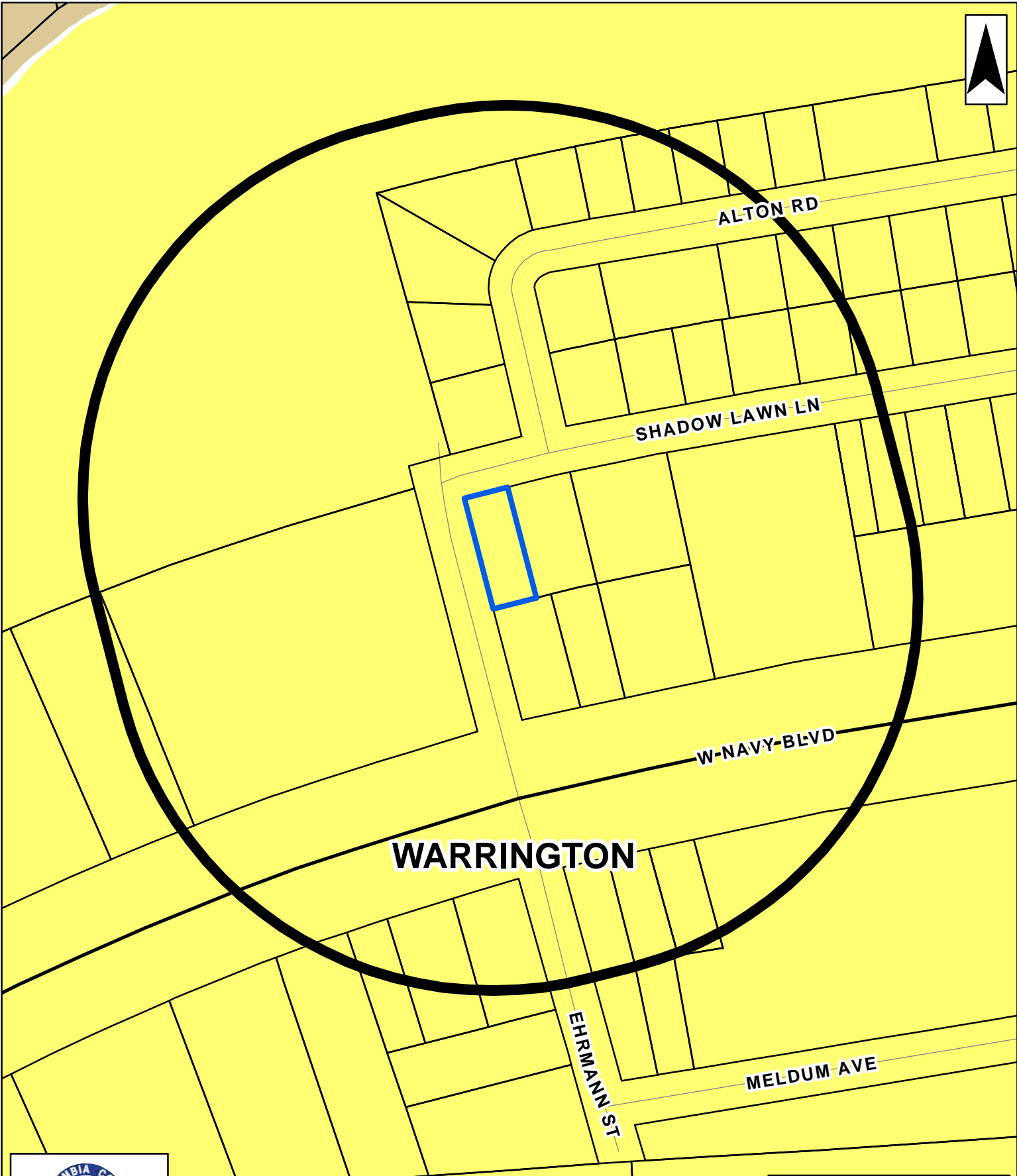
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

John C Fisher
Planning and Zoning Dept.

Z-2017-19 AERIAL MAP



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



WARRINGTON

ALTON RD

SHADOW-LAWN-LN

W-NAVY-BLVD

EHRMANN ST

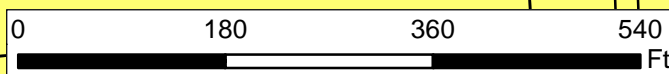
MELDUM AVE










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

John C Fisher
Planning and Zoning Dept.

Z-2017-19 CRA WARRINGTON



-  parcel_cama_Buffer30
-  PARCELS
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD
-  RAILROAD



ALTON RD

SHADOW
LAWN LN

Z-2012-17
R-2 TO C-1
PB-APPROVE
BCC-APPROVE

SSA 2012-05
C TO MU-U
PB & BCC APPROVAL

Z-2011-19
C-1 TO C-2
PB APPROVAL, BCC DENIED

W-NAVY-BLVD

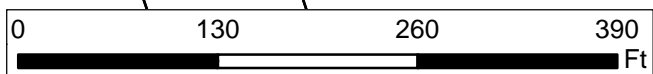
EHRM



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

John C Fisher
Planning and Zoning Dept.

