

AGENDA
ESCAMBIA COUNTY BOARD OF ADJUSTMENT
September 16, 2020–8:30 a.m.
Escambia County Central Office Complex
3363 West Park Place, Room 104

1. Call to Order.
2. Swearing in of Staff and acceptance of staff as expert witness
3. Acceptance of the BOA Meeting Package with the Development Services Staff Findings-of-Fact, into evidence.
4. Proof of Publication and waive the reading of the legal advertisement.
5. Approval of Resume Minutes.
 - A. Approval of Resume Meeting Minutes from the August 26, 2020, Board of Adjustment Meeting.
6. **Consideration of the following cases:**
 - A. **Case No.: CU-2020-07**
Address: 2800 BLK BLUE ANGEL PKWY
Request: A 15,000 SF fenced outdoor display area, a 3,000 SF permanent trailer display area, and a permanent sidewalk display areas out in front of the building totaling to 2,980 SF
Requested by: HSC Pensacola South, LLC agent for Bullseye LLC/Mark Lyons III
7. Discussion Items.
8. Old/New Business.

9. Announcement.

The next Board of Adjustment Meeting is scheduled for Thursday, October 8, 2020, at 8:30 a.m., at the Escambia County Central Office Complex, Room 104, 3363 West Park Place.

10. Adjournment.

Board of Adjustment

5. A.

Meeting Date: 09/16/2020

Attachments

Draft August 26, 2020 Board of Adjustment Meeting Minutes

DRAFT

RESUMÉ OF THE MEETING OF THE BOARD OF ADJUSTMENT HELD August 26, 2020

CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE, BOARD CHAMBERS
PENSACOLA, FLORIDA
(8:30 A.M. – 11:00 A.M.)

Present: Auby Smith
Marty Schack
Judy Gund
Jennifer Bass
Michael Godwin
Willie Kirkland, Jr.

Absent: Basil Kuloba

Staff Present: Andrew Holmer, Division Manager, Planning & Zoning
Caleb MacCartee, Urban Planner, Planning & Zoning
Kayla Meador, Administrative Supervisor
Rachel Merlin, Administrative Assistant
Kristin Hual, Assistant County Attorney

REGULAR BOA AGENDA

1. Call to Order.
2. Swearing in of Staff and acceptance of staff as expert witness
3. Acceptance of the BOA Meeting Package with the Development Services Staff Findings-of-Fact, into evidence.

Motion by Board Member Willie Kirkland, Jr., Seconded by Board Member Judy Gund

Motion was made to accept the August 26, 2020, BOA meeting packet.
Vote: 6 - 0 Approved
4. Proof of Publication and waive the reading of the legal advertisement.

Motion by Board Member Judy Gund, Seconded by Vice Chairman Michael Godwin

Motion was made to waive the reading of the legal advertisement.

Vote: 6 - 0 Approved

5. Approval of Resume Minutes.

A. Approval of Resume Meeting Minutes from the July 22, 2020 Board of Adjustment Meeting.

Motion by Board Member Willie Kirkland, Jr., Seconded by Board Member Judy Gund

Motion was made to approve the July 22, 2020, BOA Resume Meeting minutes.

Vote: 6 - 0 Approved

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

1. **Case No.:V-2020-01**

Address: 9600 University Parkway

Request: The applicant is seeking a variance to increase the number of parking spaces

Requested by: Brian Walker, Agent for Jesta Towers, Inc., Owner

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

No BOA member acknowledged visiting the site.

No BOA member refrained from voting on this matter due to any conflict of interest.

Motion by Board Member Marty Schack, Seconded by Board Member Willie Kirkland, Jr.

Motion was made to accept exhibit A into evidence.

Vote: 6 - 0 Approved

Motion by Vice Chairman Michael Godwin, Seconded by Board Member Willie Kirkland, Jr.

Motion was made to grant the variance based on evidence submitted.

Vote: 6 - 0 Approved

2. **Case No.:V-2020-02**

Address: 178 E Nine Mile Rd
Request: Variance to west side/ left side yard setback of property
from 10 feet to 4.5 feet
Requested by: Paul Salter/ Salter Company, Agent for Clarence B Jr &
Deborah A. Gulsby

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

No BOA member acknowledged visiting the site.

No BOA member refrained from voting on this matter due to any conflict of interest.

Motion by Board Member Judy Gund, Seconded by Board Member Willie Kirkland, Jr.

Motion was made to accept Staff's Findings of Fac and grant the variance.

Vote: 6 - 0 Approved

3. **Case No.:CU-2020-06**

Address: 305 W Kingsfield Rd.
Request: Conditional Use request to allow medium scale retail sales
in LDMU zoning
Requested by: Allara Mills Gutcher, AICP, Agent for Brown Project-297A

Board Member Willie Kirkland, Jr. acknowledged ex parte communication regarding this item.

No BOA member acknowledged visiting the site.

No BOA member refrained from voting on this matter due to any conflict of interest.

Motion by Board Member Willie Kirkland, Jr., Seconded by Board Member Judy Gund

Motion was made to recognize Allara Mills Gutcher as an expert witness.

