

AGENDA  
ESCAMBIA COUNTY PLANNING BOARD  
QUASI-JUDICIAL HEARING  
February 5, 2019–8:30 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 8, 2019 Planning Board Rezoning Meeting.
5. Acceptance of Rezoning Planning Board Meeting Packet.
6. Quasi-judicial Process Explanation.
7. Public Hearings.
  - A.

Case #:	Z-2019-02
Applicant:	Wiley C. "Buddy" Page, Agent for Slavoljub & Margaret Djuric, Owner
Address:	12960 Lillian Highway & 12400 Blk Lillian Highway
Property Size:	0.17 (+/-) acres and 0.11 (+/-) acres
From:	MDR, Medium Density Residential district (10 du/acre)
To:	HDMU, High Density Mixed-Use district (25 du/acre)
  - B.

Case #:	Z-2019-03
Applicant:	Kerry Anne Schultz, Agent for James D. Homyak, Ashland Avenue, LLC.

Address: 8662 Ashland Avenue  
Property Size: 4.76 (+/-) acres  
From: MDR, Medium Density Residential district (10 du/acre)  
To: HDMU, High Density Mixed-use district (25 du/acre)

8. Adjournment.





**BOARD OF COUNTY COMMISSIONERS**  
**Escambia County, Florida**

**Planning Board-Rezoning**  
**Meeting Date: 02/05/2019**

**4. A.**

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**Agenda Item:**

**RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the January 8, 2019 Planning Board Rezoning Meeting.

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**Attachments**

Draft January 8, 2019 Planning Board Rezoning Meeting Minutes

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# DRAFT

## RESUMÉ OF THE ESCAMBIA COUNTY PLANNING BOARD QUASI-JUDICIAL REZONING January 8, 2019

CENTRAL OFFICE COMPLEX  
3363 WEST PARK PLACE, BOARD CHAMBERS  
PENSACOLA, FLORIDA  
(8:30 A.M. – 9:50 A.M.)  
(9:55 A.M. - 10:25 A.M.)

Present: Reid Rushing  
Jay Ingwell  
Timothy Pyle  
Patty Hightower  
Alan Gray  
Eric Fears  
William Clay

Absent: Wayne Briske, Chairman  
Stephen Opalenik

Staff Present: Allyson Cain, Urban Planner, Planning & Zoning  
Andrew Holmer, Division Manager, Planning & Zoning  
Horace Jones, Director, Development Services  
John Fisher, Senior Urban Planner, Planning & Zoning  
Juan Lemos, Senior Planner, Planning & Zoning  
Meredith Crawford, Assistant County Attorney

1. Call to Order.
2. Pledge of Allegiance to the Flag.
3. Proof of Publication and Waive the Reading of the Legal Advertisement.

Motion by Alan Gray, Seconded by Reid Rushing

Motion was made to approve the proof of publication and to waive the reading of the legal advertisement.

**Vote:** 5 - 0 Approved

Other: Wayne Briske (ABSENT)  
William Clay (ABSENT)

4. Approval of Minutes.

- A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the December 4, 2018 Planning Board Rezoning Meeting.

Motion by Reid Rushing, Seconded by Eric Fears

Motion was made to approve the Rezoning Planning Board meeting minutes from December 4, 2018.

**Vote:** 5 - 0 Approved

Other: Wayne Briske (ABSENT)  
William Clay (ABSENT)

5. Acceptance of Rezoning Planning Board Meeting Packet.

Motion by Alan Gray, Seconded by Jay Ingwell

Motion was made to accept the Rezoning Planning Board meeting packet for January 8, 2019.

**Vote:** 5 - 0 Approved

Other: Wayne Briske (ABSENT)  
William Clay (ABSENT)

6. Quasi-judicial Process Explanation.

7. Public Hearings.

- A. Case #: Z-2018-17  
Applicant: Wiley C. "Buddy" Page,  
agent for RNL Investment  
Group, LLC, Owner  
Address: 8891 Burning Tree Rd  
Property Size: 3.52 (+/-) acres and 7.56  
Size: (+/-) acres  
*Northern Portion:*  
From: Rec, Recreation district (du  
density limited to vested  
development)  
To: MDR, Medium Density  
residential (10 du/acre)  
*Southern Portion:*  
From: Rec, Recreation district (du  
density limited to vested  
development)  
To: Com, Commercial district (25  
du/acre)

Alan Gray and Tim Pyle 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 Jay Ingwell

Motion was made to accept Exhibit 1, Jason Widman's letter from his attorney as hearsay.

**Vote:** 6 - 0 Approved

Other: Wayne Briske (ABSENT)

Motion by Eric Fears, Seconded by Alan Gray

Motion was made to recommend approval to the BCC, finding exception to the Staff's Findings on Criteria B and C, and accepting the rebuttals by Mr. Page's facts.

**Vote:** 6 - 0 Approved

Other: Wayne Briske (ABSENT)

B. Case #: Z-2019-01  
Applicant: Terramore Development ,  
LLC, Agent for Steven and  
Carrin Buttrick, Owner  
Address: Portion of 149 Highway 97  
South  
Property Size: 1.66 (+/-) acres  
From: LDR, Low Density  
Residential district (4 du/acre)  
To: Com, Commercial 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 Jay Ingwell, Seconded by Alan Gray

Motion was made to recommend approval to the BCC, based on the five approval conditions.

**Vote:** 6 - 0 Approved

Other: Wayne Briske (ABSENT)

8. Adjournment.

## Planning Board-Rezoning

7. A.

**Meeting Date:** 02/05/2019

**CASE :** Z-2019-02

**APPLICANT:** Wiley C. "Buddy" Page, Agent for Slavoljub & Margaret Djuric,  
Owner

**ADDRESS:** 12960 Lillian Highway & 12400 Blk Lillian Highway

**PROPERTY REF. NO.:** 02-2S-32-1001-030-010 & 02-2S-32-1001-043-010

**FUTURE LAND USE:** MU-S, Mixed-Use Suburban

**DISTRICT:** 1

**OVERLAY DISTRICT:** N/A

**BCC MEETING DATE:** 03/07/2019

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### SUBMISSION DATA:

#### REQUESTED REZONING:

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

**TO:** HDMU, High Density Mixed-Use 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.

**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 Category** The Mixed-Use Suburban (MU-S) Future Land

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

**CPP 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 redevelopment in underutilized properties to maximize development densities and intensities located in the Mixed Use-Suburban, Mixed Use-Urban, Commercial and Industrial Future Land Use districts categories (with the exception of residential development).

**CPP FLU 2.1.2 Compact Development.** To promote compact development, FLUM amendments and residential rezonings to allow higher residential densities may be allowed in the Mixed-Use Urban (MU-U) and Mixed-Use Suburban (MU-S) future land use categories.

## **FINDINGS**

The proposed amendment to HDMU is **consistent** with the intent and purpose of FLU category MU-S, as stated in CPP FLU 1.3.1. The current FLU allows for residential and non-residential uses while promoting compatible infill development and the separation of urban and suburban land uses. The proposed development will use the existing roads and infrastructure.

### **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.

#### **MDR, Medium Density Residential.**

**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.

#### **HDMU, High Density Mixed-Use**

**(a) Purpose.** The High Density Mixed-use (HDMU) district establishes appropriate areas and land use regulations for a complimentary mix of high density residential uses and compatible non-residential uses within urban areas. The primary intent of the district is to provide for a mix of neighborhood retail sales, services and professional offices with greater dwelling unit density and diversity than the Low Density Mixed-use district. Additionally, the HDMU district is intended to rely on urban street connectivity and encourage vertical mixes of commercial and residential uses within the same building to accommodate a physical pattern of development characteristic of village main streets and older neighborhood commercial areas. Residential uses within the district include all

forms of single-family, two-family and multi-family dwellings.

**(b) Permitted uses.** Permitted uses within the HDMU district are limited to the following;

**(1) Residential.** The following residential uses are allowed throughout the district, but if within a 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 manufactured home subdivisions, but excluding new or expanded manufactured home parks.

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.** Small-scale (gross floor area 6000 sq.ft. or less per lot) retail sales, including Low-THC marijuana dispensing facilities, sales of beer and wine, but excluding sales of liquor, automotive fuels, or motor vehicles, and excluding permanent outdoor storage, display, or sales. See also conditional uses in this district.

**(3) Retail services.** The following small-scale (gross floor area 6000 sq.ft. or less per lot) retail services, excluding outdoor work or permanent outdoor storage:

a. Bed and breakfast inns.

b. Boarding and rooming houses.

c. Child care facilities.

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.

g. Restaurants, and brewpubs, including on-premises consumption of alcoholic beverages, but excluding drive-in or drive-through service and brewpubs with distribution of alcoholic beverages for off-site sales.

See also conditional uses in this district.

**Public and civic.**

a. Preschools and kindergartens.

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

c. Foster care facilities.

d. Places of worship.

e. Public utility structures, excluding telecommunications towers.

See also conditional uses in this district.

**(5) Recreation and entertainment.**

a. Marinas, private only.

b. Parks without permanent restrooms or outdoor event lighting.

See also conditional uses in this district.

**(6) Industrial and related.** No industrial or related uses.

**(7) Agricultural and related.** Agricultural production limited to food primarily for personal consumption by the producer, but no farm animals.

**(8) Other uses.** [Reserved]

**(c) Conditional uses.** Through the conditional use process prescribed in Chapter 2, the BOA may conditionally allow the following uses within the HDMU district:

**(1) Residential.**

- a. Dormitories.
- b. Fraternity and sorority houses.
- c. Manufactured (mobile) home parks.

**(2) Retail sales.** Medium-scale (gross floor area greater than 6000 sq.ft. per lot, but no greater than 35,000 sq.ft.) retail sales, including sales of beer and wine and automotive fuels, but excluding sales of motor vehicles and liquor, and excluding permanent outdoor storage, display, or sales.

**Retail services.**

- a. Medium-scale (gross floor area greater than 6000 sq. ft. per lot, but no greater than 35,000 sq. ft.) retail services, excluding motor vehicle service and repair.
- b. Restaurants and brewpubs with drive-in or drive-through service and brewpubs with the distribution of on-premises produced alcoholic beverages for off-site sales.
- c. Small-scale (gross floor area 6000 sq.ft. or less per lot) major motor vehicle service and repair, excluding painting or body work and outdoor work.

**Public and civic.**

- a. Broadcast stations with satellite dishes and antennas, excluding towers.
- b. Cemeteries, including family cemeteries.
- c. Clubs, civic and fraternal.
- d. Community service facilities, including auditoriums, libraries, museums, and neighborhood centers.
- e. Cinerators.
- f. Educational facilities not among the permitted uses of the district.
- g. Funeral establishments.
- h. Hospitals.
- i. Offices for government agencies or public utilities.
- j. Public utility structures exceeding the district structure height limit and telecommunications towers of any height, excluding any industrial uses.
- k. Warehousing or maintenance facilities for government agencies or public utilities.

**(5) Recreation and entertainment.**

- a. Amusement arcade centers and bingo facilities.
- b. Golf courses, tennis centers, swimming pools and similar active outdoor recreational facilities, including associated country clubs.
- c. Parks with permanent restrooms or outdoor event lighting.

**(6) Industrial and related.** Microbreweries, microdistilleries, and microwineries

**(7) Agricultural and related.**

- a. Horses or other domesticated equines kept on site, and stables for such animals, only as a private residential accessory with a minimum lot area of two acres and a maximum of one animal per acre.
- b. Veterinary clinics.

**(8) Other uses.**

- a. Self-storage facilities with a maximum lot area of one acre and outdoor storage limited to operable motor vehicles and boats. No vehicle rental.
- b. Structures of permitted uses exceeding the district structure height limit, excluding



telecommunications towers.

(d) Site and building requirements. The following site and building requirements apply to uses within the HDMU district:

(1) Density. A maximum density of 25 dwelling units per acre.

(2) Floor area ratio. A maximum floor area ratio of 1.0 within the Commercial (C) future land use category and 2.0 within Mixed-Use Urban (MU-U).

(3) Structure height. A maximum structure height of 150 feet above highest adjacent grade.

(4) Lot area. No minimum lot area unless prescribed by use.

(5) Lot width. Except for cul-de-sac lots which shall provide a minimum lot width of 20 feet at the street right-of-way, the following minimum lot widths are required:

a. Single-family detached. Forty feet at the street right-of-way for single-family detached dwellings.

b. Two-family. Eighty feet at the street right-of-way for two-family dwellings.

c. Multi-family and other. Eighty feet at the street right-of-way for multi-family dwellings, boarding or rooming houses, or townhouse groups. No minimum lot width required by zoning for other uses.

(6) Lot coverage. Minimum pervious lot coverage of 20 percent (80 percent maximum semi-impervious and impervious cover) for all uses.

(7) Structure setbacks. For all principal structures, minimum setbacks are:

a. Front and rear. Twenty feet in the front and 15 feet in the rear.

b. Sides. Ten feet on each side of a group of attached townhouses. On each side of all other structures, 10 feet or 10 percent of the lot width at the street right-of-way, whichever is less, but at least five feet. For structures exceeding 35 feet above highest adjacent grade, an additional two feet for each additional 10 feet in height, but not required to exceed 15 feet.

c. Corner lots. Will have one front setback and one side setback.

(8) Other requirements. Refer to chapters 4 and 5 for additional development regulations and standards.

**(e) Location criteria.**

All new non-residential uses proposed within the HDMU district that are not part of a predominantly residential development or a planned unit development, or are not identified as exempt by district regulations, 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 200 feet of an intersection with another arterial or collector.

(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 HDMU 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 street **and at the intersection** with a local street that serves to connect the arterial street to another arterial, and all of the following site design

conditions:

- a. Any intrusion into a recorded residential subdivision is limited to a corner lot.
- b. Access and stormwater management is shared with adjoining uses or properties to the extent practicable.
- 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 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).

(f) Rezoning to HDMU. High Density Mixed-use zoning may be established only within the Mixed-Use Suburban (MU-S), Mixed-Use Urban (MU-U), or Commercial (C) future land use categories. The district is suitable for areas where the intermixing of uses has been the custom, where future uses are uncertain, and some redevelopment is probable. The district is appropriate to provide transitions between areas zoned or used for medium or high density residential and areas zoned or used for commercial.

Rezoning to HDMU is subject to the same location criteria as any new non-residential use proposed within the HDMU district.

## **FINDINGS**

The proposed amendment to HDMU **is not** consistent with the intent and purpose of the Land Development Code (LDC). From a strict review of the locational criteria as stated above, the site does not meet the following required criteria as listed: proximity to intersection, proximity to traffic generator, and site design, however, the subject properties are adjacent to and surrounded by HDMU zoned parcels and the parcels currently have access from Lillian Hwy. The applicant provided supporting documentation for both parcels to address location criteria per the LDC requirements.

### **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' ft radius area, staff identified properties within zoning districts MDR and HDMU. Both parcels are currently surrounded by HDMU zoning and the proposed development will be consistent with similar densities and intensities in the area. One parcel currently has a dentist office on site; any future development of the adjoining parcel will be reviewed through the Site Plan Review Process.

#### **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**

Based on the LDC language, the requested amendment **would not** be considered to be spot zoning as the adjoining parcels are currently zoned HDMU.

#### **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 due to new developments or land use changes. The proposed rezoning to HDMU will share the same allowable uses and intensities as the adjoining parcels.

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### **Attachments**

Working Case File

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**Z-2019-02**



PERDIDO BAY

PARADISE LN  
PARADISE BEACH CIR  
LILLIAN HWY

SSOW  
SPANISH SANDY BAY DR

ROSIRITO PL

PERDIDO MANOR DR  
SPANISH MOSS DR

CORDOVA RD

HARTUNG AVE

LILLIAN HWY

TROUT RD

JUAN RD

JOAQUIN RD - JOAQUIN RD

HALCYON CIR

BAUER RD

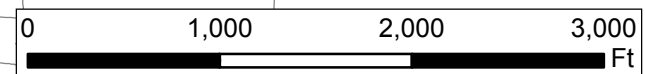
BRONSON RD



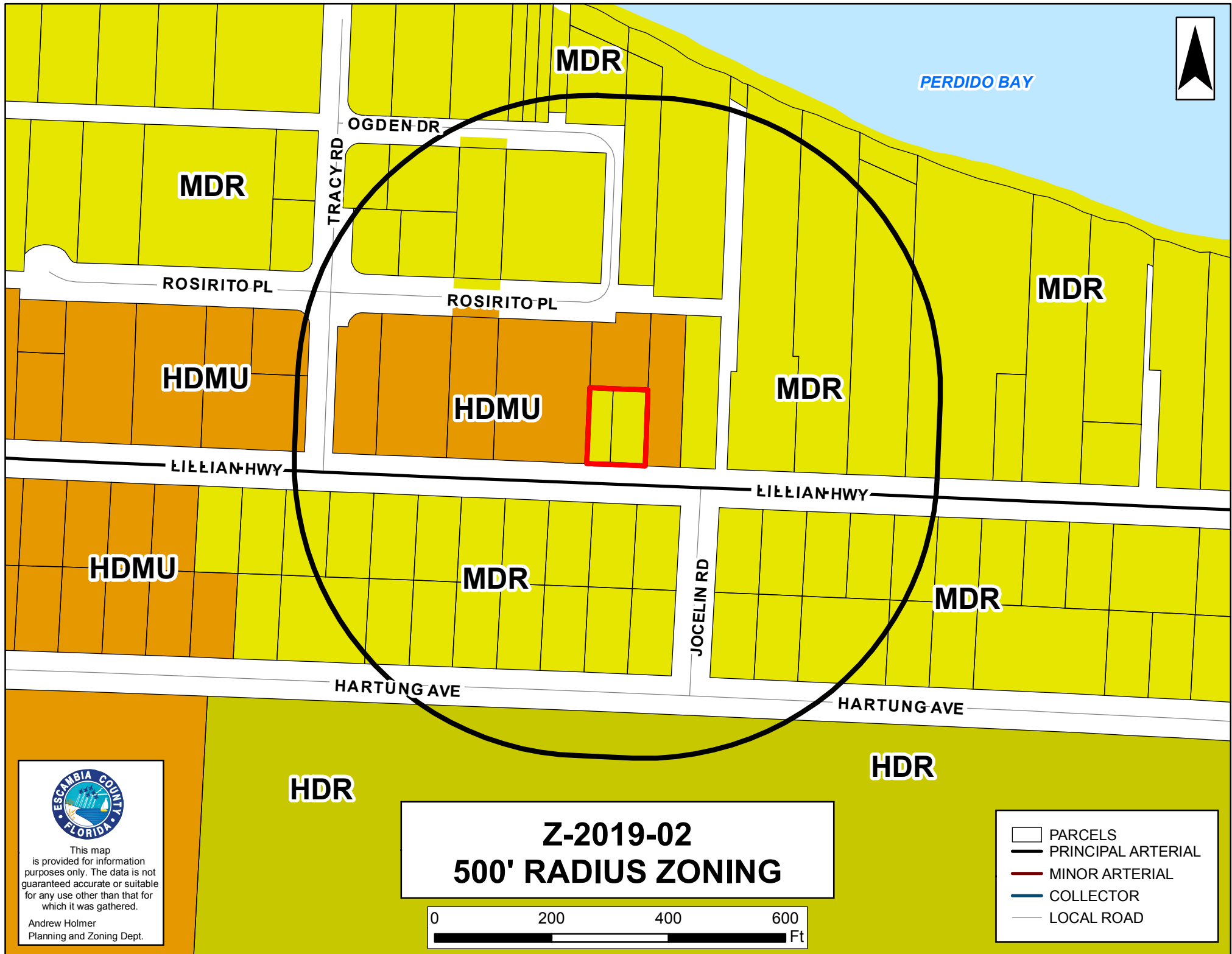
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer  
Planning and Zoning Dept.