Z-2017-19 SURROUNDING PROPERTIES REZONED



- PARCELS
- sde_vec.ESCAMBIA.REZONIN
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- RAILROAD



 **NOTICE OF
PUBLIC HEARING
REZONING**

CASE NO.: Z-2017-19

CURRENT ZONING: MDR PROPOSED ZONING: COM

PLANNING BOARD

DATE: 07/06/18 TIME: 8:30 AM

LOCATION OF HEARING
ESCAMBIA COUNTY CENTRAL OFFICE COMPLEX
3903 WEST PARK PLACE
BOARD MEETING ROOM

BOARD OF COUNTY COMMISSIONERS

DATE: 03/01/18 TIME: 5:45 PM

LOCATION OF HEARING
ERNIE LEE MAGAHA GOVERNMENT BLDG.
221 PALFOX PLACE
1ST FLOOR BOARD MEETING ROOM

FOR MORE INFORMATION CALL:
DEVELOPMENT SERVICES AT 985-3476 OR VISIT
WWW.MYESCAMBIA.COM

PLEASE DO NOT REMOVE THIS SIGN
PROPERTY OF ESCAMBIA COUNTY

PUBLIC HEARING SIGN



LOOKING EAST ALONG SHADOW LAWN LANE



LOOKING SOUTHEAST AT SUBJECT PROPERTY



LOOKING SOUTHWEST AT SUBJECT PROPERTY



LOOKING WEST ALONG SHADOW LAWN LANE



LOOKING NORTH FROM THE SUBJECT PROPERTY



LOOKING EAST FROM EHRMANN STREET AT SUBJECT PROPERTY



LOOKING EAST FROM EHRMANN STREET



SUBJECT PROPERTY IN YELLOW

LOOKING NORTHEAST FROM THE CORNER OF NAVY BLVD AND EHRMANN STREET



LOOKING EAST ALONG NAVY BLVD



HAMMOND ENGINEERING, INC.
Florida Certificate of Authorization No. 00009130
Alabama Certificate of Authorization No. 3277

December 7, 2017

Mrs. Allyson Cain
Planning Board Coordinator
Development Services Bureau
3363 West Park Place
Pensacola, Florida 32505

Reference: Re-zoning Parcel No. 38-2S-30-1000-001-004
HEI Project No. 17-041

Dear Allyson:

The above referenced parcel is currently zoned MDR and is located on the southwest corner of the Shadow Lawn Lane and Erhmann Street intersection. We are requesting the parcel be re-zoned to Com. as this has been the use of the building since its construction in 1975. The re-zoning will create a conforming use between the existing use and proposed zoning.

We have attached all of the required items listed on the re-zoning application. Please review these items and provide the county's findings at your earliest convenience. Should you have questions or comments, please give us a call.

Sincerely,

HAMMOND ENGINEERING, INC.

A handwritten signature in blue ink, appearing to read 'Thomas G. Hammond, Jr.', written over a circular scribble.

Thomas G. Hammond, Jr., PE.
President

Attachments

cc: Team Player Properties, LLC.

**Property Reference Number
38-2S-30-1000-001-004**

Re-zoning Criteria

A. Consistency with the Comprehensive Plan

The parcel is located in the Mixed Use- Urban (MU-U) Future Land Use District which allows for commercial and residential uses as stated in the Comprehensive Plan, Chapter 7, FLU 1.3.1

FLUM Mixed-Use Urban (MU-U)

General Description: Intended for an intense mix of residential and non-residential uses while promoting compatible infill development and the separation of urban and suburban land uses within the category as a whole.

Range of Allowable Uses:

Residential, retail and services, professional office, light industrial, recreational facilities, public and civic.

Standards:

Residential Maximum Density: 25 du/acre

Non-Residential Minimum Intensity: 0.25 Floor Area Ratio (FAR)

Maximum Intensity: 2.0 Floor Area Ratio (FAR)

The proposed re-zoning is consistent with the Comprehensive Plan.

B. Consistency with Zoning District provisions

The parcel is currently zoned MDR (Medium Density Residential). The proposed re-zoning of the subject parcel to Com (Commercial) meets the LDC, Article 1, Section 3-1.3 (h):

ZONING DISTRICT Specific distribution and extent of uses	FUTURE LAND USE (FLU) CATEGORY General distribution and extent of uses								
	AG max 1du/20ac max 0.25 FAR	RC max 2du/ac max 0.25 FAR	MU-S max 25du/ac max 1.0 FAR	MU-U max 25du/ac max 2.0 FAR	C limited res max 25du/ac max 1.0 FAR	I No res allowed max 1.0 FAR	P No res allowed	REC No res allowed max 0.5 FAR	CON No res allowed
Agr max 1du/20ac	Yes	Yes	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
RR max 1du/ac	No, max density	Yes	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
RMU max 2du/ac	No, max density	Yes	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
LDR max 4du/ac	No, max density	No, max density	Yes	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
LDMU max 7du/ac	No, max density	No, max density	Yes	Yes	No, uses	No, uses	No, uses	No, uses	No, uses
MDR max 10du/ac	No, max density	No, max density	Yes	Yes	No, uses	No, uses	No, uses	No, uses	No, uses
HDR max 18du/ac	No, max density	No, max density	Yes	Yes	No, uses	No, uses	No, uses	No, uses	No, uses
HDMU max 35du/ac	No, max density	No, max density	Yes	Yes	Yes	No, uses	No, uses	No, uses	No, uses
Com max 25du/ac	No, max density	No, max density	Yes	Yes	Yes	No, res use	No, uses	No, uses	No, uses
HC/LI FLU-restricted max 25du/ac	No, uses	No, uses	No, uses	Yes	Yes	Yes	No, uses	No, uses	No, uses
Ind No res allowed	No, uses	No, uses	No, uses	No, uses	No, uses	Yes	No, uses	No, uses	No, uses
Rec No res allowed	Yes	Yes	Yes	Yes	Yes	No, uses	Yes	Yes	No, uses
Con No res allowed	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Pub No res allowed	No, uses	No, uses	No, uses	No, uses	No, uses	Yes	Yes	No, uses	No, uses