## Z-2019-02 LOCATION MAP



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



PERDIDO BAY

MDR

OGDEN DR

MDR

TRACY RD

ROSIRITO PL

ROSIRITO PL

MDR

HDMU

HDMU

MDR

EILEEN HWY

EILEEN HWY

HDMU

MDR

MDR

JOCELIN RD

HARTUNG AVE

HARTUNG AVE

HDR

HDR

**Z-2019-02**  
**500' RADIUS ZONING**

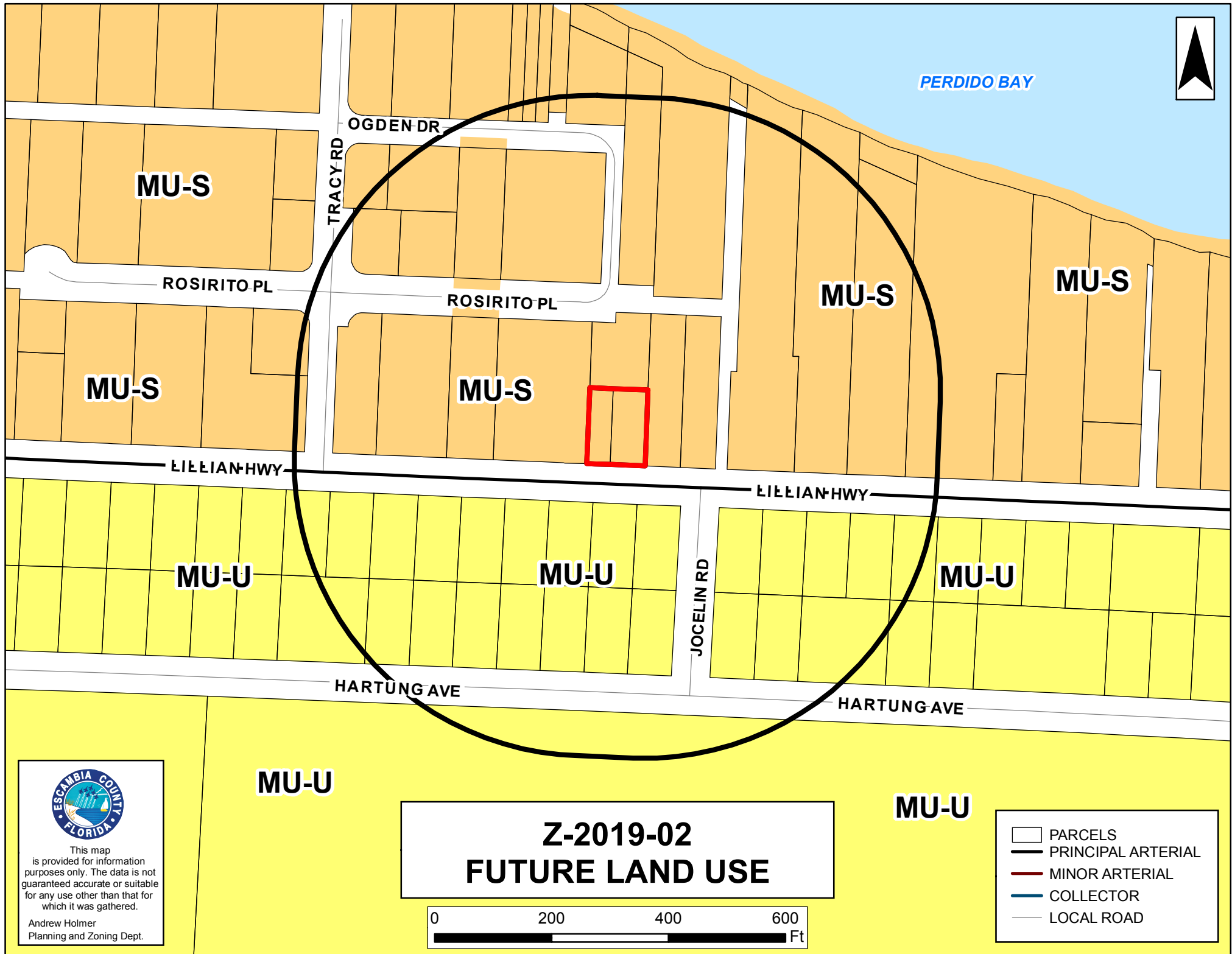


- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



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Andrew Holmer  
Planning and Zoning Dept.



PERDIDO BAY

MU-S

OGDEN DR

TRACY RD

ROSIRITO PL

ROSIRITO PL

MU-S

MU-S

MU-S

MU-S

LILLIAN HWY

LILLIAN HWY

MU-U

MU-U

MU-U

JOCELIN RD

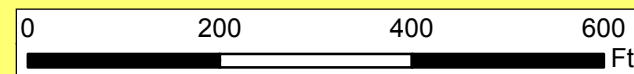
HARTUNG AVE

HARTUNG AVE

MU-U

MU-U

# Z-2019-02 FUTURE LAND USE



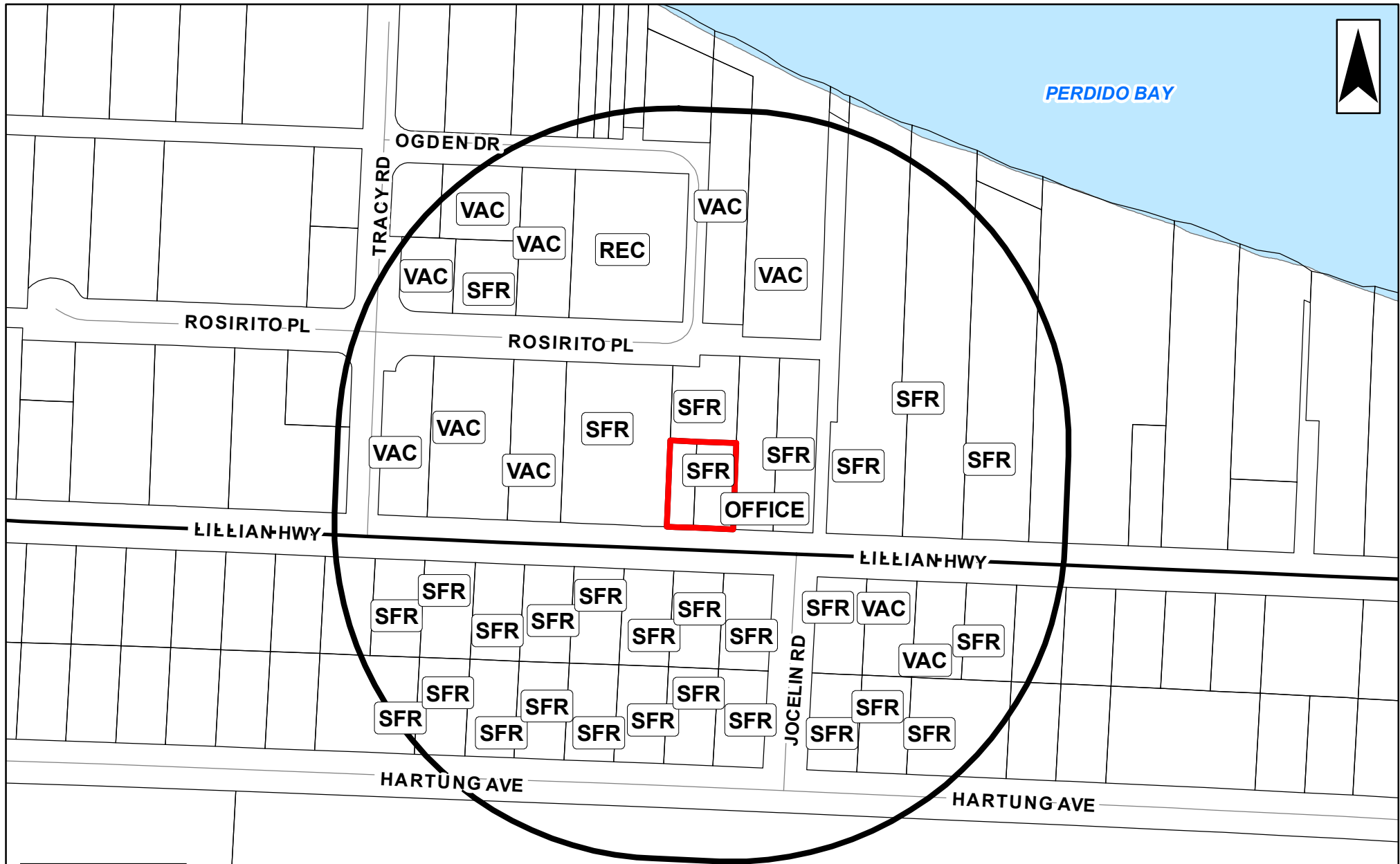
- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



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Andrew Holmer  
Planning and Zoning Dept.





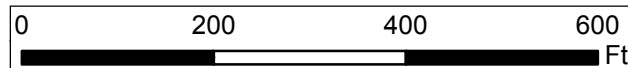
PERDIDO BAY



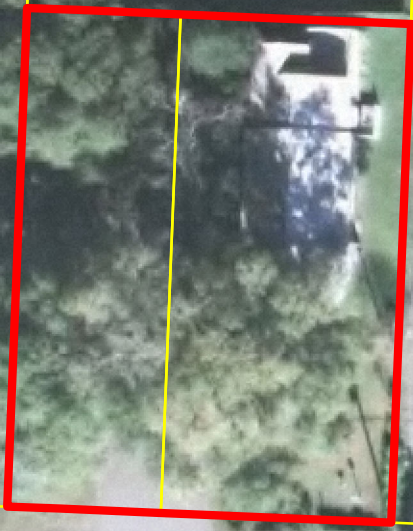
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Andrew Holmer  
Planning and Zoning Dept.

## Z-2019-02 EXISTING LAND USE



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



LILLIAN HWY

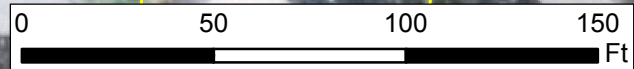
JOCELIN RD



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Andrew Holmer  
Planning and Zoning Dept.

## Z-2019-02 AERIAL MAP



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





# NOTICE OF PUBLIC HEARING REZONING

CASE NO.: Z-2019-02

CURRENT ZONING: MDR PROPOSED ZONING: HDMU

## PLANNING BOARD

DATE: 02/05/19 TIME: 8:30 AM

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

## BOARD OF COUNTY COMMISSIONERS

DATE: 03/07/19 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 595-3475 OR VISIT  
[WWW.MYESCAMBIA.COM](http://WWW.MYESCAMBIA.COM)

Notice of Public Hearing sign





Both Parcels looking north across  
the street from Lillian Hwy.





Existing business adjacent to both parcels





Looking east down Lillian Hwy





**NOTICE OF  
PUBLIC HEARING  
REZONING**

CASE NO.: Z-2019-02  
CURRENT ZONING: MDR PROPOSED ZONING: RDMU

**PLANNING BOARD**  
DATE: 02/05/19 TIME: 8:30 AM  
LOCATION OF HEARING  
ESCAMBIA COUNTY CENTRAL OFFICE COMPLEX  
3303 WEST BRAD PLACE  
BOARD MEETING ROOM

**BOARD OF COUNTY COMMISSIONERS**  
DATE: 03/07/19 TIME: 5:45 PM  
LOCATION OF HEARING  
ERNE LEE MAGANA GOVERNMENT BLDG  
231 PALMVIEW PLACE  
1ST FLOOR BOARD MEETING ROOM

FOR MORE INFORMATION CALL:  
DEVELOPMENT SERVICES AT 904-3470 OR VISIT  
WWW.MYESCAMBIA.COM

PLEASE DO NOT REMOVE THIS SIGN  
PROPERTY OF ESCAMBIA COUNTY

Looking east from both parcels adjacent to existing business along Lillian Hwy





Looking north across the street from Lillian Hwy





Looking south from both parcels across the street on Lillian Hwy





Looking west down Lillian Hwy





Looking west from both parcels along Lillian Hwy



Wiley C. "Buddy" Page, MPA, APA  
Professional Growth Management Services, LLC  
5337 Hamilton Lane Pace, Florida 32571  
Cell 850.232.9853  
[budpage1@att.net](mailto:budpage1@att.net)

December 13, 2018  
VIA HAND DELIVERY

Mr. Horace Jones, Director  
Department of Growth Management  
3363 West Park Avenue  
Pensacola, Florida 32505

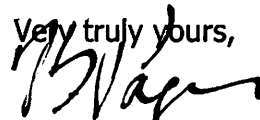
**RE: Rezoning request: MDR to HDMU**  
**Parcel: 02-2S-32-1001-030-010 &**  
**02-2S-32-1001-043-010**  
**Owner: Dr. S. & Margaret Djuric**  
**Address: 12950 Lillian Hwy Pensacola**

Dear Mr. Jones:

The attached application requests Planning Board consideration to rezone the referenced parcels from **MDR** to **HDMU** classification. The lots are located on Lillian Highway which is classified by the FDOT as a Principal Arterial Urban roadway facility (see FDOT map enclosed).

This classification should satisfy those requirements at **LDC Sec. 3-2.9(e)(30) Infill Development** wherein requiring new development to be located along an arterial roadway, and not promoting strip commercial development.

The application contains the required filing fee together with additional information regarding location, proof of ownership and referenced materials. Please contact me if you have any questions or require anything further. Thank you.

Very truly yours,  
  
Wiley C. "Buddy" Page



## 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: 22019-02 Accepted by: A. Lindsey PB Meeting: 2/5/19

#### 1. Contact Information:

A. Property Owner/Applicant: Slavoljub and Margaret Djuric

Mailing Address: 12960 Lillian Highway Pensacola, Florida 32506

Business Phone: 850-542-4428 Cell: 850-712-4980

Email: margaretdjuric@gmail.com

B. Authorized Agent (if applicable): Wiley C. "Buddy" Page

Mailing Address: 5337 Hamilton Lane Pace, Florida 32571

Business Phone: \_\_\_\_\_ Cell: 850-232-9853

Email: budpage1@att.net

*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: 12960 Lillian Highway Pensacola, Florida 32506

Parcel ID (s): \_\_\_\_\_  
02-2S-32-1001-030-010 & 02-2S-32-1001-043-010

B. Total acreage of the subject property: 0.298ac

C. Existing Zoning: MDR

Proposed Zoning: HD/MU; explain why necessary and/or appropriate  
Medical offices not a listed use within the MDR category while it is within HD/MU.

FLU Category: MU-S

D. Is the subject property developed (if yes, explain): \_\_\_\_\_  
Existing dental office on easterly lot as shown on enclosed photo; west lot is vacant.

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

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.

As depicted on Attachment A herein, the requested HD/MU is shown as being consistent with the Mix Use Suburban Future Land Use Category found at LDC Sec. 3-1.3.

- 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

LDC Sec. 3-2.9(b)(3)d establishes areas for a complimentary mix of residential uses and compatible non-residential uses in urban areas. This stated purpose is consistent with the requested change and use of the subject property.

- 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.

Compatibility is assured in that the requested HDMU category will be consistent with all adjacent properties because these adjacent properties are currently zoned HDMU, which is the same category as is being requested herewith.

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- 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*

This request will not result in an isolated district; rather, it will provide an infill resulting in compatibility with all adjacent properties because all will share the same zoning category.

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- 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.

These properties front on Highway 98 which continues to show increased traffic densities as shown on Attachment B Traffic Counts. One of the lots contains the owners dental offices where he has practiced since 1998. If approved by the Planning Board, the owner plans to expand the building for offices for his son who is a chiropractor. These proposed changes are a result of overall increase in residential housing in the area and the increasing need for more dental and chiropractic services to the area.

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**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): 02-28-32-1001-030-010 / 02-28-32-1001-043-010

Property Address: 12960 MILLIAN HWY PENSACOLA, FL 32506

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

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

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

- a. The necessary facilities or services are in place at the time a development permit is issued.
- b. A development permit is issued subject to the condition that the necessary facilities and services will be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- c. For parks and recreation facilities and roads, the necessary facilities are under construction at the time the development permit is issued.
- d. For parks and recreation facilities, the necessary facilities are the subject of a binding executed contract for the construction of the facilities at the time the development permit is issued and the agreement requires that facility construction must commence within one year of the issuance of the development permit.
- e. The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, F.S., or as amended, or an agreement or development order issued pursuant to Chapter 380, F.S., or as amended. For 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 21<sup>st</sup> DAY OF October, YEAR OF 2018

Signature of Property Owner

SLAVOLJUB DJURIC  
Printed Name of Property Owner

10/24/18  
Date

Signature of Property Owner

MARGARET DJURIC  
Printed Name of Property Owner

10/24/18  
Date



**AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY**

(if applicable)

As owner of the property located at 12960 MILLIAN HWY, PENSACOLA, FL 32506  
PENSACOLA, Florida, property reference number(s) 02-25-32-1001-030-010  
+02-2532-1001-043-010 I hereby designate W.C. BUDDY PAGE

\_\_\_\_\_ for the sole purpose of completing this application and making  
a presentation to the Planning Board and the Board of County Commissioners to request a rezoning on  
the above referenced property. This Limited Power of Attorney is granted on this 16 day of NOV  
the year of, 2018, and is effective until the Board of County Commissioners or the Board of  
Adjustment has rendered a decision on this request and any appeal period has expired. The owner  
reserves the right to rescind this Limited Power of Attorney at any time with a written, notarized notice  
to the Development Services Bureau.