For every combination of zoning district and FLU category represented by the table, "Yes" indicates the zoning is consistent with the FLU. "No" indicates zoning inconsistency with the FLU, primarily for the reason noted.
(Ord. No. 2019-56, § 1, 12-10-2019)

Commercial developments in the Commercial Zoning District are required to meet Locational Criteria (LDC Sec. 3-2.10(d)8(e)). The parcel is NOT located along an arterial roadway, therefore Documented Compatibility is established as follows:

Locational Criteria Compatibility Analysis

38-2S-30-1000-001-004

We are requesting the above referenced parcels be re-zoned from MDR to Com.:

Documented compatibility.

A compatibility analysis prepared by the applicant provides competent substantial evidence of unique circumstances regarding the parcel or use that were not anticipated by the alternative criteria, and the proposed use will be able to achieve long-term compatibility with existing and potential uses. Additionally, the following conditions exist:

a. The parcel has not been rezoned by the landowner from the mixed-use, commercial, or industrial zoning assigned by the county.

b. If the parcel is within a county redevelopment district, the use will be consistent with the district's adopted redevelopment plan, as reviewed and recommended by the Community Redevelopment Agency (CRA).

The subject parcels have not been re-zoned by the land owner from mixed-use, commercial, or industrial zoning assigned by the county.

The subject parcels are within a county redevelopment district (Warrington), however nothing within the redevelopment district discourages or prohibits the re-zoning of parcels from MDR to Com.

The parcel to be re-zoned has frontage along Erhmann Street and Shadow Lawn Lane. Both roads are local roads, however there are other existing commercial developments that have frontage and improved driveway access to Shadow Lawn Lane within the same block. There are several more commercial developments with improved access to Shadow Lawn Drive to the east of Chaseville Street. For the most part these accesses are secondary in nature, as the developments also have frontage along Navy Blvd. This is a condition not afforded the subject parcel.

According to the Escambia County Property Appraisers office, the subject parcel was developed as a commercial building in 1975, prior to Escambia County adopting zoning regulations. The parcel appears to have been initially zoned R-2.

The existence of other commercial development with access to Shadow Lawn Lane and the condition of the parcel being a commercial use prior to zoning provides substantial evidence of unique circumstances that indicate the subject parcel and the proposed re-zoning will be able to achieve long term compatibility with existing and potential uses of the surrounding parcels.



December 4, 2017

polygonLayer	Streets	COLLECTOR	County Outline
Override 1	PRINCIPAL ARTERIAL	LOCAL ROAD	Parcels
	MINOR ARTERIAL		

1:3,438
0 0.0275 0.055 0.11 mi
0 0.045 0.09 0.18 km
Scale: Esri, HERE, DeLorme, USGS, Swisstopo, IGN, etc., © 2017
Data: Esri, HERE, DeLorme, USGS, Swisstopo, IGN, etc., © 2017
Mapbox, © OpenStreetMap contributors, and the GIS User Community

2017

The proposed re-zoning is consistent with the Land Development Code.

C. Compatibility with surroundings

The parcel is bordered to the south by a HC/LI zoned, vacant parcel. The parcel is bordered to the east by a MDR zoned, residential use parcel. The parcel directly across Erhmann Street is Com. Zoned and with a commercial use.

Within 500' of the subject parcel there are:

- 22 parcels with residential use
- 16 parcels with commercial/light industrial use
- 24 MDR zoned parcels
- 1 HDMU zoned parcels
- 8 HC/LI zoned parcels
- 5 Com zoned parcels

The proposed re-zoning is compatible with the surrounding uses.

D. Appropriate if Spot Zoning

According to the LDC, spot zoning is defined as:

Zoning applied to an area of land, regardless of its size, that is different from the zoning of all contiguous land. Such isolated or "spot" zoning is usually higher in its density or intensity of use than the adjoining zoning and may, therefore, extend privileges not generally extended to property similarly located in the area. Spot zoning is not by itself prohibited, but due to its potentially adverse impacts on adjoining zoning it carries a higher burden of demonstration that, if authorized, it will contribute to or result in logical and orderly development.

Though the re-zoning of the subject parcel is spot zoning, the proposed Com. Zoning district does not have a higher density or intensity of use as the HC/LI zoned adjoining parcel to the south. The parcel exists today as a commercial developed and used parcel. The surrounding area is a mix of residential, commercial, and light industrial use parcels and the proposed rezoning would result in a logical and orderly development.

Proposed "spot zoning" is appropriate for this parcel.

E. Appropriate with changed or changing conditions

The changed condition for the parcel is the property was developed and used as commercial prior to residential zoning district being applied. The zoning created a non-conforming use. It is in the public interest to allow the rezoning from MDR to Com. which would create a conforming used parcel in a commercial/industrial/residential area developed area.

The rezoning is appropriate considering the changed condition of applying residential zoning to a commercial developed and used parcel.



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>

PR 2171200028

Rezoning Application

FOR OFFICE USE ONLY - Case Number: Z 2017-20 Accepted by: AC PB Meeting: 2/6/18

1. Contact Information:

A. Property Owner/Applicant: Team Player Properties, LLC
Mailing Address: 303 Port Royal Way Pensacola, FL 32502
Business Phone: _____ Cell: 850-602-7682
Email: cobbnassoc@aol.com

B. Authorized Agent (if applicable): Tom Hammond
Mailing Address: 3802 North S Street Pensacola, FL 32505
Business Phone: 850-434-2603 Cell: 850-554-9389
Email: tom@selanddesign.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: 283 Shadow Lawn Lane Pensacola, FL 32507
Parcel ID (s): 38-2S-30-1000-001-004

B. Total acreage of the subject property: 0.2022 ac

C. Existing Zoning: MDR

Proposed Zoning: Com.; explain why necessary and/or appropriate

Existing use is commercial as is all surrounding uses, adjoining property to the south is zoned HC/LI, and latest zoning changes by

the county made the existing property use non-conforming to current zoning.

MU-U

FLU Category: _____

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

E. Sanitary Sewer: _____ Septic: _____

3. Amendment Request

Approval conditions. The applicant has the burden of presenting competent substantial evidence to the reviewing board establishing that the requested zoning district would contribute to or result in a logical and orderly development pattern. The appropriate surrounding area within which uses and conditions must be considered may vary with those uses and conditions and is not necessarily the same area required for mailed notification. A logical and orderly pattern shall require demonstration of each of the following conditions:

Please address ALL the following approval conditions for your rezoning request. (use supplement sheets as needed)

a. **Consistent with Comprehensive Plan.** The proposed zoning is consistent with the future land use (FLU) category as prescribed in LDC Chapter 3, and with all other applicable goals, objectives, and policies of the Comprehensive Plan. If the rezoning is required to properly enact a proposed FLU map amendment transmitted for state agency review, the proposed zoning is consistent with the proposed FLU and conditional to its adoption.

PLEASE SEE ATTACHED

b. **Consistent with zoning district provisions.** The proposed zoning is consistent with the purpose and intent and with any other zoning establishment provisions prescribed by the proposed district in Chapter 3

PLEASE SEE ATTACHED

- c. **Compatible with surroundings.** All of the permitted uses of the proposed zoning, not just those anticipated by the rezoning applicant, are compatible, as defined in Chapter 6, with the surrounding uses. The uses of any surrounding undeveloped land shall be considered the permitted uses of the applicable district. Compatibility is not considered with potential conditional uses or with any nonconforming or unapproved uses. Also, in establishing the compatibility of a residential use, there is no additional burden to demonstrate the compatibility of specific residents or activities protected by fair housing law.

PLEASE SEE ATTACHED

- d. **Appropriate if spot zoning.** Where the proposed zoning would establish or reinforce a condition of spot zoning as defined in Chapter 6, the isolated district would nevertheless be transitional in character between the adjoining districts, or the differences with those districts would be minor or sufficiently limited. The extent of these mitigating characteristics or conditions demonstrates an appropriate site-specific balancing of interests between the isolated district and adjoining lands.

As per LDC Chapter 6, Spot Zoning is: Zoning applied to an area of land, regardless of its size, that is different from the zoning of all contiguous land. Such isolated or "spot" zoning is usually higher in its density or intensity of use than the adjoining zoning and may, therefore, extend privileges not generally extended to property similarly located in the area. Spot zoning is not by itself prohibited, but due to its potentially adverse impacts on adjoining zoning it carries a higher burden of demonstration that, if authorized, it will contribute to or result in logical and orderly development

PLEASE SEE ATTACHED

- e. **Appropriate with changed or changing conditions.** If the land uses or development conditions within the area surrounding the property of rezoning have changed, the changes are to such a degree and character that it is in the public interest to allow new uses, density, or intensity in the area through rezoning; and the permitted uses of the proposed district are appropriate and not premature for the area or likely to create or contribute to sprawl.

PLEASE SEE ATTACHED

4. Please complete the following Forms: Concurrency Determination Acknowledgement and Affidavit of Owner/Limited Power of Attorney (if applicable).

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

Property Reference Number(s): 38-2S-30-1000-001-004

Property Address: 283 SHADOW LAWN LANE

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

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

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

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

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS _____ DAY OF _____, YEAR OF _____



Signature of Property Owner

JENNIFER COBB
TEAM PLAYER PROPERTIES, LLC

Printed Name of Property Owner

11/30/17

Date

Signature of Property Owner

Printed Name of Property Owner

Date

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/ds/planning-board> or contact us at 595-3547

Note: Application fees include a \$5 technical fee. Cost of the public notice mailing is to be borne by the applicant. 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 (a 3% fee will be added for credit card payments).

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

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

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

By my signature, I hereby certify that:

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

Jennifer Cobb
Signature of Owner/Agent

JENNIFER COBB
TEAM PLAYER PROPERTIES, LLC
Printed Name Owner/Agent _____ Date _____

Signature of Owner

Printed Name of Owner _____ Date _____

STATE OF FLORIDA COUNTY OF ESCAMBIA The foregoing instrument was acknowledged before me this 30 day of NOV. 20 17, by JENNIFER COBB

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

Melinda L Broome
Signature of Notary

MELINDA L BROOME
Printed Name of Notary (notary seal)



Recorded in Public Records 07/31/2012 at 11:41 AM OR Book 6889 Page 440,
Instrument #2012058839, Ernie Lee Magaha Clerk of the Circuit Court Escambia
County, FL Recording \$35.50 Deed Stamps \$1015.00

R-3550
DS-1,015⁰⁰

12-053

Record and Return to:
Affiliated Title
2701 SE Maricamp Road #1
Gaines, FL 32607

SPECIAL WARRANTY DEED

**THE STATE OF FLORIDA §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF ESCAMBIA §**

THAT, UPS CAPITAL BUSINESS CREDIT, a Connecticut state-chartered bank ("Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) cash in hand paid by TEAM PLAYER PROPERTIES, LLC (the "Grantee"), with an address of 5658 Dixie Street, Pensacola, FL 32503, has GRANTED, BARGAINED, SOLD, and CONVEYED, and by these presents does GRANT, BARGAIN, SELL, and CONVEY unto Grantee, the real property more particularly described on Exhibit "A" attached hereto, together with all rights, appurtenants, and improvements located thereon (the "Property").