Agent Name: W.C. PAGE Email: budpage1@att.net  
Address: 5337 Hamilton Ln Psc 32571 Phone: 232-9853

[Signature]  
Signature of Property Owner  
Margaret Djuric  
Signature of Property Owner

SLAVOLJUB DJURIC  
Printed Name of Property Owner  
MARGARET DJURIC  
Printed Name of Property Owner

NOV. 16, 2018  
Date  
11/16/18  
Date

STATE OF Florida COUNTY OF Escambia  
The foregoing instrument was acknowledged before me this 16 day of November 2018,  
by Slavoljub Djuric, Margaret Djuric

Personally Known ☒ OR Produced Identification ☒ Type of Identification Produced: Florida Drivers License  
Florida Drivers License

[Signature]  
Signature of Notary

James C Godwin  
Printed Name of Notary

(Notary Seal)



JAMES C. GODWIN  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# GG141178  
Expires 9/11/2021

## 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.

SLAVOLJUB DJURIC  
Signature of Owner/Agent

Margaret Djuric  
Signature of Owner

MARGARET DJURIC  
Printed Name Owner/Agent

Nov. 16, 2018  
Date  
11/16/18  
Date

STATE OF Florida COUNTY OF Escambia The foregoing instrument was acknowledged before me this 16 day of November 20 18, by \_\_\_\_\_.

Personally Known ☒ OR Produced Identification ☒ Type of Identification Produced: Slavoljub Djuric, Margaret Djuric

James C Godwin  
Signature of Notary

James C Godwin  
Printed Name of Notary (notary seal)



JAMES C. GODWIN  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# GG141178  
Expires 9/11/2021





Street View - Jun 2018

18 © 2018 Google

Perdido Bay Dental Office  
12960 Lillian Highway Pensacola, FL

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
<b>Agr</b> max 1du/20ac	Yes	Yes	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
<b>RR</b> max 1du/4ac	No, max density	Yes	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
<b>RMU</b> max 2du/ac	No, max density	Yes	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
<b>LDR</b> max 4du/ac	No, max density	No, max density	Yes	No, uses	No, uses	No, uses	No, uses	No, uses	No, uses
<b>LDMU</b> max 7du/ac	No, max density	No, max density	Yes	Yes	No, uses	No, uses	No, uses	No, uses	No, uses
<b>MDR</b> max 10du/ac	No, max density	No, max density	Yes	Yes	No, uses	No, uses	No, uses	No, uses	No, uses
<b>HDR</b> max 18du/ac	No, max density	No, max density	Yes	Yes	No, uses	No, uses	No, uses	No, uses	No, uses
<b>HDMU</b> max 25du/ac	No, max density	No, max density	Yes	Yes	Yes	No, uses	No, uses	No, uses	No, uses
<b>Com</b> max 25du/ac	No, max density	No, max density	Yes	Yes	Yes	No, res use	No, uses	No, uses	No, uses
<b>HC/LI</b> FLU-restricted max 25du/ac	No, uses	No, uses	No, uses	Yes	Yes	Yes	No, uses	No, uses	No, uses
<b>Ind</b> No res allowed	No, uses	No, uses	No, uses	No, uses	No, uses	Yes	No, uses	No, uses	No, uses
<b>Rec</b> No res allowed	Yes	Yes	Yes	Yes	Yes	No, uses	Yes	Yes	No, uses
<b>Con</b> No res allowed	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
<b>Pub</b> 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. 2015-56, § 1, 12-10-2015)





# Chris Jones Escambia County Property Appraiser

Real Estate Search

Tangible Property Search

Sale List

[Back](#)

← Navigate Mode ☒ Account ☐ Reference →

[Printer Friendly Version](#)

**General Information**  
**Reference:** 0225321001030010  
**Account:** 102605000  
**Owners:** DJURIC SLAVOLJUB & MARGARET  
**Mail:** 12960 LILLIAN HWY  
 PENSACOLA, FL 32506  
**Situs:** 12960 LILLIAN HWY 32506  
**Use Code:** SINGLE FAMILY RESID   
**Taxing Authority:** COUNTY MSTU  
**Tax Inquiry:** [Open Tax Inquiry Window](#)  
 Tax Inquiry link courtesy of Scott Lunsford  
 Escambia County Tax Collector

Assessments				
Year	Land	Imprv	Total	Cap Val
2018	\$6,134	\$56,620	\$62,754	\$62,754
2017	\$6,134	\$51,722	\$57,856	\$57,856
2016	\$6,134	\$50,756	\$56,890	\$56,890

[Disclaimer](#)

## Tax Estimator

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

### Sales Data

Sale Date	Book	Page	Value	Type	Official Records (New Window)
01/2005	5566	927	\$85,000	WD	<a href="#">View Instr</a>
06/1986	2243	807	\$100	QC	<a href="#">View Instr</a>
05/1979	1332	338	\$1,000	OT	<a href="#">View Instr</a>
01/1978	1230	803	\$80,000	WD	<a href="#">View Instr</a>

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

2018 Certified Roll Exemptions  
 None

### Legal Description

S 1/2 OF LT 3 BLK J PERDIDO HEIGHTS RE S/D PB 1 P 2 OR  
 5566 P 927

Extra Features  
 METAL BUILDING

### Parcel Information

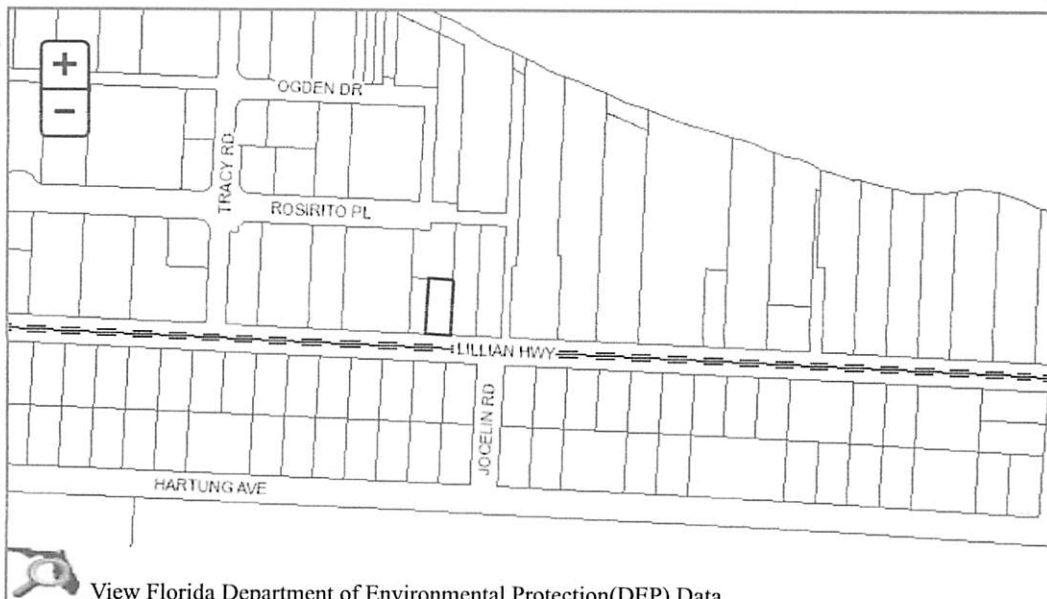
[Launch Interactive Map](#)

**Section Map Id:**  
 02-2S-32-2

**Approx. Acreage:**  
 0.1791

**Zoned:**   
 MDR

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



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

### Buildings

Address: 12960 LILLIAN HWY, Year Built: 1948, Effective Year: 1980

**Structural Elements**  
 DECOR/MILLWORK-AVERAGE  
 DWELLING UNITS-1

THIS INSTRUMENT PREPARED BY AND RETURN TO:

**Charles Curry**  
Stonewall Title Group  
100 North Spring Street, Suite 1  
Pensacola, Florida 32502

Property Appraisers Parcel Identification (Folio) Numbers:  
**02-2S-32-1001-030-010**

SPACE ABOVE THIS LINE FOR RECORDING DATA

**THIS WARRANTY DEED**, made the **18th** day of **January**, A.D. 2005 by **ROSE CORNELIA KONECEK and FREDERICK S. KONECEK, wife and husband**, herein called the grantors, to **SLAVOLJUB DJURIC and MARGARET DJURIC, husband and wife** whose post office address is **12960 LILLIAN HIGHWAY, PENSACOLA, FLORIDA 32506**, hereinafter called the Grantees:

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

**WITNESSETH:** That the grantors, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in ESCAMBIA County, State of Florida, viz:

**THE SOUTH 1/2 OF LOT 3, BLOCK J, PLAT OF PERDIDO HEIGHTS, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE(S) 2, PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA.**

**Subject to zoning, restrictions, prohibitions and other requirements imposed by governmental authorities, and easements, restrictions and reservations of record and to taxes for the current year and thereafter.**

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

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

**AND**, the grantors hereby covenant with said grantees that the grantors are lawfully seized of said land in fee simple; that the grantors have good right and lawful authority to sell and convey said land, and hereby warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2004.

**IN WITNESS WHEREOF**, the said grantors have signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Charles Curry  
Witness #1 Signature

Charles T Curry  
Witness #1 Printed Name

Thomas M Smith  
Witness #2 Signature

Thomas M. Smith  
Witness #2 Printed Name

Thomas M. Smith  
Witness #2 Printed Name

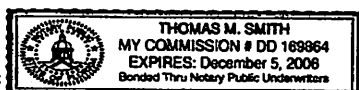
Witness #2 Printed Name

**STATE OF FLORIDA**  
**COUNTY OF ESCAMBIA**

The foregoing instrument was acknowledged before me this **18th** day of **January**, 2005 by **ROSE CORNELIA KONECEK and FREDERICK S. KONECEK** who are personally known to me or have produced Driver's License as identification.

SEAL

My Commission Expires:



Rose Cornelia Konecek  
**ROSE CORNELIA KONECEK**

25160 COUNTY ROAD 32, ALBERTA, ALABAMA 32530

Frederick S. Konecek L.S.  
**FREDERICK S. KONECEK**

25160 COUNTY ROAD 32, ALBERTA, ALABAMA 32530

Thomas M Smith  
Notary Signature

Printed Notary Signature



PREPARED BY: ROSE C. KONACEK  
RETURN TO: MARGARET DJURIC  
12950 LILLIAN HWY  
PENSACOLA, FL 33506

43

QUITCLAIM DEED

(Space above this line reserved for recording office use only)

THIS QUITCLAIM DEED, made on this date of August 2006, between  
ROSE C. KONACEK, ("Grantors"),  
of BALDWIN County, State of ALABAMA and  
SLAVOLUB AND MARGARET DJURIC, husband & wife, (Grantees"),  
of ESCAMBIA County, State of FLORIDA.

WITNESSETH, that Grantors, for and in consideration of the sum of \$10.00, and other good and valuable  
consideration in hand paid by Grantees, the receipt of which is acknowledged, quitclaim to Grantees and Grantees'  
heirs, executors, administrators, and assigns forever all of the right, title, and interest of Grantor in the following  
described land situated in ESCAMBIA County, Florida:

Legal Description:

S 130 FT OF E 40 FT OF LT 4 BLK J  
PERDIDO HEIGHTS RE S/D PB 1 P 2  
OR 2922 P 113

Physical Address: 12400 BLK LILLIAN HIGHWAY

Property Appraiser's Parcel I.D. No. 0225321001043010

SELLER(S):

Rose C. Konacek  
Signature  
Printed Name: ROSE C. KONACEK  
Date: 08/15/06

WITNESSES:

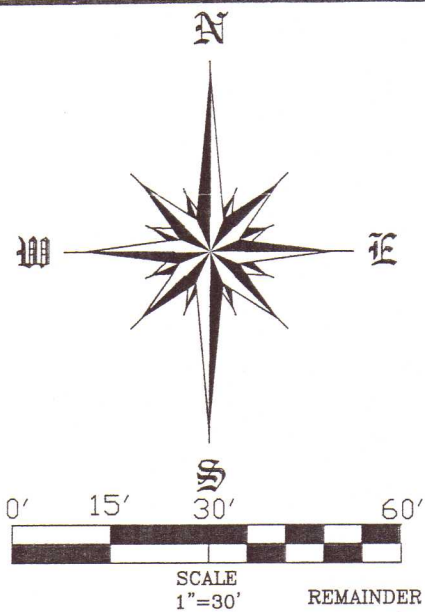
Debra S. Walker  
Name: Debra S. Walker  
Address: 24746 S. 2nd St, Daphne, AL 36524  
Karen D. Dumas  
Name: KAREN D. DUMAS  
Address: 25130 Hwy. 33, Elberta, AL 36530

STATE OF FLORIDA Alabama  
COUNTY OF Baldwin

The foregoing instrument was acknowledged before me on this date: \_\_\_\_\_ by \_\_\_\_\_  
me or produced to the following \_\_\_\_\_, who is/are known to \_\_\_\_\_  
as identification.

Debra S. Walker  
Notary Public, State of Florida Alabama  
Printed Name: Debra S. Walker  
(Seal) AT My Commission Expires on  
01/29/07





## LEGEND

- - FOUND 1/2" CAPPED IRON ROD #6879
- - FOUND 1/2" CAPPED IRON ROD #5791
- - FOUND 1/2" IRON ROD
- ⊙ - FOUND 1/2" CAPPED IRON ROD (ILLEGIBLE)
- - FOUND 1" IRON PIPE
- - FOUND 5/8" IRON ROD
- - FOUND 1/2" CAPPED IRON ROD #2892
- ▲ - SET NAIL AND CAP #7092
- A.K.A. - ALSO KNOWN AS
- P.I. - POINT OF INTERSECTION
- (P) - PLAT
- (F) - FIELD
- R/W - RIGHT-OF-WAY
- - UTILITY POLE
- ⊙ - FIRE HYDRANT
- DHW — - OVER HEAD WIRE
- — - 6' WOODEN FENCE
- — — - 6' CHAIN LINK FENCE
- ▒ - CONCRETE
- ▒ - ASPHALT

## DESCRIPTION:

THE SOUTH 130.00 FEET OF THE EAST 40.00 FEET OF LOT 4, BLOCK J, RESUBDIVISION OF PERDIDO HEIGHTS, A SUBDIVISION OF A PORTION OF FRACTIONAL SECTION 2, TOWNSHIP 3 SOUTH, RANGE 32 WEST, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, AT PAGE 2, OF THE PUBLIC RECORDS OF SAID COUNTY.

## SURVEYORS NOTES:

**THIS SURVEY WAS PERFORMED FOR THE CLIENT SHOWN AND IS NOT TO BE USED FOR ANY OTHER PURPOSES OR TRANSACTIONS WITHOUT PRIOR CONSENT FROM THIS SURVEYOR.**

ALL MEASUREMENTS WERE MADE ACCORDING TO UNITED STATES FOOT. NO TITLE RESEARCH WAS PERFORMED BY THIS SURVEYOR, NOR WERE WE FURNISHED WITH SUCH.

NO INSTRUMENT OF RECORD REFLECTING EASEMENTS, RIGHT OF WAY, AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS SHOWN.

NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN.

ALL BEARINGS AND DISTANCES ARE RECORD UNLESS OTHERWISE NOTED.

THERE MAY BE ADDITIONAL RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND RECORDED IN THE PUBLIC RECORDS OF THE CITY/COUNTY/STATE, THAT DO NOT APPEAR ON THE FACE OF THIS PLAT.

IMPROVEMENT LOCATIONS SHOWN HEREON MAY BE EXAGGERATED AND NOT TO SCALE FOR CLARITY PURPOSES.

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.

BUILDING SET BACK LINES ARE PER PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS IN SUBDIVISION COVENANTS AND/OR OTHER CITY/COUNTY/STATE REGULATIONS.

IT IS THE RECOMMENDATION OF THIS SURVEYOR TO CHECK WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR ANY WETLAND ISSUES THAT COULD POSSIBLY AFFECT THIS PROPERTY THAT MAY OR MAY NOT BE SHOWN ON THE FACE OF THIS PLAT.

BASIS OF BEARING: NORTH (ASSUMED) PER PLAT.

REFERENCE SOURCE: FIELD WORK AND EXISTING FIELD MONUMENTATION, COUNTY PROPERTY APPRAISER'S TAX MAP: COPY OF PLAT BOOK 1, PAGE 2.

SWINNEY & ASSOCIATES, INC.

3603 SUNNYSIDE ST.  
PENSACOLA, FLORIDA 32507  
(850) 453-4261 FAX: (850) 458-2630  
swinneyl@cox.net  
LICENSE BUSINESS NO. 7092



ADDRESS: 12960 LILLIAN HIGHWAY			
REQUESTED BY: STEVE DJURLE			
TYPE: BOUNDARY SURVEY			
SECTION: 2	TOWNSHIP: 2 SOUTH	RANGE: 32 WEST	COUNTY: ESCAMBIA
SCALE: 1"=30'	DRAWN BY: REM	FIELD DATE: 12/18/2018	
DATE: 12/19/2018	CREW: MS/ZL	FIELD BOOK: 308	PAGE: 65
REVISION DATE:			

## SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

*[Signature]*

DAVID MARK SWINNEY  
PROFESSIONAL SURVEYOR AND MAPPER NO. 5641  
STATE OF FLORIDA

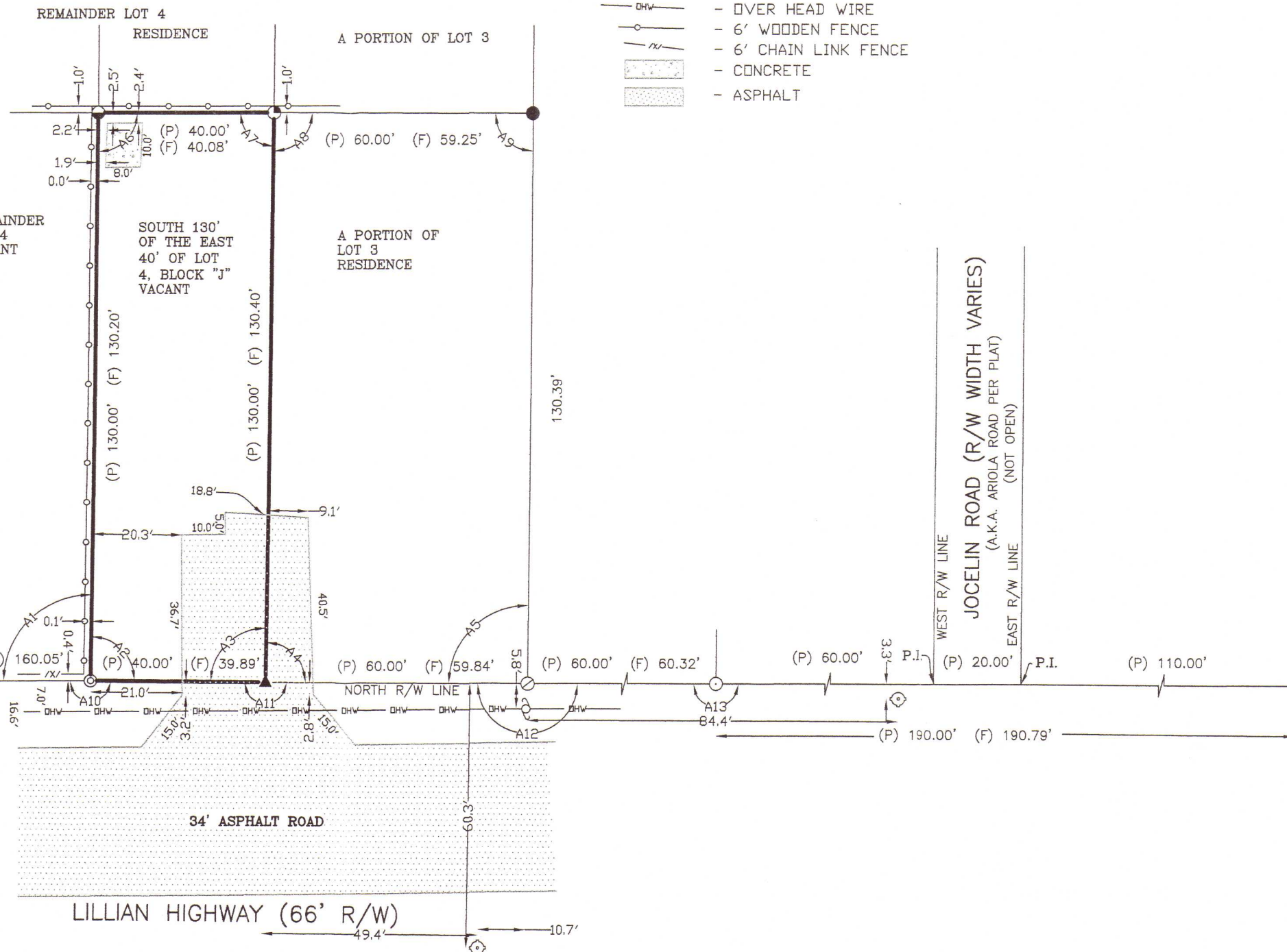
NOT VALID WITHOUT  
THE ORIGINAL  
SIGNATURE AND THE  
ORIGINAL RAISED SEAL  
OF A FLORIDA  
LICENSED SURVEYOR  
AND MAPPER

DRAWING NUMBER:

05-7372A

## ANGLE TABLE

A1	90°22'27"
A2	90°03'26"
A3	90°01'37"
A4	89°58'23"
A5	89°46'14"
A6	90°13'42"
A7	89°41'16"
A8	90°00'59"
A9	90°14'24"
A10	179°34'07"
A11	180°00'00"
A12	180°21'11"
A13	180°01'54"





# LEGEND

(P)-PLAT (F)-FIELD

R/W=RIGHT OF WAY

⊕=EXISTING 1/2" METAL ROD

⊙=EXISTING 1/2" METAL PIPE

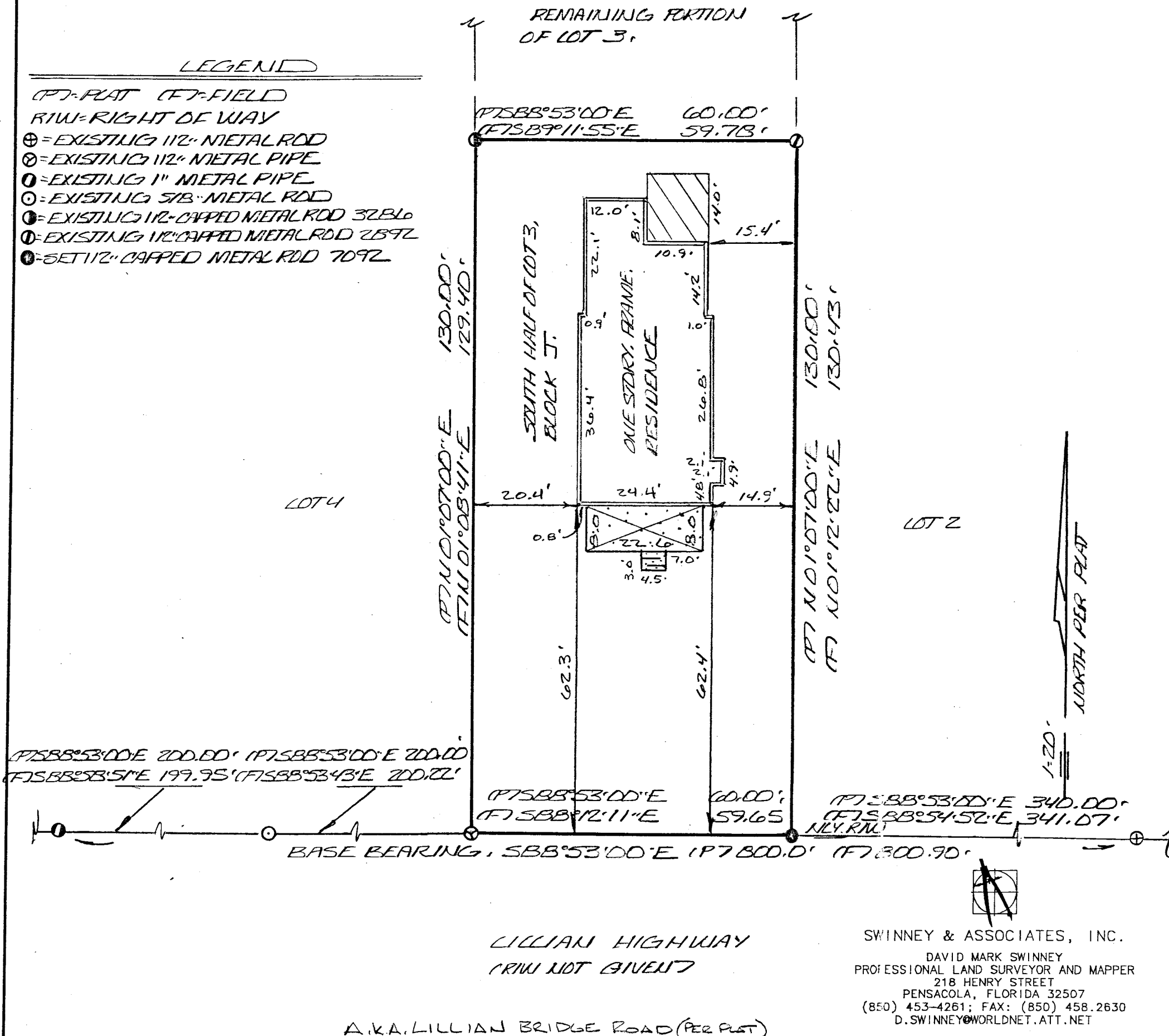
①=EXISTING 1" METAL PIPE

⊖=EXISTING 5/8" METAL ROD

①=EXISTING 1/2" CAPED METAL ROD 3286

①=EXISTING 1/2" CAPED METAL ROD 2892

⊕=SET 1/2" CAPED METAL ROD 7092



## DESCRIPTION:

THE SOUTH 1/2 OF LOT 3, BLOCK J, PLAT OF PERDIDO HEIGHTS, A SUBDIVISION OF A PORTION OF SECTION 2, TOWNSHIP 2 SOUTH, RANGE 32 WEST, ESCAMBIA COUNTY, STATE OF FLORIDA, AS RECORDED IN PLAT BOOK 1, PAGE 2 OF THE PUBLIC RECORDS OF SAID COUNTY.

## CERTIFY TO:

SLAVOLJUB DJURIC  
MARGARET DJURIC  
AMSOUTH BANK  
ATTORNEYS' TITLE INSURANCE FUND  
STONEWALL TITLE GROUP, LLC

## SURVEYORS NOTES:

THIS SURVEY WAS PERFORMED FOR THE CLIENT SHOWN AND IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT PRIOR CONSENT FROM THIS SURVEYOR.

ALL MEASUREMENTS WERE MADE ACCORDING TO UNITED STATES FOOT.

NO TITLE RESEARCH WAS PERFORMED BY THIS SURVEYOR, NOR WERE WE FURNISHED WITH SUCH.

NO INSTRUMENT OF RECORD REFLECTING EASEMENTS, RIGHT OF WAY, AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS SHOWN.

NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN.

ALL BEARINGS AND DISTANCES ARE RECORD UNLESS OTHERWISE NOTED.

ERROR OF CLOSURE MEETS MINIMUM TECHNICAL STANDARDS.

THERE MAY BE ADDITIONAL RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND RECORDED IN THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA THAT DO NOT APPEAR ON THE FACE OF THIS PLAT.


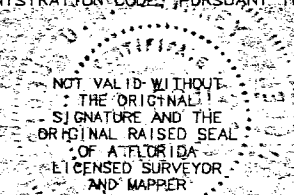
BASIS OF BEARING: NLY R/W OF LILLIAN HIGHWAY.  
SBB°53'00"E, PER PLAT.

REFERENCE SOURCE: FIELD WORK AND EXISTING FIELD MONUMENTATION:

LEGAL AS FURNISHED

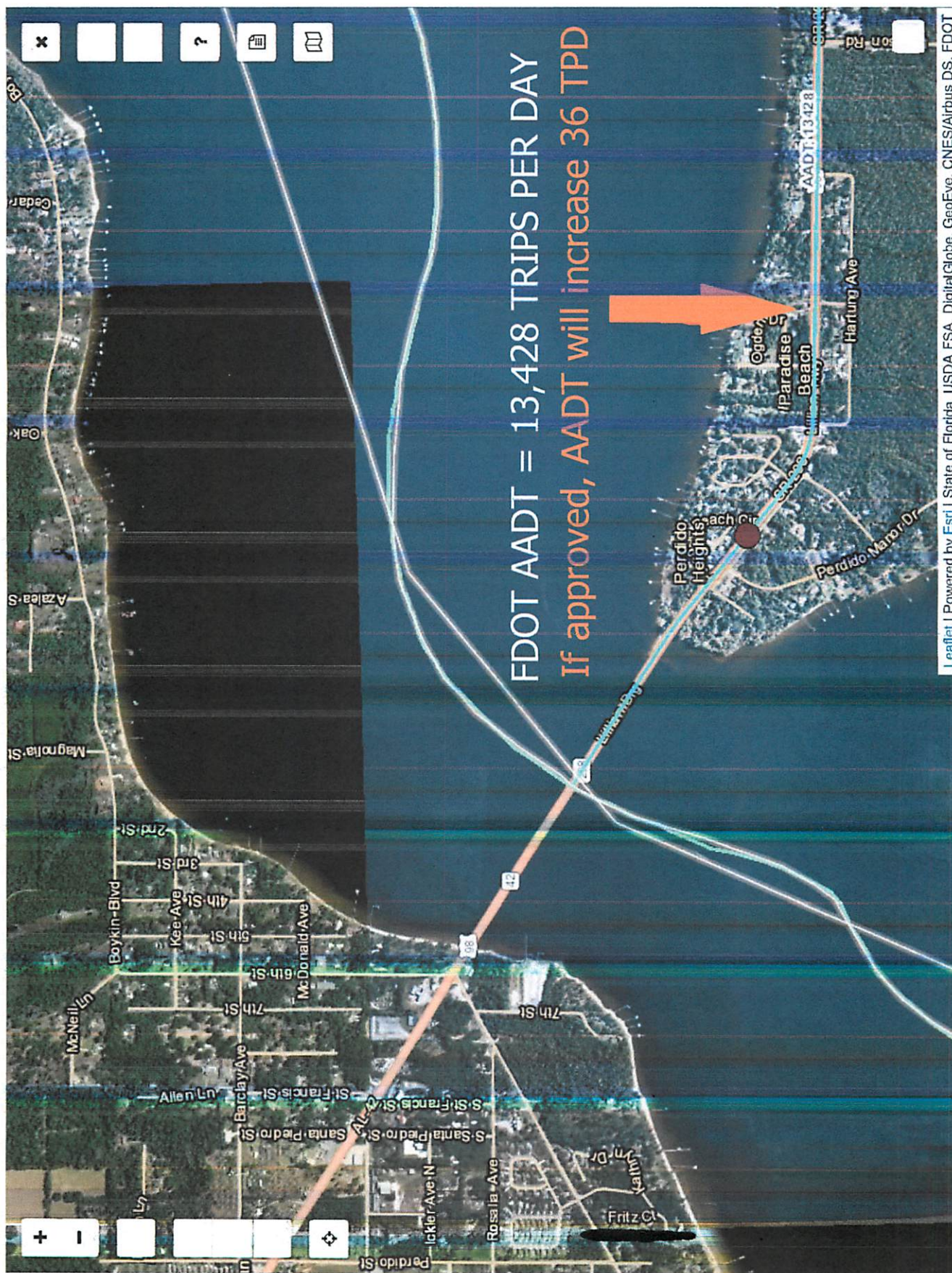
ENCROACHMENTS ARE AS SHOWN.

LICENSE BUSINESS NO. 7092

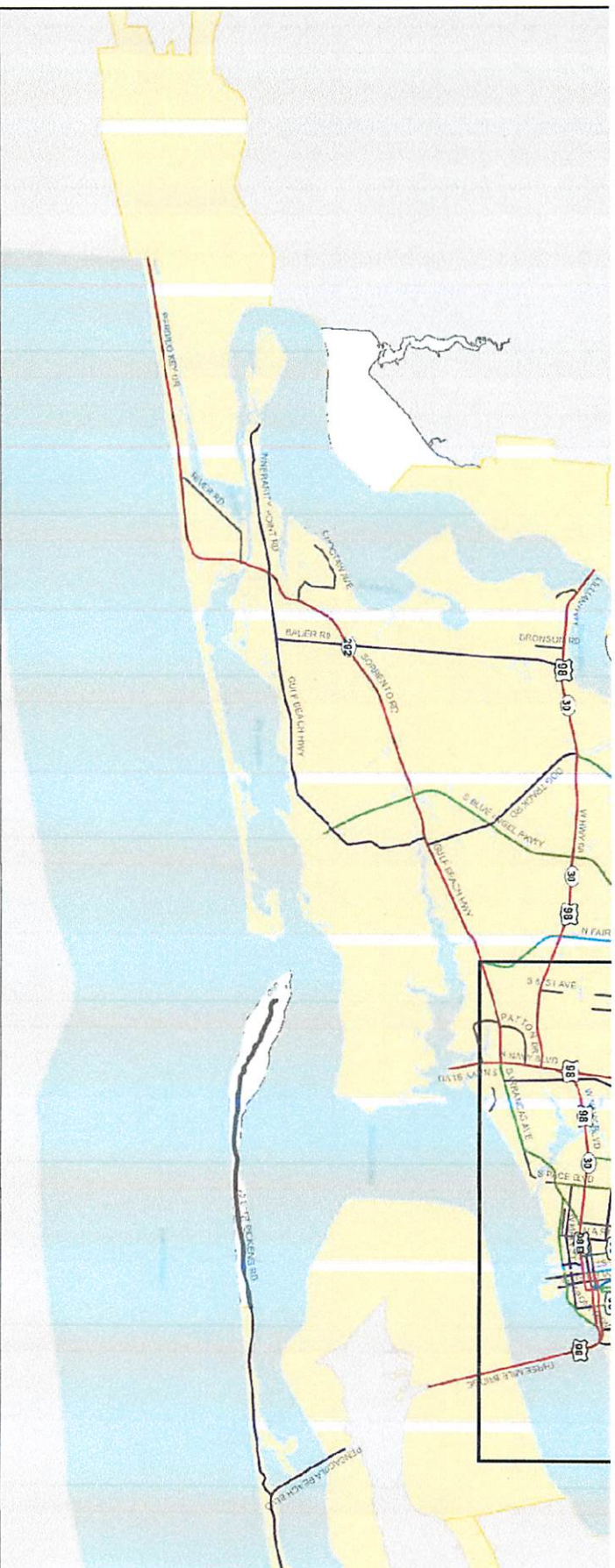
ADDRESS:	12960 LILLIAN HIGHWAY		
REQUESTED BY:	TOM SMITH		
TYPE:	BOUNDARY WITH IMPROVEMENTS		
SECTION:	2	TOWNSHIP:	2-SOUTH
RANGE:	32-WEST	COUNTY:	ESCAMBIA
SCALE:	1"=20'	DRAWN BY:	BH
FIELD DATE:	01/08/05	CREW:	DCMS
DATE:	01-10-05	FIELD BOOK:	127
PAGE:	46		
REVISION DATE:			
SURVEYORS CERTIFICATE			
I 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 LAND SURVEYORS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATION CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.			
 DAVID MARK SWINNEY PROFESSIONAL SURVEYOR AND MAPPER NO. 5641 STATE OF FLORIDA			
DRAWING NUMBER:		05-7372	

SWINNEY & ASSOCIATES, INC.