This conveyance is being made by Grantor and accepted by Grantee subject to those certain title exceptions set forth in Exhibit "B" attached hereto and made a part hereof for all purposes, but only to the extent that such exceptions are valid, existing, and, in fact, affect the Property.

TO HAVE AND TO HOLD the Property, together with, all and singular, the rights and appurtenances thereto in anywise belonging, to Grantee and Grantee's heirs, executors, administrators, legal representatives, successors, and assigns forever; and subject to the exceptions set forth on the attached Exhibit "B", Grantor does hereby bind Grantor and Grantor's heirs, executors, administrators, legal representatives, successors, and assigns to warrant and forever defend, all and singular, the Property unto the Grantee and Grantee's heirs, executors, administrators, legal representatives, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof by, through, or under Grantor, but not otherwise.

(Signature Page Follows)

EXECUTED to be effective 6/20, 2012.

WITNESSES:

[Signature]
W. U. A. Platosz
[Signature]
Bren P. Rice

GRANTOR:

UPS CAPITAL BUSINESS CREDIT
a Connecticut state-chartered bank

By: [Signature]
Name: JAMES SCHECTER
Title: SPECIAL ASSET MANAGER
425 Day Hill Road, Windsor, CT 06095

THE STATE OF CT §
 §
COUNTY OF Hartford § Windsor

This instrument was acknowledged before me on this 17th day of June, 2012 by JAMES SCHECTER as SPECIAL ASSET MANAGER of UPS CAPITAL BUSINESS CREDIT, a Connecticut state-chartered bank, on behalf of said entity.

[Signature]
Notary Public, State of CT

My Commission Expires:
3/31/16

Joanna Aversa
(Print/Type Name of Notary)

**JOANNA AVERSA
NOTARY PUBLIC
MY COMMISSION EXPIRES MAR. 31, 2016**

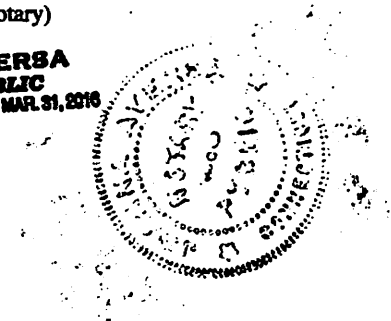


EXHIBIT "A"

THE PROPERTY

Lots 3, 4, 39, 40, and 41, Westerly Heights, according to the map or plat thereof as recorded in Plat Book 2, Page 14, of the Public Records of Escambia County, Florida.

AND

THAT PORTION OF LOT 1, BLOCK 4, WESTERLY HEIGHTS, AS RECORDED IN PLAT BOOK 2, AT PAGE 14 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCE AT A 4" X 4" CONCRETE MONUMENT MARKING THE SOUTHEAST CORNER OF LOT 2, BLOCK 4 OF SAID WESTERLY HEIGHTS; THENCE GO SOUTHWESTERLY ALONG THE SOUTH LINE OF SAID LOT 2 AND LOT 1, BLOCK 4, AND ALONG THE ARC OF A CIRCULAR CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 466.83 FEET (DELTA ANGLE - 61 DEGREES 27' 27", CHORD DISTANCE - 81.24 FEET, CHORD BEARING - S 75 DEGREES 25' 55" W) FOR AN ARC DISTANCE OF 91.24 FEET TO A CAPPED IRON ROD STAMPED "TR5 5939", AND THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE SOUTH LINE OF SAID LOT 1, BLOCK 4, AND ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 466.83 FEET (DELTA ANGLE - 66 DEGREES 44' 00", CHORD DISTANCE - 81.25 FEET, CHORD BEARING - S 74 DEGREES 27' 01" W) FOR AN ARC DISTANCE OF 51.25 FEET TO A CAPPED IRON ROD STAMPED "TR5 5939" ON THE EASTERLY RIGHT OF WAY LINE OF ERDMANN STREET (60' R/W), SAID POINT BEING THE SOUTHWEST CORNER OF SAID LOT 1, BLOCK 4; THENCE GO N 16 DEGREES 29' 00" W ALONG SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 150.00 FEET TO A CAPPED IRON ROD STAMPED "TR5 5939" TO THE POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY LINE OF SHADOWLAWN LANE (60' R/W), SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 1, BLOCK 4; THENCE GO NORTHEASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE AND ALONG THE ARC OF A CIRCULAR CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 419.50 FEET (DELTA ANGLE - 60 DEGREES 47' 26", CHORD DISTANCE - 52.40 FEET, CHORD BEARING - N 74 DEGREES 27' 01" E) FOR AN ARC DISTANCE OF 52.40 FEET TO A CAPPED IRON ROD STAMPED "TR5 5939"; THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE GO S 14 DEGREES 57' 27" E A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING.

EXHIBIT "A"

1

EXHIBIT "B"

PERMITTED EXCEPTIONS

Any discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments or protrusions, or any overlapping of improvements.

Standby fees, taxes and assessments by any taxing authority for the year 2012, and subsequent years.