DAVID MARK SWINNEY  
PROFESSIONAL LAND SURVEYOR AND MAPPER  
218 HENRY STREET  
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D.SWINNEY@WORLDNET.ATT.NET







Escambia County	
01 - Principal Arterial-Interstate RURAL	11 - Principal Arterial-Interstate URBAN
02 - Principal Arterial-Expressway RURAL	12 - Principal Arterial-Freeway and Expressway URBAN
04 - Principal Arterial-Other RURAL	14 - Principal Arterial-Other URBAN
06 - Minor Arterial RURAL	16 - Minor Arterial URBAN
07 - Major Collector RURAL	17 - Major Collector URBAN
08 - Minor Collector RURAL	18 - Minor Collector (Fed Aid) URBAN

# ESCAMBIA COUNTY FUNCTIONAL

Lillian Hwy 98 = FDOT Classification of Principal Arterial - Urban



**ITE Trip Generation Rates - 8th Edition**  
**Pass-by rates from ITE Trip Generation Handbook - 2nd Edition**
**Instructions:** Enter Expected Unit Volumes into Column 'M'

Description/ITE Code FDOT FSUTAMAS	Units	ITE Vehicle Trip Generation Rates (peak hours are for peak hour of adjacent street traffic unless highlighted)								Expected Units	Total Generated Trips			Total Distribution of Generated Trips							
		Weekday	AM	PM	Pass-By	AM In	AM Out	PM In	PM Out		Daily	AM Hour	PM Hour	AM In	AM Out	Pass-By	PM In	PM Out	Pass-By		
Waterport/Marine Terminal 010	Acres	11.93	NA	NA			NA	NA	NA	NA		0	NA	NA	NA	NA	NA	0	NA	NA	0
Waterport/Marine Terminal 010	Berths	171.52	NA	NA			NA	NA	NA	NA		0	NA	NA	NA	NA	NA	0	NA	NA	0
Commercial Airport 021	Employees	13.40	0.82	0.80			55%	45%	54%	46%		0	0	0	0	0	0	0	0	0	0
Commercial Airport 021	Avg. Flights/Day	104.73	5.40	5.75			54%	46%	45%	55%		0	0	0	0	0	0	0	0	0	0
Commercial Airport 021	Com. Flights/Day	122.21	6.43	6.88			55%	45%	54%	46%		0	0	0	0	0	0	0	0	0	0
General Aviation Airport 022	Employees	14.24	0.69	1.03			83%	17%	45%	55%		0	0	0	0	0	0	0	0	0	0
General Aviation Airport 022	Avg. Flights/Day	1.97	0.24	0.30			NA	NA	NA	NA		0	0	0	NA	NA	0	NA	NA	0	0
General Aviation Airport 022	Based Aircraft	5.00	0.24	0.37			83%	17%	45%	55%		0	0	0	0	0	0	0	0	0	0
Truck Terminal 030	Acres	81.90	7.28	6.55			41%	59%	43%	57%		0	0	0	0	0	0	0	0	0	0
Truck Terminal 030	Employees	6.99	0.66	0.55			40%	60%	47%	53%		0	0	0	0	0	0	0	0	0	0
Park&Ride w/ Bus Service 090	Parking Spaces	4.50	0.72	0.62			81%	19%	23%	77%		0	0	0	0	0	0	0	0	0	0
Park&Ride w/ Bus Service 090	Acres	372.32	48.81	43.75			NA	NA	NA	NA		0	0	0	NA	NA	0	NA	NA	0	0
Park&Ride w/ Bus Service 090	Occ. Spaces	9.62	1.26	0.81			69%	31%	28%	72%		0	0	0	0	0	0	0	0	0	0
Light Rail Station w/ Park 093	Parking Space	2.51	1.07	1.24			80%	20%	58%	42%		0	0	0	0	0	0	0	0	0	0
Light Rail Station w/ Park 093	Occ. Spaces	3.91	1.14	1.33			80%	20%	58%	42%		0	0	0	0	0	0	0	0	0	0
General Light Industrial 110	KSF <sup>2</sup>	6.97	0.92	0.97			88%	12%	12%	88%		0	0	0	0	0	0	0	0	0	0
General Light Industrial 110	Acres	51.80	7.51	7.26			83%	17%	22%	78%		0	0	0	0	0	0	0	0	0	0
General Light Industrial 110	Employees	3.02	0.44	0.42			83%	17%	21%	79%		0	0	0	0	0	0	0	0	0	0
General Heavy Industrial 120	KSF <sup>2</sup>	1.50	0.51	0.19			NA	NA	NA	NA		0	0	0	NA	NA	0	NA	NA	0	0
General Heavy Industrial 120	Acres	6.75	1.98	2.16			NA	NA	NA	NA		0	0	0	NA	NA	0	NA	NA	0	0
General Heavy Industrial 120	Employees	0.82	0.51	0.88			NA	NA	NA	NA		0	0	0	NA	NA	0	NA	NA	0	0
Industrial Park 130	KSF <sup>2</sup>	6.96	0.84	0.86			82%	18%	21%	79%		0	0	0	0	0	0	0	0	0	0
Industrial Park 130	Acres	63.11	8.55	8.84			83%	17%	21%	79%		0	0	0	0	0	0	0	0	0	0
Industrial Park 130	Employees	3.34	0.47	0.46			86%	14%	20%	80%		0	0	0	0	0	0	0	0	0	0
Manufacturing 140	KSF <sup>2</sup>	3.82	0.73	0.73			78%	22%	36%	64%		0	0	0	0	0	0	0	0	0	0
Manufacturing 140	Acres	38.88	7.44	8.35			93%	7%	53%	47%		0	0	0	0	0	0	0	0	0	0
Manufacturing 140	Employees	2.13	0.40	0.36			73%	27%	44%	56%		0	0	0	0	0	0	0	0	0	0
Warehousing 150	KSF <sup>2</sup>	3.56	0.30	0.32			79%	21%	25%	75%		0	0	0	0	0	0	0	0	0	0
Warehousing 150	Acres	57.23	10.03	8.69			72%	28%	35%	65%		0	0	0	0	0	0	0	0	0	0
Warehousing 150	Employees	3.89	0.51	0.59			72%	28%	35%	65%		0	0	0	0	0	0	0	0	0	0
Mini Warehouse 151	KSF <sup>2</sup>	2.50	0.15	0.26			59%	41%	51%	49%		0	0	0	0	0	0	0	0	0	0
Mini Warehouse 151	Storage Units	0.25	0.02	0.02			67%	33%	NA	NA		0	0	0	0	0	0	NA	NA	0	0
Mini Warehouse 151	Acres	35.43	2.62	3.45			NA	NA	52%	48%		0	0	0	NA	NA	0	0	0	0	0
Mini Warehouse 151	Employees	61.90	5.26	6.04			67%	33%	52%	48%		0	0	0	0	0	0	0	0	0	0
High-Cube Warehouse 152	KSF <sup>2</sup>	1.44	0.09	0.10			65%	35%	33%	67%		0	0	0	0	0	0	0	0	0	0
Utilities 170	KSF <sup>2</sup>	NA	0.80	0.76			NA	NA	45%	55%		0	0	0	NA	NA	0	0	0	0	0
Utilities 170	Employees	NA	0.76	0.76			90%	10%	15%	85%		0	0	0	0	0	0	0	0	0	0
Single Family Homes 210	DU	9.57	0.75	1.01			25%	75%	63%	37%	0.0	0	0	0	0	0	0	0	0	0	0
Single Family Homes 210	Acres	26.04	2.06	2.74			31%	69%	66%	34%		0	0	0	0	0	0	0	0	0	0
Single Family Homes 210	Persons	2.55	0.21	0.28			31%	69%	66%	34%		0	0	0	0	0	0	0	0	0	0
Single Family Homes 210	Vehicles	6.02	0.51	0.67			31%	69%	66%	34%		0	0	0	0	0	0	0	0	0	0
Apartment 220	DU	6.65	0.51	0.62			20%	80%	65%	35%		0	0	0	0	0	0	0	0	0	0
Apartment 220	Persons	3.31	0.28	0.40			NA	NA	NA	NA		0	0	0	NA	NA	0	NA	NA	0	0
Apartment 220	Vehicles	5.10	0.46	0.60			NA	NA	NA	NA		0	0	0	NA	NA	0	NA	NA	0	0
Low Rise Apartment 221	Occ. DU	6.59	0.46	0.58			21%	79%	65%	35%		0	0	0	0	0	0	0	0	0	0
High Rise Apartment 222	DU	4.20	0.30	0.35			25%	75%	61%	39%		0	0	0	0	0	0	0	0	0	0
Mid-Rise Apartment 223	DU	NA	0.30	0.39			31%	69%	58%	42%		0	0	0	0	0	0	0	0	0	0
Rental Townhouse 224	DU	NA	0.70	0.72			33%	67%	51%	49%		0	0	0	0	0	0	0	0	0	0
Resd. Condo/Townhouse 230	DU	5.81	0.44	0.52			17%	83%	67%	33%		0	0	0	0	0	0	0	0	0	0
Resd. Condo/Townhouse 230	Persons	2.49	0.19	0.24			16%	84%	67%	33%		0	0	0	0	0	0	0	0	0	0
Resd. Condo/Townhouse 230	Vehicles	3.34	0.24	0.32			16%	84%	66%	34%		0	0	0	0	0	0	0	0	0	0
Low Rise Resd. Condo 231	DU	NA	0.67	0.78			25%	75%	58%	42%		0	0	0	0	0	0	0	0	0	0
High Rise Resd. Condo 232	DU	4.18	0.34	0.38			19%	81%	62%	38%		0	0	0	0	0	0	0	0	0	0
Luxury Condo/Townhouse 233	Occ. DU	NA	0.56	0.55			23%	77%	63%	37%		0	0	0	0	0	0	0	0	0	0
Mobile Home Park 240	Occ. DU	4.99	0.44	0.59			20%	80%	62%	38%		0	0	0	0	0	0	0	0	0	0



Single Tenant Office Bldg 715	KSF <sup>2</sup>	11.57	1.80	1.73	89%	11%	15%	85%	0	0	0	0	0	0	0	0	0	0
Single Tenant Office Bldg 715	Employees	3.52	0.53	0.50	89%	11%	15%	85%	0	0	0	0	0	0	0	0	0	0
Medical Dental Office 720	KSF <sup>2</sup>	36.13	2.30	3.46	79%	21%	27%	73%	1.0	36	2	3	2	0	0	1	3	0
Medical Dental Office 720	Employees	8.91	0.53	1.06	79%	21%	34%	66%	0	0	0	0	0	0	0	0	0	0
Government Office Building 730	KSF <sup>2</sup>	68.93	5.66	1.21	84%	16%	31%	68%	0	0	0	0	0	0	0	0	0	0
Government Office Building 730	Employees	11.95	1.02	1.91	84%	16%	74%	26%	0	0	0	0	0	0	0	0	0	0
State Motor Vehicles Dept. 731	KSF <sup>2</sup>	166.02	9.84	17.09	NA	NA	NA	NA	0	0	0	NA	NA	0	NA	NA	NA	0
State Motor Vehicles Dept. 731	Employees	44.64	2.64	4.58	NA	NA	NA	NA	0	0	0	NA	NA	0	NA	NA	NA	0
US Post Office 732	KSF <sup>2</sup>	108.19	8.21	11.12	52%	48%	51%	49%	0	0	0	0	0	0	0	0	0	0
US Post Office 732	Employees	28.32	2.01	2.84	52%	48%	51%	49%	0	0	0	0	0	0	0	0	0	0
Gov. Office Complex 733	KSF <sup>2</sup>	27.92	2.21	2.85	89%	11%	31%	69%	0	0	0	0	0	0	0	0	0	0
Gov. Office Complex 733	Employees	7.75	0.61	0.79	89%	11%	31%	69%	0	0	0	0	0	0	0	0	0	0
Office Park 750	KSF <sup>2</sup>	11.42	1.71	1.48	89%	11%	14%	86%	0	0	0	0	0	0	0	0	0	0
Office Park 750	Employees	3.50	0.43	0.39	92%	8%	15%	85%	0	0	0	0	0	0	0	0	0	0
Office Park 750	Acres	195.11	25.65	28.26	92%	8%	15%	85%	0	0	0	0	0	0	0	0	0	0
R&D Center 760	KSF <sup>2</sup>	8.11	1.22	1.07	83%	17%	15%	85%	0	0	0	0	0	0	0	0	0	0
R&D Center 760	Employees	2.77	0.43	0.41	86%	14%	10%	90%	0	0	0	0	0	0	0	0	0	0
R&D Center 760	Acres	79.61	16.77	15.44	84%	16%	12%	88%	0	0	0	0	0	0	0	0	0	0
Business Park 770	KSF <sup>2</sup>	12.76	1.43	1.29	84%	16%	23%	77%	0	0	0	0	0	0	0	0	0	0
Business Park 770	Employees	4.04	0.45	0.39	85%	15%	22%	78%	0	0	0	0	0	0	0	0	0	0
Business Park 770	Acres	149.79	19.85	18.54	85%	15%	20%	80%	0	0	0	0	0	0	0	0	0	0
Building Materials/Lumber 812	KSF <sup>2</sup>	45.16	2.60	4.49	87%	33%	47%	53%	0	0	0	0	0	0	0	0	0	0
Building Materials/Lumber 812	Employees	32.12	2.42	2.77	82%	38%	51%	49%	0	0	0	0	0	0	0	0	0	0
Free Standing Discount Superstore 813	KSF <sup>2</sup>	53.13	1.67	4.51	28%	56%	44%	49%	51%	0	0	0	0	0	0	0	0	0
Specialty Retail Center 814	KSF <sup>2</sup>	44.32	6.84	2.71	48%	52%	44%	56%	0	0	0	0	0	0	0	0	0	0
Specialty Retail Center 814	Employees	22.36	NA	NA	NA	NA	NA	NA	0	NA	NA	NA	NA	0	NA	NA	NA	0
Free-Standing Discount Store 815	KSF <sup>2</sup>	57.24	1.05	5.00	17%	58%	32%	50%	50%	0	0	0	0	0	0	0	0	0
Free-Standing Discount Store 815	Employees	28.84	0.51	3.48	17%	66%	34%	50%	50%	0	0	0	0	0	0	0	0	0
Hardware/Paint Store 816	KSF <sup>2</sup>	51.29	1.08	4.84	26%	NA	NA	47%	53%	0	0	0	NA	NA	0	0	0	0
Hardware/Paint Store 816	Employees	53.21	1.13	5.05	26%	NA	NA	NA	NA	0	0	0	NA	NA	0	NA	NA	0
Hardware/Paint Store 816	Acres	545.77	11.54	51.79	26%	NA	NA	NA	NA	0	0	0	NA	NA	0	NA	NA	0
Nursery (Garden Center) 817	KSF <sup>2</sup>	36.08	1.31	3.80	NA	NA	NA	NA	NA	0	0	0	NA	NA	0	NA	NA	0
Nursery (Garden Center) 817	Employees	22.13	0.69	1.99	NA	NA	NA	NA	NA	0	0	0	NA	NA	0	NA	NA	0
Nursery (Garden Center) 817	Acres	96.21	2.69	7.52	NA	NA	NA	NA	NA	0	0	0	NA	NA	0	NA	NA	0
Nursery (Wholesale) 818	KSF <sup>2</sup>	39.00	2.40	5.17	NA	NA	NA	NA	NA	0	0	0	NA	NA	0	NA	NA	0
Nursery (Wholesale) 818	Employees	23.40	0.34	0.47	NA	NA	NA	NA	NA	0	0	0	NA	NA	0	NA	NA	0
Nursery (Wholesale) 818	Acres	19.50	0.25	0.45	NA	NA	NA	NA	NA	0	0	0	NA	NA	0	NA	NA	0
Shopping Center 820 (Equation)	KSF <sup>2</sup>	Equations			34%	51%	39%	49%	51%	0	0	0	0	0	0	0	0	0
Shopping Center 820 Rate	KSF <sup>2</sup>	42.94	1.00	3.73	34%	61%	39%	49%	51%	0	0	0	0	0	0	0	0	0
Factory Outlet Center 823	KSF <sup>2</sup>	26.59	0.67	2.29	73%	27%	47%	53%	0	0	0	0	0	0	0	0	0	0
New Car Sales 841	KSF <sup>2</sup>	33.34	2.03	2.59	74%	25%	39%	61%	0.0	0	0	0	0	0	0	0	0	0
New Car Sales 841	Employees	21.14	0.67	0.95	44%	56%	48%	52%	0.0	0	0	0	0	0	0	0	0	0
Automobile Parts Sales 843	KSF <sup>2</sup>	61.91	2.21	5.98	43%	NA	NA	48%	51%	0	0	0	NA	NA	0	0	0	0
Tire Store 848	Service Bays	NA	2.10	3.54	28%	64%	36%	42%	58%	0	0	0	0	0	0	0	0	0
Tire Store 848	KSF <sup>2</sup>	24.97	2.89	4.15	25%	83%	37%	43%	57%	0	0	0	0	0	0	0	0	0
Tire Superstore 849	Service Bays	30.55	2.01	3.17	85%	35%	47%	53%	0	0	0	0	0	0	0	0	0	0
Tire Superstore 849	KSF <sup>2</sup>	20.36	1.34	2.11	85%	35%	47%	53%	0	0	0	0	0	0	0	0	0	0
Supermarket 850	KSF <sup>2</sup>	102.24	3.59	10.50	36%	61%	39%	51%	49%	0	0	0	0	0	0	0	0	0
Convenience Mkt. (Open 24 hrs) 851	KSF <sup>2</sup>	737.99	67.03	52.41	61%	50%	50%	51%	49%	0	0	0	0	0	0	0	0	0
Convenience Mkt. (Open 18 Hrs) 852	KSF <sup>2</sup>	NA	31.02	34.57	50%	50%	50%	49%	51%	0	0	0	0	0	0	0	0	0
Convenience Mkt w/ Gas Pumps 853	KSF <sup>2</sup>	845.60	43.90	59.69	66%	50%	50%	50%	50%	0	0	0	0	0	0	0	0	0
Convenience Mkt w/ Gas Pumps 853	Fuel Position	542.60	16.57	19.07	66%	50%	50%	50%	50%	0	0	0	0	0	0	0	0	0
Discount Supermarket 854	KSF <sup>2</sup>	96.82	2.74	6.80	23%	58%	42%	50%	50%	0	0	0	0	0	0	0	0	0
Discount Club 857	KSF <sup>2</sup>	41.80	0.56	4.24	71%	29%	50%	50%	50%	0	0	0	0	0	0	0	0	0
Discount Club 857	Employees	32.21	0.36	2.79	77%	23%	48%	52%	0	0	0	0	0	0	0	0	0	0
Wholesale Market 860	KSF <sup>2</sup>	6.73	0.51	0.88	67%	33%	53%	47%	0	0	0	0	0	0	0	0	0	0
Sporting Goods Superstore 861	KSF <sup>2</sup>	NA	NA	3.10	NA	NA	47%	53%	0	NA	0	NA	NA	0	0	0	0	0
Home Improvement Superstore 862	KSF <sup>2</sup>	29.80	1.26	2.37	48%	57%	43%	48%	52%	0	0	0	0	0	0	0	0	0
Electronics Superstore 863	KSF <sup>2</sup>	45.04	0.28	4.50	40%	NA	NA	49%	51%	0	0	0	NA	NA	0	0	0	0

A 1,000sf Medical Dental facility will have a trip distribution of 36 trips per day as shown above.

## **DJURIC NEIGHBORHOOD COMPATIBILITY**

The requested HDMU zoning district classification was selected because it contains the allowed use of professional offices as per the following excerpt from the adopted Escambia County Land Development Code:

### **Sec. 3-2.9 High Density Mixed-use district (HDMU). (a)**

**Purpose.** The High Density Mixed-use (HDMU) district establishes appropriate areas and land use regulations for a complimentary mix of high density residential uses and compatible non-residential uses within urban areas. The primary intent of the district is to provide for a mix of neighborhood retail sales, services and **professional offices** with greater dwelling unit density and diversity than the Low Density Mixed-use district. Additionally, the HDMU district is intended to rely on urban street connectivity and encourage vertical mixes of commercial and residential uses within the same building to accommodate a physical pattern of development characteristic of village main streets and older neighborhood commercial areas. Residential uses within the district include all forms of single-family, two-family and multi-family dwellings.

Dr. Djuric has maintained his dental practice at this location since 1998. The location contains two buildings, the dental office and an adjacent existing building as well. He anticipates his son will use the second building to open his new chiropractic offices. Both buildings will be used to provide medical services under the allowed "professional uses" referenced above. The existing dental office has proven itself to be compatible with the neighborhood for over 21 years. No new construction is anticipated on the building except for parking and a handicapped ramp addition out front. Dr. Djuric's proposed plans are contained in his attached letter dated November 15, 2018.

As shown on maps in the application, the property is surrounded by

lots that currently are zoned the same HDMU category as is being

requested by Dr. Djuric.

**Sec. 3-1.6 Compatibility.** (a) Generally. Zoning districts provide the primary means to establish and maintain the necessary balance between the needs and interests of **different land uses, allowing neighboring uses to coexist successfully in a stable fashion over time, protecting the investments in each.** Although zoning separates generally incompatible development, inclusion as a permitted use within a district does not alone ensure compatibility with other district uses. (b) Location criteria. Location criteria are established within some zoning districts to promote compatibility among uses, especially new non-residential uses in relation to existing residential uses. Most criteria are designed to create smooth transitions of use intensity from large-scale concentrations of general commercial uses near major street intersections to small-scale dispersed neighborhood commercial uses in proximity to residential areas. Such transitions prevent the adverse impacts of continuous strip commercial development along major streets and avoid negative or blighting influences of some commercial uses on adjacent residential neighborhoods.

As referenced earlier, the dental practice has been a part of this neighborhood for over twenty years, demonstrating that professional services can co-exist successfully in a stable fashion over time, protecting the investments in each.

The Comprehensive requires the following criteria regarding location:

**(e) Location criteria.** All new non-residential uses proposed within



the HDMU district that are not part of a predominantly residential development or a planned unit development, or are not identified as exempt by district regulations, shall be on parcels that satisfy at least one of the following location criteria:

**(3) Infill development.** Along an arterial or collector street, in an area where already established non-residential uses are otherwise consistent with the HDMU 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

The requested zoning category is consistent with item **(3) Infill Development** above in that the site is surrounded by the same category as is being requested in this application, and the proposed use of **Professional Services** is listed as an allowed and permitted use under **LDC 3-2.9** cited above.

## Planning Board-Rezoning

7. B.

**Meeting Date:** 02/05/2019

**CASE :** Z-2019-03

**APPLICANT:** Kerry Anne Schultz, Agent for James D. Homyak, Ashland Avenue, LLC.

**ADDRESS:** 8662 Ashland Avenue

**PROPERTY REF. NO.:** 10-1S-30-1101-030-005

**FUTURE LAND USE:** MU-U, Mixed-Use Urban

**DISTRICT:** 3

**OVERLAY DISTRICT:** N/A

**BCC MEETING DATE:** 03/07/2019

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### SUBMISSION DATA:

#### REQUESTED REZONING:

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

**TO:** HDMU, High Density Mixed-use 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 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.

**CPP 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).

**CPP FLU 2.1.2 Compact Development.** To promote compact development, FLUM amendments and residential rezonings to allow higher residential densities may be allowed in the Mixed-Use Urban (MU-U) and Mixed-Use Suburban (MU-S) future land use categories.

## **FINDINGS**

The proposed amendment to HDMU is **consistent** with the intent and purpose of Future Land Use category MU-U as stated in CPP FLU 1.3.1. The MU-U FLU 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. The listed Range of Allowable Uses includes residential, retail and services, professional office, light industrial, recreational facilities, public, civic and limited agriculture. The amendment is also consistent with the intent of FLU 1.5.1 and FLU 2.1.2 by making use of the existing public roads and the availability of utilities and service infrastructure.

### **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. 3-2.9 High Density Mixed-use district (HDMU).**

(a) Purpose. The High Density Mixed-use (HDMU) district establishes appropriate areas and land use regulations for a complimentary mix of high density residential uses and compatible non-residential uses within urban areas. The primary intent of the district is to provide for a mix of neighborhood retail sales, services and professional offices with greater dwelling unit density and diversity than the Low Density Mixed-use district. Additionally, the HDMU district is intended to rely on urban street connectivity and encourage vertical mixes of commercial and residential uses within the same building to

accommodate a physical pattern of development characteristic of village main streets and older neighborhood commercial areas. Residential uses within the district include all forms of single-family, two-family and multi-family dwellings.

**(b) Permitted uses.** Permitted uses within the HDMU district are limited to the following:

**(1) Residential.** The following residential uses are allowed throughout the district, but if within a 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 manufactured home subdivisions, but excluding new or expanded manufactured home parks.

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.** Small-scale (gross floor area 6000 sq.ft. or less per lot) retail sales, including Low-THC marijuana dispensing facilities, sales of beer and wine, but excluding sales of liquor, automotive fuels, or motor vehicles, and excluding permanent outdoor storage, display, or sales. See also conditional uses in this district.

**(3) Retail services.** The following small-scale (gross floor area 6000 sq.ft. or less per lot) retail services, excluding outdoor work or permanent outdoor storage:

a. Bed and breakfast inns.

b. Boarding and rooming houses.

c. Child care facilities.

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.

g. Restaurants, and brewpubs, including on-premises consumption of alcoholic beverages, but excluding drive-in or drive-through service and brewpubs with distribution of alcoholic beverages for off-site sales.

See also conditional uses in this district.

**(4) Public and civic.**

a. Preschools and kindergartens.

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

c. Foster care facilities.

d. Places of worship.

e. Public utility structures, excluding telecommunications towers.

See also conditional uses in this district.

**(5) Recreation and entertainment.**

a. Marinas, private only.

b. Parks without permanent restrooms or outdoor event lighting.

See also conditional uses in this district.



**(6) Industrial and related.** No industrial or related uses.

**(7) Agricultural and related.** Agricultural production limited to food primarily for personal consumption by the producer, but no farm animals.

**(8) Other uses.** [Reserved]

**(c) Conditional uses.** Through the conditional use process prescribed in Chapter 2, the BOA may conditionally allow the following uses within the HDMU district:

**(1) Residential.**

- a. Dormitories.
- b. Fraternity and sorority houses.
- c. Manufactured (mobile) home parks.

**(2) Retail sales.** Medium-scale (gross floor area greater than 6000 sq.ft. per lot, but no greater than 35,000 sq.ft.) retail sales, including sales of beer and wine and automotive fuels, but excluding sales of motor vehicles and liquor, and excluding permanent outdoor storage, display, or sales.

**(3) Retail services.**

- a. Medium-scale (gross floor area greater than 6000 sq. ft. per lot, but no greater than 35,000 sq. ft.) retail services, excluding motor vehicle service and repair.
- b. Restaurants and brewpubs with drive-in or drive-through service and brewpubs with the distribution of on-premises produced alcoholic beverages for off-site sales.
- c. Small-scale (gross floor area 6000 sq.ft. or less per lot) major motor vehicle service and repair, excluding painting or body work and outdoor work.

**(4) Public and civic.**

- a. Broadcast stations with satellite dishes and antennas, excluding towers.
- b. Cemeteries, including family cemeteries.
- c. Clubs, civic and fraternal.
- d. Community service facilities, including auditoriums, libraries, museums, and neighborhood centers.
- e. Cinerators.
- f. Educational facilities not among the permitted uses of the district.
- g. Funeral establishments.
- h. Hospitals.
- i. Offices for government agencies or public utilities.
- j. Public utility structures exceeding the district structure height limit and telecommunications towers of any height, excluding any industrial uses.
- k. Warehousing or maintenance facilities for government agencies or public utilities.

**(5) Recreation and entertainment.**

- a. Amusement arcade centers and bingo facilities.
- b. Golf courses, tennis centers, swimming pools and similar active outdoor recreational facilities, including associated country clubs.
- c. Parks with permanent restrooms or outdoor event lighting.

**(6) Industrial and related.** Microbreweries, microdistilleries, and microwineries

**(7) Agricultural and related.**

- a. Horses or other domesticated equines kept on site, and stables for such animals, only as a private residential accessory with a minimum lot area of two acres and a maximum of one animal per acre.
- b. Veterinary clinics.

**(8) Other uses.**

- a. Self-storage facilities with a maximum lot area of one acre and outdoor storage limited to operable motor vehicles and boats. No vehicle rental.
- b. Structures of permitted uses exceeding the district structure height limit, excluding telecommunications towers.

**FINDINGS**

The proposed amendment **is consistent** with the intent and purpose of the Land Development Code. The proposed High Density Mixed-use zoning may be established only within the Mixed-Use Suburban (MU-S), Mixed-Use Urban (MU-U), or Commercial (C) future land use categories. The district is suitable for areas where the intermixing of uses has been the custom, where future uses are uncertain, and some redevelopment is probable. The district is appropriate to provide transitions between areas zoned or used for medium or high density residential and areas zoned or used for 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 applicant has stated that the proposed rezoning is for residential use. For any nonresidential uses an compatibility study would have to be approved by the Planning Director during the Site Plan Review Process. The proposed amendment **is compatible** with surrounding residential existing uses in the area. Within the 500 radius area, staff observed properties with zoning districts HDMU and MDR. Thirty single family residences, three vacant commercial, one stormwater pond, and one warehouse.

**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 requested zoning district **would not be considered to be spot zoning** as the adjoining parcel to the south is currently zoned HDMU. Along Ashland Ave, there are residential use properties and existing subdivision with new subdivision be built to the west along Ashland Ave.

### **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**. The current request does support the transitional character, uses and intensities of the surrounding areas.

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## **Attachments**

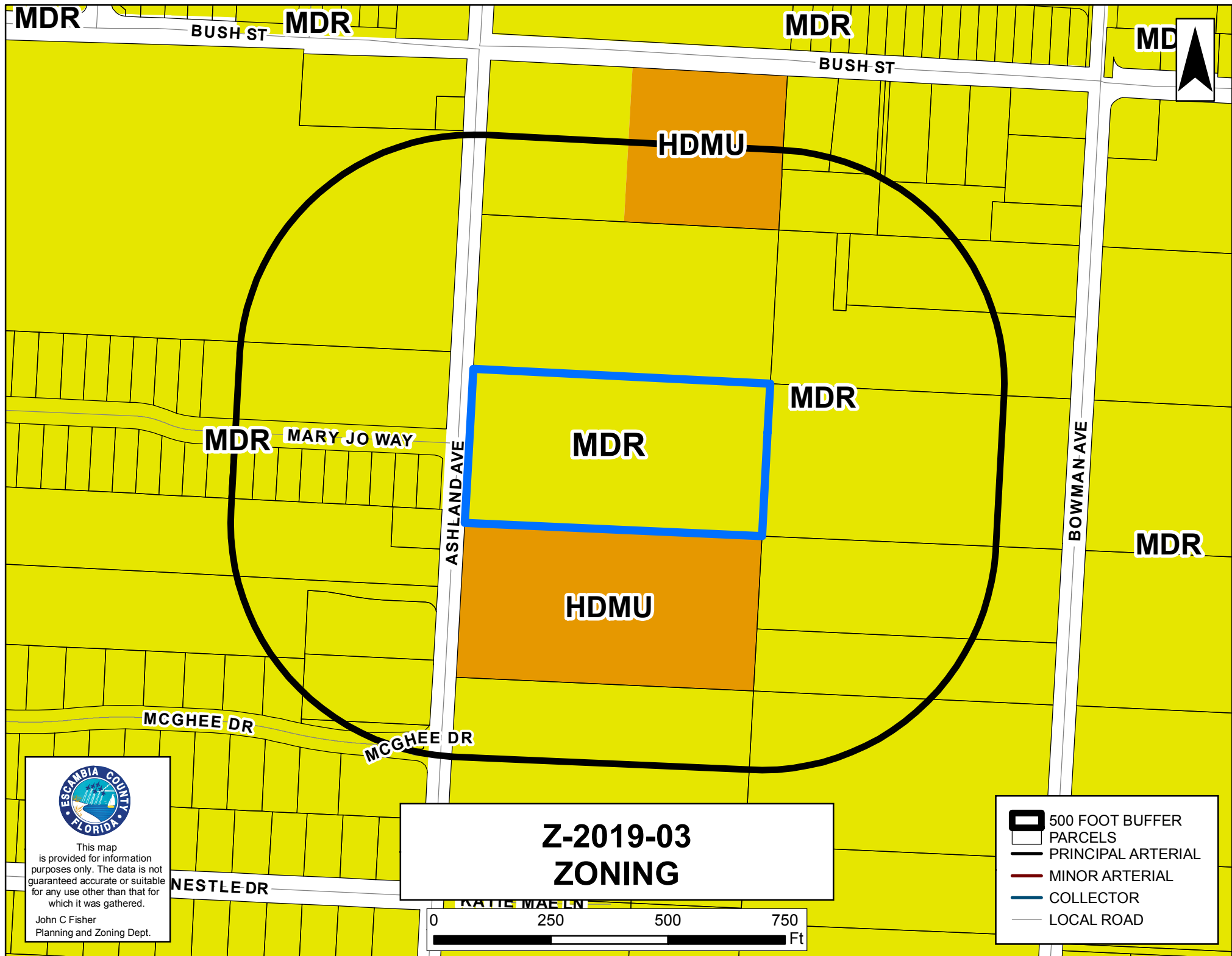
Working Case File

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**Z-2019-03**







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

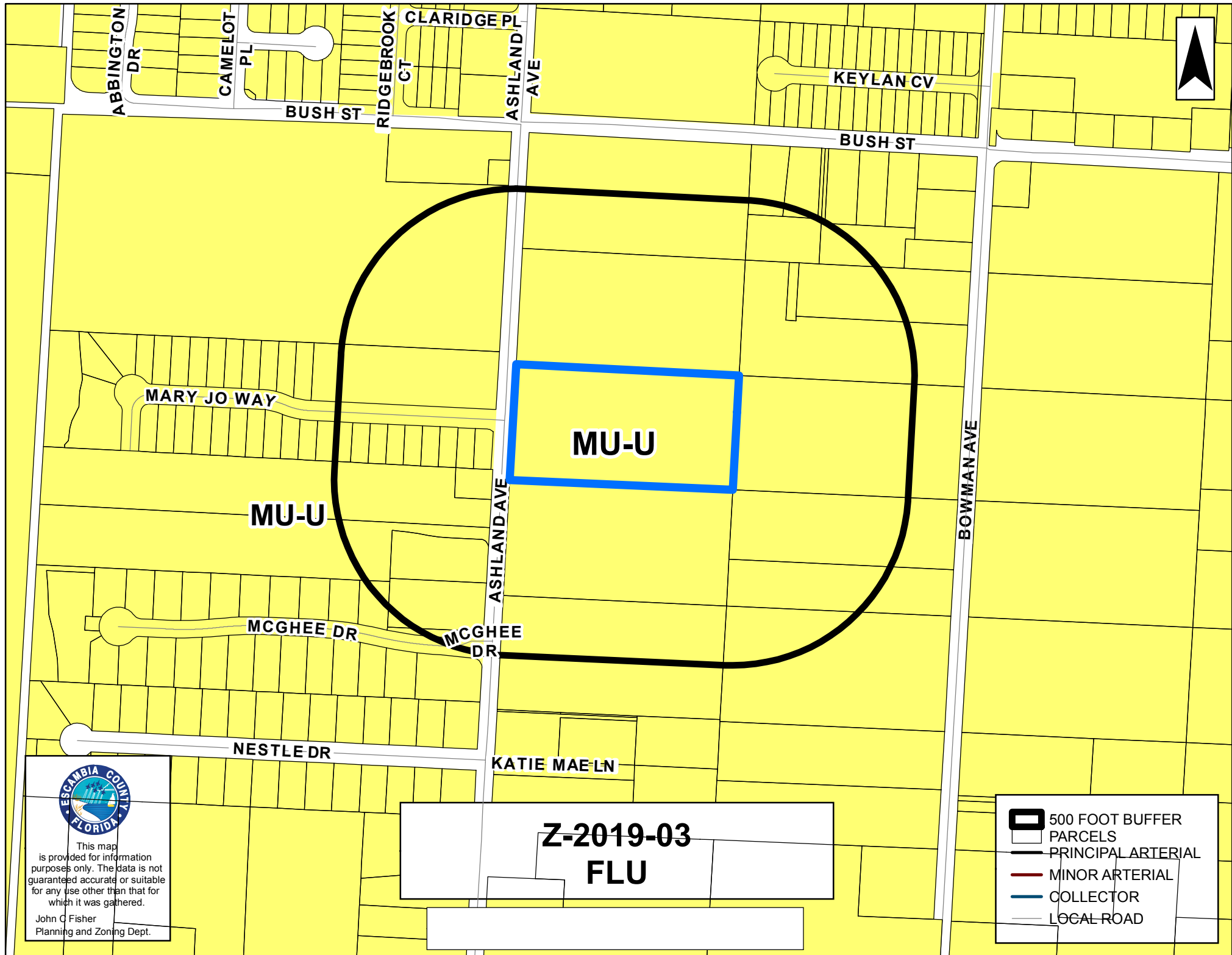
John C Fisher  
Planning and Zoning Dept.