Rights or claims of parties in possession.

All visible and apparent easements on or across the property, the existence of which are not shown of record.

Any portion of the subject property lying within the boundaries of any road or roadway, public or private.

Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the land.

Oil, gas, and other minerals of every kind and character, in, on, and under the property herein described.

The right to use the surface estate for ingress and egress and/or any other right or privilege incident to the ownership of the mineral estate.

Provisions of the Plat of Westerly Heights, recorded in Plat Book 2, Page 14 of the Public Records of Escambia County, Florida.

P:\Real Estate\JP12\UPS Sale of 3840W Navy Blvd, Pensacola, FL 0048\Deed.001

EXHIBIT "B"

1

BOUNDARY & IMPROVEMENTS SURVEY

A PORTION OF SECTIONS 37, 38 & 52, TOWNSHIP 2 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA.

THE UNDERSIGNED CLIENT(S) ACKNOWLEDGE RECEIPT AND ACCEPTANCE OF THIS SURVEY:

GARY LOWRY

THE PURPOSE OF THIS SURVEY IS FOR A TITLE TRANSACTION AND ITS ACCOMPANYING MORTGAGE. THIS MAP IS CERTIFIED AS MEETING THE FLORIDA MINIMUM TECHNICAL STANDARDS TO THE FOLLOWING AND IS FOR THE BENEFIT OF ONLY THE FOLLOWING LISTED CLIENT(S), AGENT(S), AND COMPANIES:

GARY LOWRY
TEAM PLAYERS PROPERTIES, LLC
FIRST AMERICAN TITLE INSURANCE COMPANY
AFFILIATED TITLE OF MARION COUNTY, LTD

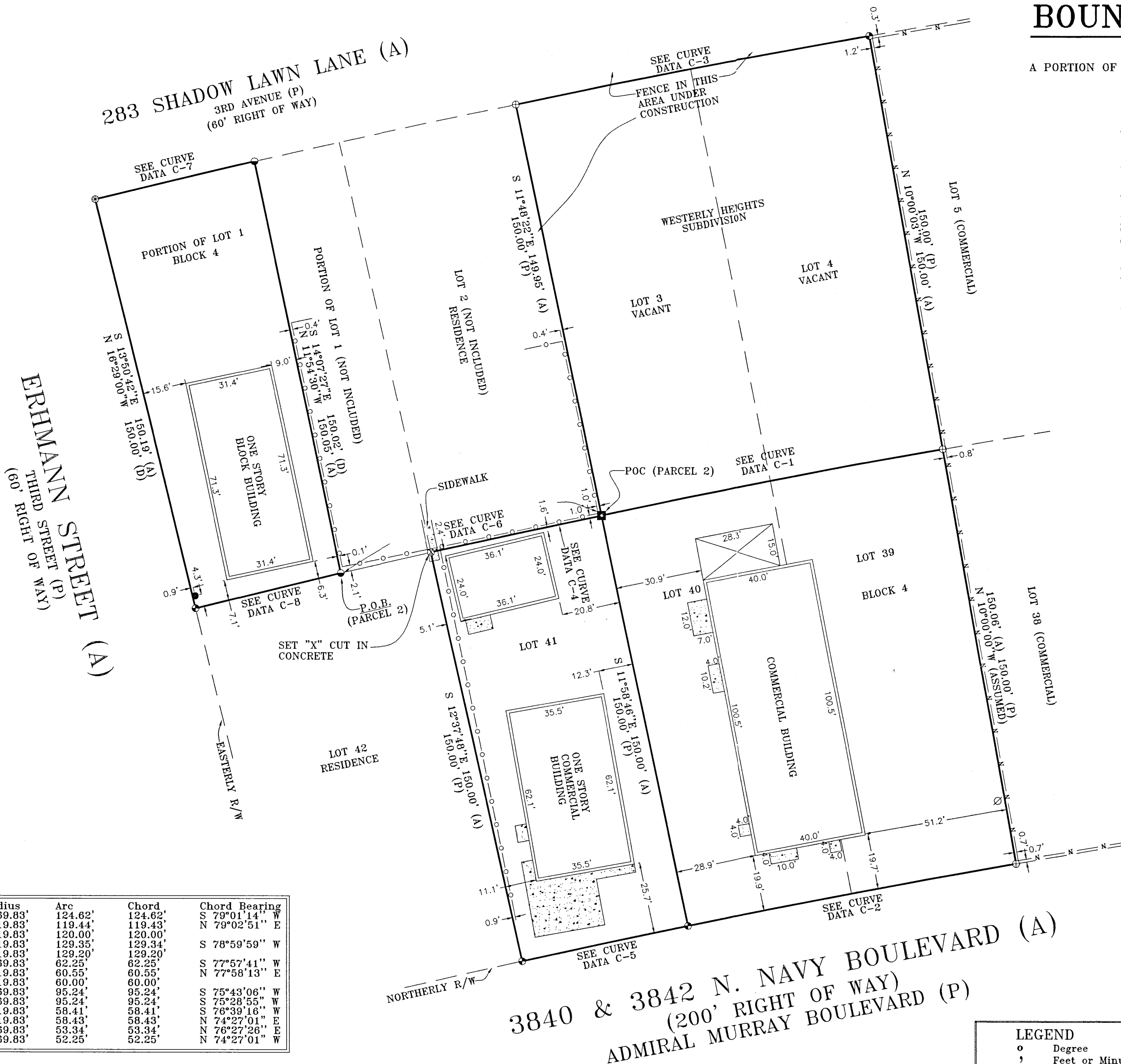
Description (Per information found in O.R. Book 6752, page 736) (Parcel One)