## Z-2019-03 ZONING

0 250 500 750  
Ft

- 500 FOOT BUFFER
- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD





MU-U

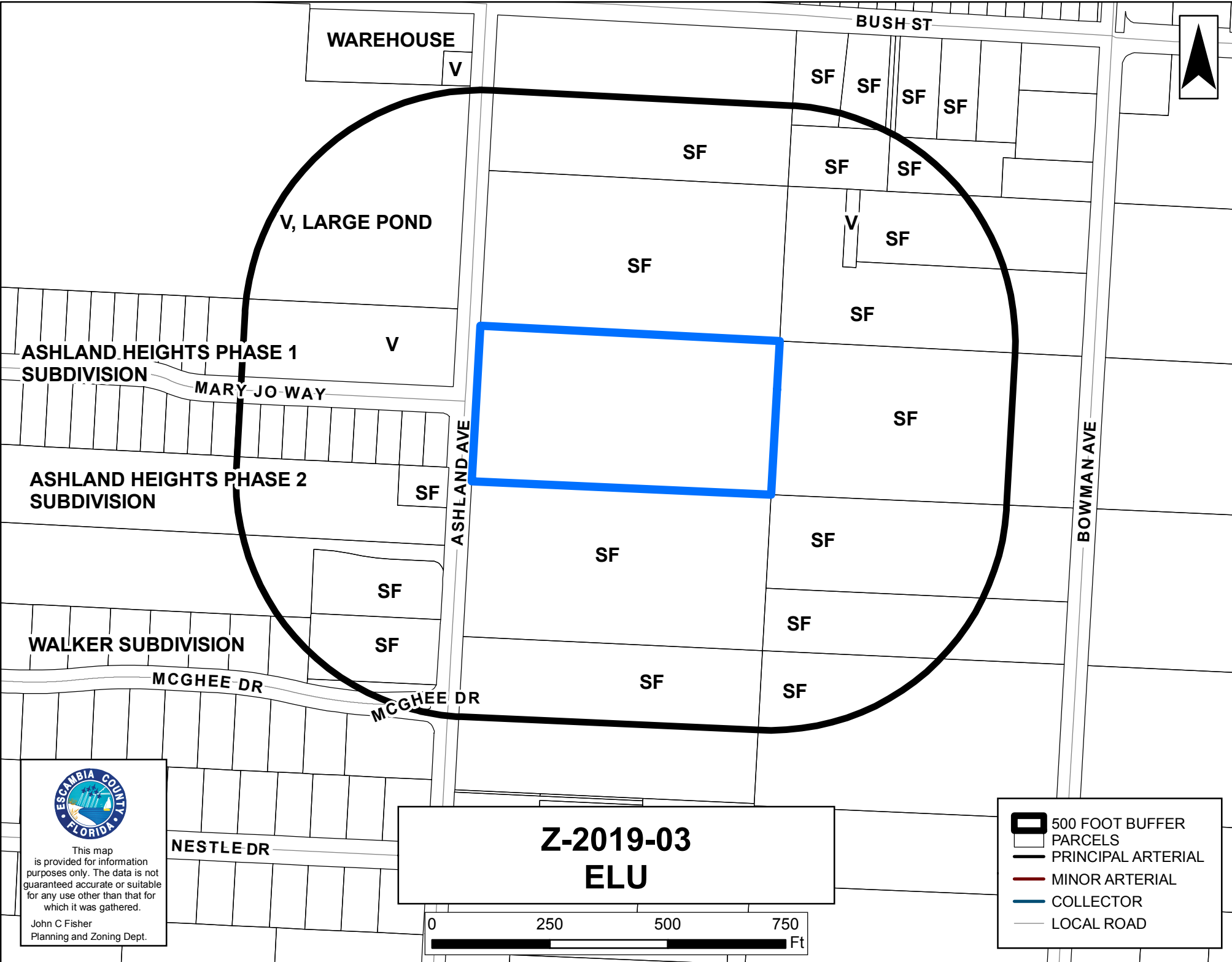
MU-U

Z-2019-03  
FLU



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John C Fisher  
Planning and Zoning Dept.

- 500 FOOT BUFFER
- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



WAREHOUSE

V

BUSH ST

SF

SF

SF

SF

SF

SF

SF

V, LARGE POND

V

SF

SF

SF

ASHLAND HEIGHTS PHASE 1  
SUBDIVISION

V

MARY JO WAY

SF

ASHLAND HEIGHTS PHASE 2  
SUBDIVISION

SF

ASHLAND AVE

BOWMAN AVE

SF

SF

WALKER SUBDIVISION

SF

SF

SF

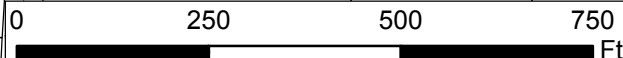
MCGHEE DR

MCGHEE DR

SF

SF

Z-2019-03  
ELU



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John C Fisher  
Planning and Zoning Dept.

NESTLE DR

- 500 FOOT BUFFER
- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD





MARY JO WAY

ASHLAND AVE

BOWMAN AVE

MCGHEE DR

MCGHEE DR

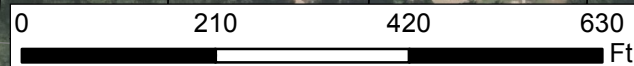
ESTLE DR



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John C Fisher  
Planning and Zoning Dept.

# Z-2019-03 AERIAL



- 500 FOOT BUFFER
- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD





# NOTICE OF PUBLIC HEARING REZONING

CASE NO.: Z-2019-03

CURRENT ZONING: MDR PROPOSED ZONING: HDMU

## PLANNING BOARD

DATE: 02/05/19 TIME: 8:30 AM

### LOCATION OF HEARING

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

## BOARD OF COUNTY COMMISSIONERS

DATE: 03/07/19 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 595-3475 OR VISIT  
[WWW.MYESCAMBIA.COM](http://WWW.MYESCAMBIA.COM)

PLEASE DO NOT REMOVE THIS SIGN  
PROPERTY OF ESCAMBIA COUNTY

**PUBLIC HEARING SIGNS**



 **NOTICE OF  
PUBLIC HEARING  
REZONING**

CASE NO.: Z-2019-03

CURRENT ZONING: MDR PROPOSED ZONING: HDMU

**PLANNING BOARD**

DATE: 02/05/19 TIME: 8:30 AM

**LOCATION OF HEARING**  
ESCAMBIA COUNTY CENTRAL OFFICE COMPLEX  
3363 WEST PARK PLACE  
BOARD MEETING ROOM

**BOARD OF COUNTY COMMISSIONERS**

DATE: 03/07/19 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 595-3475 OR VISIT  
[WWW.MYESCAMBIA.COM](http://WWW.MYESCAMBIA.COM)

PLEASE DO NOT REMOVE THIS  
PROPERTY OF ESCAMBIA CO

LOOKING SOUTH ALONG ASHLAND AVE.





LOOKING WEST FROM SUBJECT PROPERTY





LOOKING NORTH ALONG ASHLAND AVE.

**NOTICE OF PUBLIC HEARING REZONING**

CASE NO.: Z-2019-03

CURRENT ZONING: MDR PROPOSED ZONING: HDMU

**PLANNING BOARD**

DATE: 02/05/19 TIME: 8:30 AM

**LOCATION OF HEARING**  
ESCAMBIA COUNTY CENTRAL OFFICE COMPLEX  
3363 WEST PARK PLACE  
BOARD MEETING ROOM

**BOARD OF COUNTY COMMISSIONERS**

DATE: 03/07/19 TIME: 5:45 PM

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

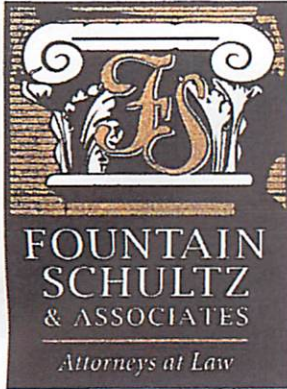
FOR MORE INFORMATION CALL:  
DEVELOPMENT SERVICES AT 904-3475 OR VISIT  
[website]  
THIS SIGN  
COUNTY





**LOOKING AT SUBJECT PROPERTY**





KENNETH R. FOUNTAIN  
KERRY ANNE SCHULTZ  
SCOTT C. BRIDGFORD

2045 FOUNTAIN PROFESSIONAL CT.  
SUITE A  
NAVAIRRE, FLORIDA 32566  
TEL: (850) 939-3535  
FAX: (850) 939-3539  
  
SANTA ROSA BEACH  
TEL: (850) 622-2700  
FAX: (850) 622-2722

December 19, 2018

**VIA HAND DELIVERY**

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

**RE: REZONING APPLICATION**  
**Property Reference Number: 101S301101030005**  
**8662 Ashland Avenue, Pensacola, Florida 32534**  
**Owner: Ashland Avenue, LLC**

Dear Ms. Cain:

I have the pleasure of assisting the above-referenced owner with the Application for Rezoning. Enclosed is the following information and documentation:

- (1) **Completed Application**
- (2) **Concurrency Determination Acknowledgment**
- (3) **Affidavit of Owner and Limited Power of Attorney**
- (4) **Property Appraiser Information Confirming Ownership**
- (5) **Check in the amount of \$1,275.00 for the application fee**
- (6) **Boundary Survey**

Please be advised that the owner can satisfy the re-zoning approval conditions to re-zone the property from Medium Density Residential ("MDR") to High Density Mixed Use ("HDMU"). In support of the Rezoning Application, the owner can support the following approval conditions:

- (1) **Consistent with Comprehensive Plan.** The proposed rezoning is consistent with the future land use (FLU) category as prescribed in the Land Development Code ("LDC") Chapter 3, and with all other applicable goals, objectives, and policies of the Comprehensive Plan and not in conflict with any of its provisions. The rezoning is consistent with aspects of the Comprehensive Plan. The future land use of the property (Mixed Use Urban ("MU-U")) (25 units per acre) allows for a mix of uses, including residential. The proposed zoning request of HDMU allows for single family residential use, and therefore, is consistent with the goals of the comprehensive plan. The subject parcel is located in Escambia County. The proposed development is well within the service areas of the County and Utility



infrastructure and will not negatively impact or degrade the level of service. In addition, the applicant understands the development must meet County land development standards. The proposed rezoning for the subject parcel meets the goals, objectives and policies of the comprehensive plan regarding potable water, wastewater, solid waste, storm water management, traffic, school and aquifer protection.

- (2) **Consistent with Zoning District Provisions.** The proposed rezoning is consistent with the stated purposes and intent of the Land Development Code, including any other zoning establishment provisions prescribed by the proposed district in Chapter 3. The primary intent of the HDMU district is to provide for residential development in an efficient urban pattern of well-connected streets. The proposed rezoning is consistent with the LDC and surrounding uses.
- (3) **Compatible with Surroundings.** All land uses, development activities, and conditions allowed by the proposed zoning are compatible with the surrounding conforming uses, activities and conditions and are able to coexist in relative proximity to them in a stable fashion over time such that no use, activity, or condition negatively impacts another. The appropriateness of the rezoning is not limited to any specific use that may be proposed but is evident for all permitted uses of the requested zoning. This condition shall not apply to any conditional uses of the proposed district or compatibility with nonconforming or unapproved uses, activities, or conditions. The requested zoning is HDMU, which allows for single family residential. The proposed zoning is compatible with the surrounding uses. The proposed development is residential development and the density would remain below the maximum allowed by the neighboring districts. The owner desires HDMU zoning to have the flexibility of forty foot lot widths. The proposed rezoning meets intent and goals of the surroundings area.
- (4) **Appropriate if Spot Zoning.** The adjacent property immediately to the South is also zoned HDMU. This rezoning request does not constitute spot zoning. In addition, the density of the proposed development would fall below the maximum allowed by the existing contiguous zones.
- (5) **Appropriate with Changes or Changing Conditions.** The area to which the proposed rezoning would apply has changed, or is changing, to such degree that it is in the public interest to encourage new uses, density, or intensity in the area through rezoning. The demand for smaller lot single family residential homes in the portion of the county has increased sharply in recent years.

Should you have any questions or need additional information, please do not hesitate to contact my office. Thank you for your consideration.

Sincerely,  
**Fountain, Schultz & Associates, P.L.**

Kerry Anne Schultz

KAS: amf  
Enclosures as stated





## 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>

# 1812417LPPB

### Rezoning Application

FOR OFFICE USE ONLY - Case Number: 22019-03 Accepted by: \_\_\_\_\_ PB Meeting: 2/5/2019

#### 1. Contact Information:

A. **Property Owner/Applicant:** Ashland Avenue, L.L.C., a Florida limited liability company

Mailing Address: 366 Fort Pickens Road, Pensacola Beach, FL 32561

Business Phone: 850-393-0893 Cell: 850-393-0893

Email: jim@panhandlegulf.com

B. **Authorized Agent (if applicable):** Kerry Anne Schultz

Mailing Address: 2045 Fountain Professional Court, Ste. A, Navarre, FL 32566

Business Phone: 850-939-3535 Cell: \_\_\_\_\_

Email: kaschultz@fountainlaw.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:** 8662 Ashland Ave., Pensacola, Florida 32534

Parcel ID (s): 101S301101030005

B. **Total acreage of the subject property:** 4.83

C. **Existing Zoning:** MDR

Proposed Zoning: HDMU; explain why necessary and/or appropriate  
Development of residential townhomes.

FLU Category: MU-U

D. Is the subject property developed (if yes, explain): No.  
The current structures will be demolished upon commencement of construction

E. Sanitary Sewer: X 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.

\_\_\_\_\_  
See attached letter  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 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

\_\_\_\_\_  
See attached letter  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



- 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.

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See attached letter

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- 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*

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See attached letter

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- 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.

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See attached letter

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**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): 101S301101030005

Property Address: 8662 Ashland Ave., Pensacola, Florida 32534

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 19th DAY OF December, YEAR OF 2018

  
\_\_\_\_\_  
Signature of Property Owner

JAMES D. Homyak - Managing Member  
ASHLAND AUTOPUS LLC  
\_\_\_\_\_  
Printed Name of Property Owner

12/19/18  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Printed Name of Property Owner

\_\_\_\_\_  
Date



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

As owner of the property located at 8662 Ashland Ave., Pensacola, Florida 32534  
\_\_\_\_\_, Florida, property reference number(s) 101S301101030005  
\_\_\_\_\_ I hereby designate Kerry Anne Schultz  
\_\_\_\_\_ for the sole purpose of completing this application and making  
a presentation to the Planning Board and the Board of County Commissioners to request a rezoning on  
the above referenced property. This Limited Power of Attorney is granted on this 19TH day of December  
the year of, 2018, and is effective until the Board of County Commissioners or the Board of  
Adjustment has rendered a decision on this request and any appeal period has expired. The owner  
reserves the right to rescind this Limited Power of Attorney at any time with a written, notarized notice  
to the Development Services Bureau.

Agent Name: Kerry Anne Schultz Email: kaschultz@fountainlaw.com  
Address: 2045 Fountain Professional Court, Ste. A, Navarre, FL 32566 phone: 850-939-3535

  
Signature of Property Owner

JAMES D. HAMYAK-KHAN AGENTSON  
ASHLAND AVENUE LL2 12/19/18  
Printed Name of Property Owner Date

Signature of Property Owner

Printed Name of Property Owner

Date \_\_\_\_\_

STATE OF Florida COUNTY OF Escambia  
The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of December 20 18,  
by James D. Homyak.

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

Signature of Notary

Julie Jane Franklin  
Printed Name of Notary



## 5. Submittal Requirements

- A. X Completed application: All applicable areas of the application shall be filled in and submitted to the Planning and Zoning Department, 3363 West Park Place, Pensacola, FL 32505.
- B. X 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. X Legal Proof of Ownership (ex: copy of Tax Notice or Warranty Deed) AND a Certified Boundary Survey (Include Corporation/LLC documentation if applicable.)
- D. NA Compatibility Analysis (if applicable): If the subject property does not meet the roadway requirements of Locational Criteria, a compatibility analysis prepared by the applicant is required to provide substantial evidence of unique circumstances regarding the parcel or use that were not anticipated by the alternative criteria. (See "Documented Compatibility" within the request zoning district of the LDC.)
- E. X Signed and Notarized Affidavit of Owner/Limited Power of Attorney AND Concurrence Determination Acknowledgement (pages 4 and 5).

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

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

Signature of Owner/Agent

[Signature]  
Signature of Owner

Printed Name Owner/Agent

JAMES D. HOMYAK - MAPPING  
ASHLAND AVE LLC MARIETTA  
Printed Name of Owner

Date

12/19/18  
Date

STATE OF Florida COUNTY OF Escambia The foregoing instrument was acknowledged before me this 19th day of December 20 18, by James D. Homyak.

Personally Known ☒ OR Produced Identification ☐ Type of Identification Produced: \_\_\_\_\_

[Signature]  
Signature of Notary

Julie Jane Franklin  
Printed Name of Notary

(notary seal)



Julie Jane Franklin  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# FF986787  
Expires 4/27/2020



Recorded in Public Records 11/6/2017 8:09 AM OR Book 7805 Page 335,  
Instrument #2017086999, Pam Childers Clerk of the Circuit Court Escambia  
County, FL Recording \$18.50 Deed Stamps \$0.70

Prepared by and return to:

Kerry Anne Schultz  
Attorney at Law  
Fountain, Schultz & Associates, P.L.  
2045 Fountain Professional Ct Suite A  
Navarre, FL 32566  
850-939-3535  
File Number: 17-00275.RC

[Space Above This Line For Recording Data]

## Corrective Warranty Deed

**\*\*This corrective warranty deed is being re-recorded to correct the name in the notary block to Diana Dawn Romero f/k/a Diana Dawn Elmore, and as Attorney-in-Fact for Nell W. Elmore in that certain Warranty Deed recorded 7/6/2017 in O.R. Book 7740, Page 434, of the public records of Escambia County, Florida.**

**This Warranty Deed** made this 5th day of July, 2017 between Nell W. Elmore, an unmarried woman and Diana Dawn Romero f/k/a Diana Dawn Elmore, a married woman whose post office address is 407 Crickentree Drive, Cary, NC 27518, grantor, and Ashland Avenue, L.L.C., a Florida limited liability company whose post office address is 366 Fort Pickens Road, Pensacola Beach, FL 32561, grantee:

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

**Witnesseth**, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Escambia County, Florida to-wit:

**Lt 3 Block 5, National Land Sales Company Subdivision of Section 10, Township 1 South Range 30 West, Escambia County, Florida, less and except and portion as described in Deed Book 563 Page 65 for County Road Right of Way.**

**Parcel Identification Number: 101S301101030005**

Subject to reservations, restrictions and easements of record which are not hereby reimposed, and any zoning ordinances.

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

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

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2016.

**In Witness Whereof**, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

DoubleTime

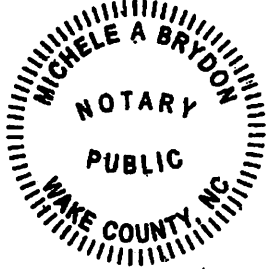
BK: 7805 PG: 336 Last Page

Roderick L JuddWitness Name: Roderick L. JuddFrederick John PibertoWitness Name: Frederick John PibertoRoderick L JuddWitness Name: Roderick L. JuddStacey J BatchelorWitness Name: Stacey J BatchelorState of North Carolina  
County of WakeThe foregoing instrument was acknowledged before me this 5th day of June, 2017 by Diana Dawn Romero f/k/a Diana Dawn Elmore, who ☐ are personally known or ☒ have produced a driver's license as identification.

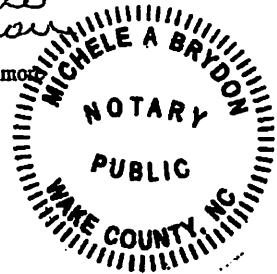
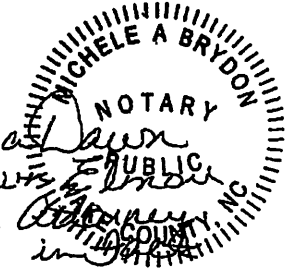
\*And as Attorney-in-Fact for Nell

W. Elmore ☒

[Notary Seal]

Nell W. Elmore by Diana Dawn Romero f/k/a Diana Dawn Elmore  
(Seal)Nell W. Elmore by Diana Dawn Romero f/k/a  
Diana Dawn Elmore, Attorney In FactDiana Dawn Romero f/k/a Diana Dawn Elmore  
(Seal)

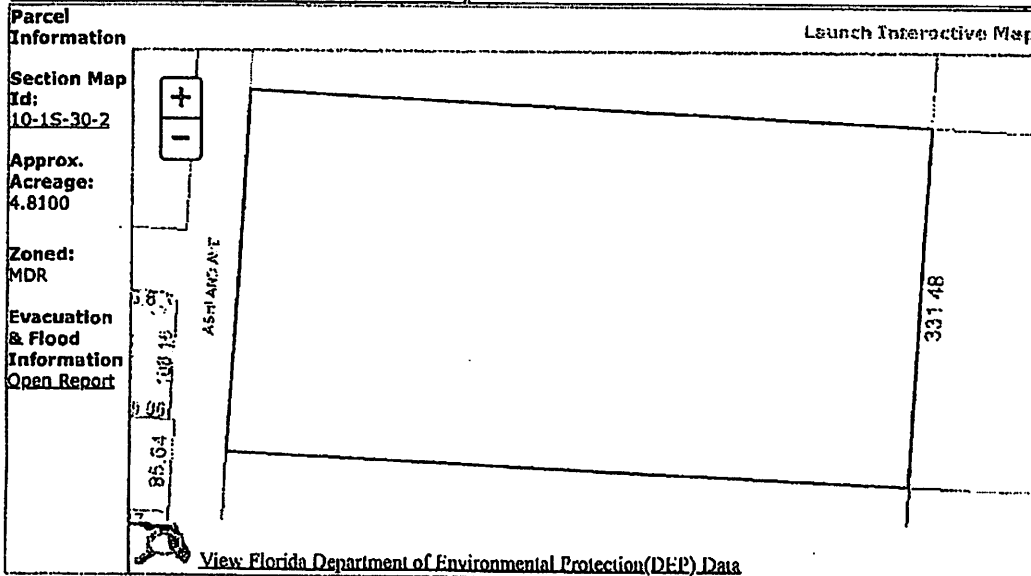
Diana Dawn Romero f/k/a Diana Dawn Elmore

Michele A. Brydon  
Notary PublicPrinted Name: Michele A. BrydonMy Commission Expires: 03/21/2021



General Information		Assessments				
Reference:	1015301101030005	Year	Land	Imprv	Total	Cap Val
Account:	020111000	2018	\$114,238	\$1,537	\$115,775	\$115,775
Owners:	ASHLAND AVENUE LLC	2017	\$114,238	\$144,879	\$259,117	\$163,837
Mail:	366 FT PICKENS RD PENSACOLA BEACH, FL 32561	2016	\$114,238	\$140,352	\$254,590	\$160,468
Situs:	8662 ASHLAND AVE 32534	Disclaimer				
Use Code:	SINGLE FAMILY RESID	<b>Tax Estimator</b>				
Units:	2	<b>&gt; File for New Homestead Exemption Online</b>				
Taxing Authority:	COUNTY MSTU					
Tax Inquiry:	<a href="#">Open Tax Inquiry Window</a>					
Tax Inquiry link courtesy of Scott Lunsford Escambia County Tax Collector						

Sales Data					2018 Certified Roll Exemptions	
Data					None	
Sale Date	Book	Page	Value	Type	Official Records (New Window)	Legal Description
06/05/2017	7805	335	\$100	WD	<a href="#">View Instr</a>	LT 3 BLK 5 LESS DB 563 P 65 COUNTY RD R/W S/D PLAT DB 89 P 369 OR 7740 P 434 OR 7805 P 335 OR 7856 P 370
06/05/2017	7740	434	\$165,000	WD	<a href="#">View Instr</a>	
01/04/2017	7856	370	\$100	WD	<a href="#">View Instr</a>	
04/1982	1639	879	\$100	WD	<a href="#">View Instr</a>	
01/1971	542	560	\$100	WD	<a href="#">View Instr</a>	
Official Records Inquiry courtesy of Pam Childers Escambia County Clerk of the Circuit Court and Comptroller						Extra Features CARPORT GAZEBO MOBILE HOME PATIO



## Buildings

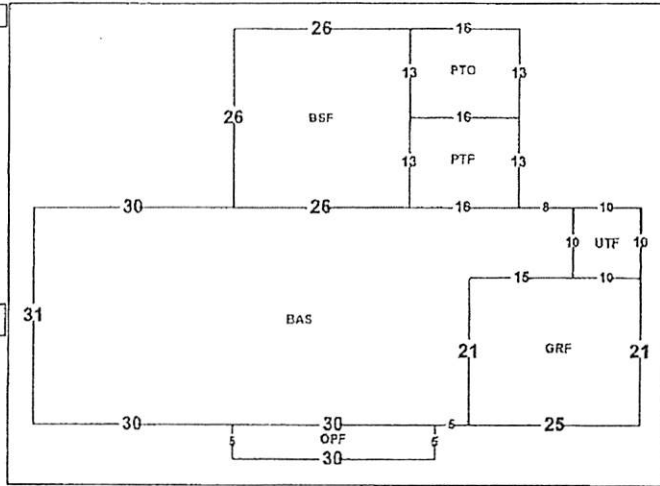
Address: 8662 ASHLAND AVE, Year Built: 1977, Effective Year: 1977

### Structural Elements

DECOR/MILLWORK-AVERAGE  
 DWELLING UNITS-1  
 EXTERIOR WALL-BRICK-FACE/VENEER  
 FLOOR COVER-CARPET  
 FOUNDATION-SLAB ON GRADE  
 HEAT/AIR-CENTRAL H/AC  
 INTERIOR WALL-PANEL-PLYWOOD  
 NO. PLUMBING FIXTURES-8  
 NO. STORIES-1  
 ROOF COVER-DIMEN/ARCH SHNG  
 ROOF FRAMING-GABLE  
 STORY HEIGHT-0  
 STRUCTURAL FRAME-WOOD FRAME

Areas - 4032 Total SF

BASE AREA - 2165  
 BASE SEMI FIN - 676  
 GARAGE FIN - 525  
 OPEN PORCH FIN - 150  
 PATIO - 208  
 PATIO FINISHED - 208  
 UTILITY FIN - 100



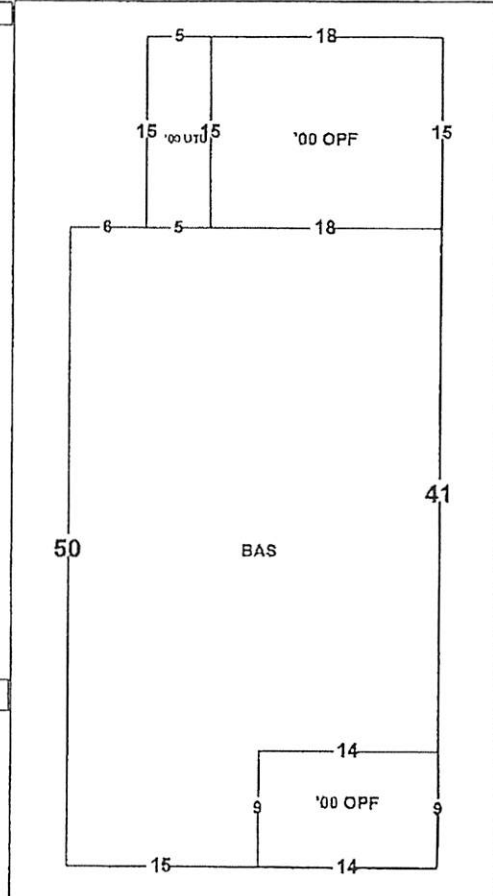
Year Built: 1938, Effective Year: 1938

### Structural Elements

DECOR/MILLWORK-MINIMUM  
 DWELLING UNITS-1  
 EXTERIOR WALL-VINYL SIDING  
 FLOOR COVER-CARPET  
 FOUNDATION-SLAB ON GRADE  
 HEAT/AIR-UNIT HEATERS  
 INTERIOR WALL-DRYWALL-PLASTER  
 NO. PLUMBING FIXTURES-3  
 NO. STORIES-1  
 ROOF COVER-COMPOSITION SHG  
 ROOF FRAMING-GABLE  
 STORY HEIGHT-0  
 STRUCTURAL FRAME-WOOD FRAME

Areas - 1795 Total SF

BASE AREA - 1324  
 OPEN PORCH FIN - 396  
 UTILITY UNF - 75



## Images

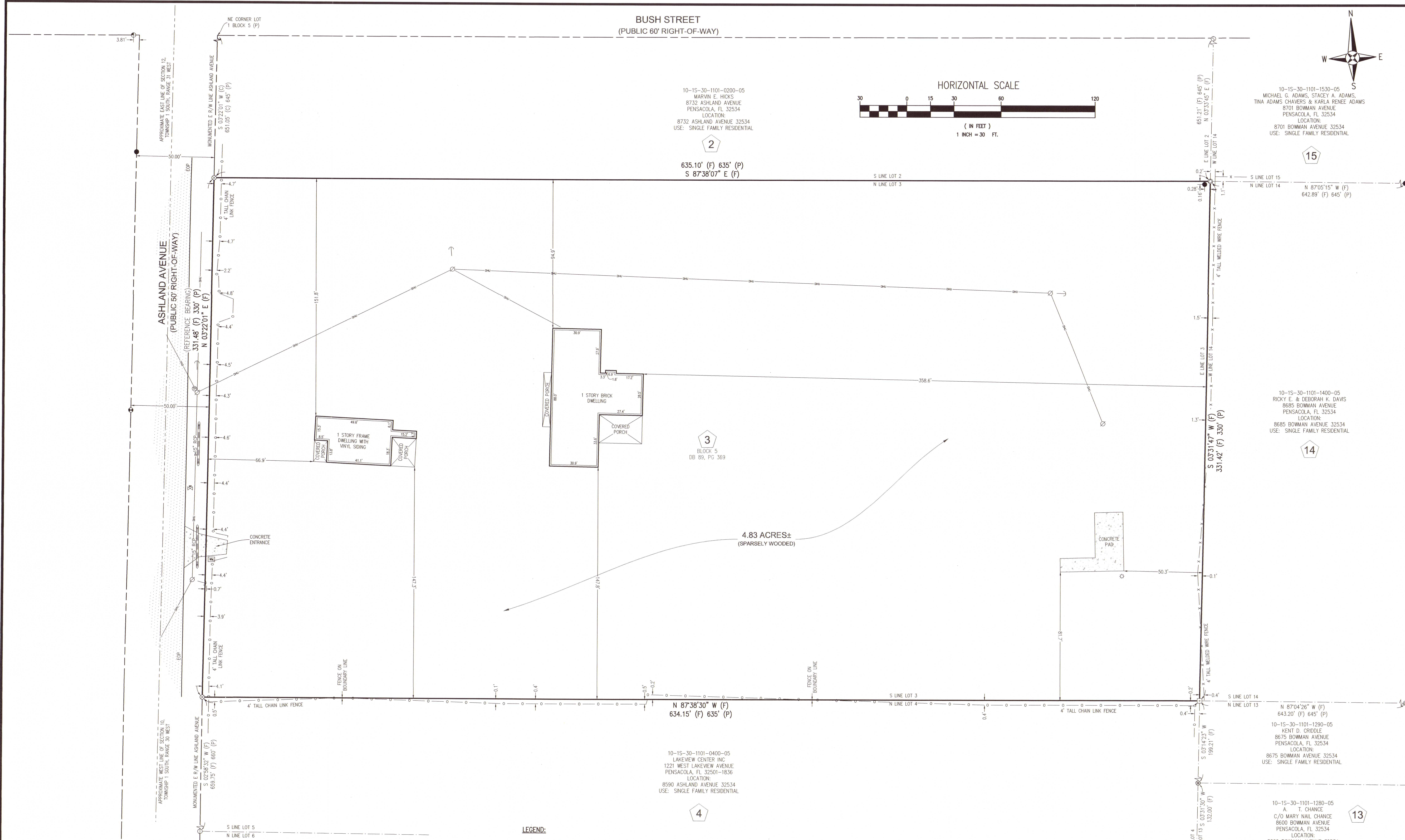


1/31/18



1/31/18





































## GENERAL NOTES

- |    |   |    |  |
|----|---|----|--|
| 1. | NORTH AND THE SURVEY DATUM SHOWN HEREON IS BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM (FLORIDA NORTH ZONE), NORTH AMERICAN DATUM OF 1983 (NAD83) –EPOCH 2010.000000) HAVING A BEARING OF NORTH 0322°01' EAST ALONG THE EAST-RIGHT-OF-WAY LINE OF ASHLAND AVENUE, AND WERE DERIVED UTILIZING A GLOBAL POSITIONING SYSTEM (GPS) TOPCON HIFER 1 GEODETIC DATA COLLECTOR/RECEIVER. THE RECEIVER WAS UTILIZED IN A REAL-TIME KINEMATIC (RTK) MODE UTILIZING THE FLORIDA DEPARTMENT OF TRANSPORTATION FLORIDA PERMANENT REFERENCE NETWORK (FPRN), FLORIDA'S GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) REFERENCE STATION NETWORK; COPY OF SUBDIVISION OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 30 WEST, PLATTED BY NATIONAL LAND-SALES CO. (DEED BOOK 89, PAGE 369); DEEDS OF RECORD AND EXISTING FIELD MONUMENTATION. | 5. | VISIBLE IMPROVEMENTS ARE AS SHOWN HEREON.  |
| 2. | MEASUREMENTS AS SHOWN HEREON WERE MADE TO UNITED STATES STANDARDS AND ARE EXPRESSED IN DECIMAL OF FEET.   | 6. | IT IS THE OPINION OF THE UNDERSIGNED SURVEYOR & MAPPER THAT THE PARCEL OF LAND SHOWN HEREON IS IN "ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, BASED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR ESCAMBIA COUNTY, FLORIDA, COMMUNITY PANEL NUMBER 12033C02956, EFFECTIVE DATE OF SEPTEMBER 29, 2006. |
| 3. | VISIBLE UTILITIES WITHIN THE SURVEY LIMITS ARE AS SHOWN HEREON.   | 7. | GRAPHIC SYMBOLISM FOR FEATURES SUCH AS MONUMENTATION, FENCES, TREES, TREE LINES, UTILITIES ETCETERA MAY BE EXAGGERATED IN SIZE FOR CLARITY PURPOSES. DIMENSIONS TO EXAGGERATED FEATURES WILL SUPERSEDE SCALED MEASUREMENTS.  |
| 4. | THE STRUCTURE DIMENSIONS DO NOT INCLUDE THE EAVE OVERHANG OR FOUNDATION FOOTINGS.   | 8. | NO TITLE SEARCH WAS PERFORMED BY NOR PROVIDED TO THIS FIRM FOR THE SUBJECT PROPERTY. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHTS-OF-WAY, BUILDING SETBACKS, RESTRICTIVE COVENANTS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OR USE OF THE SUBJECT PROPERTY.   |
|    |   | 9. | THIS SURVEY DOES NOT REPRESENT NOR GUARANTEE OWNERSHIP   |

### LEGEND

- |   |   |   |                                      |
|---|---|---|--------------------------------------|
|  | SET 1/2" DIA CAPPED IRON ROD (No. 7916)   |  | DENOTES WATER VALVE                  |
|  | FOUND 1/2" DIA CAPPED IRON ROD (No. 7916) |  | DENOTES GUY WIRE ANCHOR              |
|  | FOUND 1/2" DIA CAPPED IRON ROD (No. 3724) |  | DENOTES TELEPHONE PEDESTAL           |
|  | FOUND 1/2" DIA CAPPED IRON ROD (No. 6499) |  | DENOTES LOT NUMBER                   |
|  | FOUND 1/2" DIA CAPPED IRON ROD (No. 6873) |  | DENOTES CALCULATED PER PLAT          |
|  | FOUND 1/2" DIA CAPPED IRON ROD (No. 7174) |  | DB DENOTES DEED BOOK                 |
|  | FOUND 1/2" DIA CAPPED IRON ROD (No. 7612) |  | DIA DENOTES DIAMETER                 |
|  | FOUND 1/2" DIA IRON ROD (UNNUMBERED)      |  | EOP DENOTES EDGE OF PAVEMENT         |
|  | FOUND 4"x4" CONCRETE MONUMENT             |  | (F) DENOTES FIELD INFORMATION        |
|  | DENOTES LINE SHOWN NOT TO SCALE           |  | ± DENOTES MORE OR LESS               |
|  | DENOTES WOOD UTILITY POLE                 |  | No. DENOTES NUMBER                   |
|  | DENOTES LIGHT POLE                        |  | (P) DENOTES PLAT INFORMATION         |
|  | DENOTES CHAIN LINK FENCE                  |  | PB DENOTES PLAT BOOK                 |
|  | DENOTES WELDED WIRE FENCE                 |  | PG DENOTES PAGE                      |
|  | DENOTES OVERHEAD UTILITIES                |  | RCP DENOTES REINFORCED CONCRETE PIPE |
|  | DENOTES WATER METER                       |  | R/W DENOTES RIGHT-OF-WAY             |

DESCRIPTION: (OFFICIAL RECORDS BOOK 7805, PAGE 335

LT 3 BLOCK 5, NATIONAL LAND SALES COMPANY SUBDIVISION OF SECTION 10, TOWNSHIP 1 SOUTH RANGE 30 WEST, ESCAMBA COUNTY, FLORIDA, LESS AND EXCEPT AND PORTION DESCRIBED IN DEED BOOK 563 PAGE 65 FOR COUNTY RIGHT OF WAY.

**NOTE**

IT IS THE OPINION OF THE UNDERSIGNED THAT THE DESCRIPTION AS RECORDED IN OFFICIAL RECORDS BOOK 7805 AT PAGE 335 OF THE PUBLIC RECORDS OF ESCAMBA COUNTY, FLORIDA HAS AN APPARENT SCRIVENER'S ERROR IN LINE 2 OF THE DESCRIPTION. THE CURRENT DESCRIPTION STATES "LESS AND EXCEPT AND PORTION" THE DESCRIPTION SHOULD STATE "LESS AND EXCEPT THAT PORTION".

## SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.050, 5J-17.051 AND 5J-17.052 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BY: MARK A. NORRIS  
FLORIDA REGISTRATION No. 6211

12/18/18  
DATE

# BOUNDARY SURVEY

1 of 1

PROJECT NO:  
2017.035

CHK'D BY: MAN

F.B.: 17-06; 17-10; 17-11

DATE: 04/04/2018

NO.	DATE
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ACTION TAKEN

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**ASHLAND TOWNHOMES**  
8662 ASHI AND AVENUE

A PORTION OF  
SECTION: 10    TOWNSHIP: 1 SOUTH    RANGE: 30 WEST  
COUNTY: ESCAMBIA    STATE: FLORIDA

**REBOL-BATTLE & ASSOCIATES**  
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