Lots 3, 4, 39, 40, and 41, Block 4, Westerly Heights, a subdivision of a portion of Section 38, Township 2 South, Range 30 West, according to the map or plat thereof as recorded in Plat Book 2, Page 14, of the Public Records of Escambia County, Florida. Together with the following described parcel:

(Parcel Two)

THAT PORTION OF LOT 1, BLOCK 4, WESTERLY HEIGHTS, AS RECORDED IN PLAT BOOK 2, AT PAGE 14, OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCE AT A 4" X 4" CONCRETE MONUMENT MARKING THE SOUTHEAST CORNER OF LOT 2, BLOCK 4, OF SAID WESTERLY HEIGHTS; THENCE GO SOUTHWESTERLY ALONG THE SOUTH LINE OF SAID LOT 2 AND LOT 1, BLOCK 4, AND ALONG THE ARC OF A CIRCULAR CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 4069.83 FEET (DELTA ANGLE = 01 DEGREES 20' 27" W); CHORD DISTANCE = 95.24 FEET; CHORD BEARING = S 75 DEGREES 28' 55" W FOR AN ARC DISTANCE OF 95.24 FEET TO A CAPPED IRON ROD STAMPED "TRS" 5939, AND THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE SOUTH LINE OF SAID LOT 1, BLOCK 4, AND ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 4069.83 FEET (DELTA ANGLE = 00 DEGREES 44' 08", CHORD DISTANCE = 52.25 FEET, CHORD BEARING = S 74 DEGREES 27' 01" W) FOR AN ARC DISTANCE OF 52.25 FEET TO A CAPPED IRON ROD STAMPED "TRS 5939" ON THE EASTERLY RIGHT OF WAY LINE OF ERHMANN STREET (60' R/W), SAID POINT BEING THE SOUTHWEST CORNER OF SAID LOT 1, BLOCK 4; THENCE GO N 16 DEGREES 29' 00" W ALONG SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 150.00 FEET TO A CAPPED IRON ROD STAMPED "TRS 5939", TO THE POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY LINE OF SHADOW LAWN LANE (60' R/W), SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 1, BLOCK 4; THENCE GO NORTHEASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE AND ALONG THE ARC OF A CIRCULAR CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 4219.83 FEET (DELTA ANGLE = 00 DEGREES 47' 36", CHORD DISTANCE = 58.43 FEET, CHORD BEARING = N 74 DEGREES 27' 01" E) FOR AN ARC DISTANCE OF 58.43 FEET TO A CAPPED IRON ROD STAMPED "TRS 5939"; THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE GO S 14 DEGREES 07' 27" E, A DISTANCE OF 150.02 FEET TO THE POINT OF BEGINNING.

DRAWN BY CHIP EVANS



Curve	Delta Angle	Radius	Arc	Chord	Chord Bearing
1 (A)	2°00'01"	3569.83	124.62'	124.62'	S 79°01'14" W
2 (A)	1°50'23"	3719.83	119.44'	119.44'	N 79°02'51" E
3 (A)	1°45'23"	4219.83	129.35'	129.34'	S 78°59'59" W
3 (P)	1°45'15"	4219.83	129.20'	129.20'	S 78°59'59" W
4 (A)	0°52'35"	4069.83	62.25'	62.25'	S 77°57'41" W
5 (A)	0°53'06"	3919.83	60.55'	60.55'	N 77°58'13" E
5 (P)	0°52'37"	3919.83	60.00'	60.00'	S 75°43'06" W
6 (A)	1°20'27"	4069.83	95.24'	95.24'	S 75°28'55" W
6 (D)	0°36'21"	4069.83	95.24'	95.24'	S 75°28'55" W
7 (A)	0°47'35"	4219.83	58.41'	58.41'	S 76°39'16" W
7 (D)	0°47'36"	4219.83	58.43'	58.43'	N 74°27'01" E
8 (A)	0°45'03"	4069.83	53.34'	53.34'	N 76°27'26" E
8 (D)	0°44'08"	4069.83	52.25'	52.25'	N 74°27'01" W

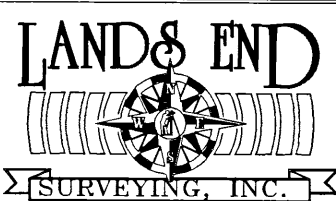
SOURCE OF INFORMATION: Field Evidence, Recorded Plat

TYPE SURVEY: Boundary & Improvements
BASIS OF BEARING: HELD THE EAST LINE OF LOTS 4 & 39 AS N 10°00'00"W

- Surveyors Notes:**
- No Title Search of the Public Records has been performed by this firm and lands shown hereon were not abstracted by this firm for ownership, easements, or right-of-ways. The parcel shown hereon may be subject to setbacks, easements, zoning, and restrictions that may be found in the Public Records of said County.
 - Measurements shown were made to United States standards. The accuracy of measurements shown meet the standards required in the appropriate land area.
 - All bearings and/or angles and distances are Deed and Actual unless otherwise noted: Deed = (D); Actual Field Measurement = (A); Plat = (P)
 - Underground portions of foundations, footings, or other underground structures were not located unless otherwise noted.
 - Fence locations as shown are exaggerated and are not to scale for clarity purposes.

LEGEND		R/W Right of Way		LAMP POST	
o	Degree	—	Permanent reference monument	⊙	Iron Pipe Found
′	Feet or Minutes	R	Radius	⊕	Capped Iron rod-set #6832
″	Inches or Seconds	R.P.	Radius Point	⊙	Nail & disk found
N	North	L.A.	Length of Arc	⊕	Nail & disk set # 6832
S	South	C.H.	Chord and Chord Bearing	⊕	Concrete Monument found
E	East	<0.0>	Existing Spot Elevation	⊕	Utility Pole
W	West	B.S.L.	Building Setback Line	⊕	Meter
P.C.P.	Permanent Control Point	(D)	Deed	⊕	E—E—E Utility wires overhead
P.R.C.	Point of Reverse curve	(A)	Actual field measurement	⊕	Concrete or Pavement
P.C.	Point of Curvature	(P)	Plat	—	N—N—N Chain link fence
P.T.	Point of Tangency	●	1/2" Iron rod-Found	—	Wooden fence
P.O.C.	Point of Commencement	⊕	Capped Iron rod-Found #6783	—	Buried Gas Line
P.O.B.	Point of Beginning	⊕	Capped Iron rod-Found ILLEGIBLE	—	BC-BC-BC Buried Cable
		⊕	Capped Iron rod-Found T.R.S.	⊕	Covered area (porch, carport, etc.)
		⊕		<>	Denotes Spot Elevations

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Lands End Surveying, Inc.
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Telephone: 850-433-8545 FAX: 850-433-8282
Florida Licensed Business #6832
LANDSENDSURVEYING.COM

REVISIONS	FIELD BOOK	DATE
RESURVEY	254/49-50	4-3-2012

I HEREBY STATE THAT I HAVE RECENTLY SURVEYED OR THAT A SURVEY OF THE ABOVE PROPERTY WAS MADE UNDER MY DIRECT SUPERVISION AND THAT THE ABOVE-GROUND SURVEY AND SUBSEQUENT MAP AS SHOWN ARE TO BE TRUE, ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THIS SURVEY AND MAP MEET THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS, PURSUANT TO RULE 17.050 THRU 17.052 AND ALSO STATUTE 472.027 OF THE FLORIDA STATUTES.

Larry E. Stegall
PROFESSIONAL LAND SURVEYOR NO. 4247, STATE OF FLORIDA

APRIL 3, 2012
DATE

LARRY E. STEGALL, P.L.S.
LARRY@LANDSENDSURVEYING.COM

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



**BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA**

INTEROFFICE MEMORANDUM

**TO: Andrew Holmer, Division Manager
Development Services Department**

**FROM: Terri V. Malone, AICP, Transportation Planner
Transportation & Traffic Operations Division**

**THRU: David Forte, Manager
Transportation & Traffic Operations Division**

DATE: January 22, 2018

RE: Transportation & Traffic Operations (TTO) Comments – Z-2017-19

TTO Staff has reviewed the Rezoning Case (Z)-2017-19, 283 Shadow Lawn Lane, agenda item for the Planning Board meeting scheduled for February 6, 2018. Please see the below comments.

There is an ongoing Access Management and Beautification Project on Navy Boulevard from N. Warrington Road to the Bayou Chico Bridge. This project is being managed by FDOT and is moving from the PD&E stage to design. The project is locally funded by Escambia County. Additionally, there are no roadway improvement projects programmed in the County's Capital Improvement Program within the vicinity of the subject parcel.

Per the Florida-Alabama TPO's Congestion Management Process Plan, Shadow Lawn Lane is classified as a local street and assumed to be functioning within its allowable capacity for traffic volumes. Navy Boulevard is classified as a principal arterial. The maximum level-of-service (LOS) for this roadway segment is LOS D (39,800 trips/day), and as of year 2016 the roadway segment was functioning at a LOS C (21,000 trips/day) during the day and LOS F during the peak hour.

TTO's review is solely based off the application submittal packet, so the comments above hold no bearing on any future TTO comments during the Development Review process.

**cc: Horace Jones, Development Services Department Director
Joy Blackmon, P.E., Public Works Department Director
Colby Brown, P.E., Public Works Department Deputy Director**

From: [Clara F Long \(CRA\)](#)
To: [Terri V. Malone](#)
Cc: [John C. Fisher](#); [David V. Forte](#)
Subject: Re: Z-2017-19, 283 Shadow Lawn Lane Rezoning
Date: Monday, January 22, 2018 5:20:30 PM

CRA Comments

The parcel has one building on the site that is not a house and appears to have a commercial use. A house is located directly east of the subject parcel. I am sure the planning department will require adequate buffering as per the LDC.

This parcel is a commercial use with MDR zoning. I don't see any reason to object to the applicant's request to rezone the use to Commercial.

Sent from my iPhone

On Jan 22, 2018, at 4:59 PM, Terri V. Malone <TVMALONE@myescambia.com> wrote:

Hi John,

We have reviewed the request for rezoning and the TTO division comments are attached.

Regards,

Terri V. Malone, AICP

Engineering Program Coordinator
Transportation Planning

Escambia County

Public Works – Transportation & Traffic Operations
3363 Park Place, Pensacola, FL 32505
Work (850) 595-3425 Mobile (850) 490-0915

From: John C. Fisher
Sent: Friday, January 19, 2018 8:59 AM
To: Terri V. Malone <TVMALONE@myescambia.com>; David V. Forte <DVFORTE@co.escambia.fl.us>; Clara F Long (CRA) <cflong@myescambia.com>
Subject: FW: Z-2017-19, 283 Shadow Lawn Lane Rezoning

Please review the rezoning case attached and respond back with any comments for the Feb Planning Board.