Vote: 6 - 0 Approved

Motion by Vice Chairman Michael Godwin, Seconded by Board Member Willie Kirkland, Jr.

Motion was made to accept exhibit A into evidence.

Vote: 6 - 0 Approved

Motion by Board Member Marty Schack, Seconded by Board Member Willie Kirkland, Jr.

Motion was made to accept Staff's Findings of Fact with the condition that it match the rendering of exhibit A and grant the conitional use.

Vote: 6 - 0 Approved

7. Discussion Items.

8. Old/New Business.

9. Announcement.

The next Board of Adjustment Meeting is scheduled for Wednesday, September 16, 2020 at 8:30 a.m., at the Escambia County Central Office Complex, Room 104, 3363 West Park Place.

10. Adjournment.

Board of Adjustment

6. A.

Meeting Date: 09/16/2020
CASE: CU-2020-07
APPLICANT: HSC Pensacola South, LLC agent for Bullseye LLC/Mark Lyons III
ADDRESS: 2800 BLK BLUE ANGEL PKWY
PROPERTY REFERENCE NO.: 05-3S-31-1500-013-005
ZONING DISTRICT: Commercial (Com)
FUTURE LAND USE: Commercial (COM)
OVERLAY DISTRICT: AIPD-2

SUBMISSION DATA:

REQUESTED CONDITIONAL USE:

A 15,000 SF fenced outdoor display area, a 3,000 SF permanent trailer display area, and a permanent sidewalk display area out in front of the building totaling to 2,980 SF.

RELEVANT AUTHORITY:

Land Development Code of Escambia County, Florida (Ordinance 96-3 as amended), Section Sec. 3-2.10(c)(8)a. and b. Commercial district (Com)

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

(8) Other uses.

a. Outdoor sales not among the permitted uses of the district.

b. Outdoor storage not among the permitted uses of the district, including outdoor storage of trailered boats and operable recreational vehicles, but no repair, overhaul, or salvage activities. All such storage shall be screened from residential uses and maintained to avoid nuisance conditions.

CRITERIA:

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

CRITERION (a)

General compatibility. The proposed use can be conducted and operated in a manner that is compatible with adjacent properties and other properties in the immediate area.

FINDINGS-OF-FACT

The parcel is located along the south section of Blue Angel Pkwy near the intersection with Sorrento road. Adjacent parcel to the south is zoned Commercial and fully developed as a retail store. The parcel to the immediate north is currently vacant, zoned Heavy Commercial and Light Industrial district (HC/LI). The proposed use, as

requested can be conducted and operated in a manner that would be compatible with adjacent parcels. On July 22, 2020, the applicant attended a pre-application meeting with the Development Review Committee and received staff comments related to their proposed use and site plan.

CRITERION (b)

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

FINDINGS-OF-FACT

The applicant stated that public facilities are available and will be provided with the proposed development. If the Conditional Use is approved, the applicant will need to continue the process with the Development Review Committee for review of the proposed plans, to ensure compliance with the Land Development Code and Comprehensive Plan.

CRITERION (c)

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

FINDINGS-OF-FACT

Although the applicant did submit a proposed site plan, the information contained is preliminary and will need to be reviewed and approved via the established DRC process. If the Conditional Use is approved, the applicant will need to address the comments provided by staff during the pre-application meeting, and address the minimum requirements of the Land Development Code related to on-site circulation.

CRITERION (d)

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

FINDINGS-OF-FACT

Nuisances and hazards, as defined, will be reviewed during the DRC process for impact to properties in the immediate area. The proposed commercial use would be similar in scale and intensity to the existing developed properties in the immediate area.

CRITERION (e)

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

FINDINGS-OF-FACT

Waste containers are proposed on the site plan submitted by the applicant; as part of the site plan review during the DRC process, the location and buffering of containers will be addressed using current regulations.

CRITERION (f)

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

FINDINGS OF FACT:

Comments from planning staff related to screening and buffering for the proposed development were provided to the applicant during the pre-application meeting. If the Conditional Use is approved, the applicant must address the screening and buffering requirements of the Land Development Code.

CRITERION (g)

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

FINDINGS OF FACT:

All proposed signs and lighting will show on the site plan and will meet the requirements in the Land Development Code. The applicant has already received staff's comments addressing the permitting requirements. If the Conditional Use is approved, the applicant will continue with the DRC process to obtain final approval.

CRITERION (h)

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

FINDINGS OF FACT:

The applicant's submittal of a proposed site plan to the pre-application process for the intended use, shows that consideration was taken into producing a design on the parcel that can accommodate the proposed use and that can meet the requirements of the Land Development Code. The applicant will need to continue the review process by addressing DRC staff's comment received during prior meetings, in order to ensure compliance with current regulations.

CRITERION (i)

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

FINDINGS OF FACT:

There are no additional Conditional Use requirements that need addressing.

STAFF FINDINGS

Staff finds that the applicant has addressed the Conditional Use requirements in the Land Development Code for the proposed use. Staff recommends approval of the Conditional Use, as requested, pending completion of the DRC process and receipt of a Development Order.

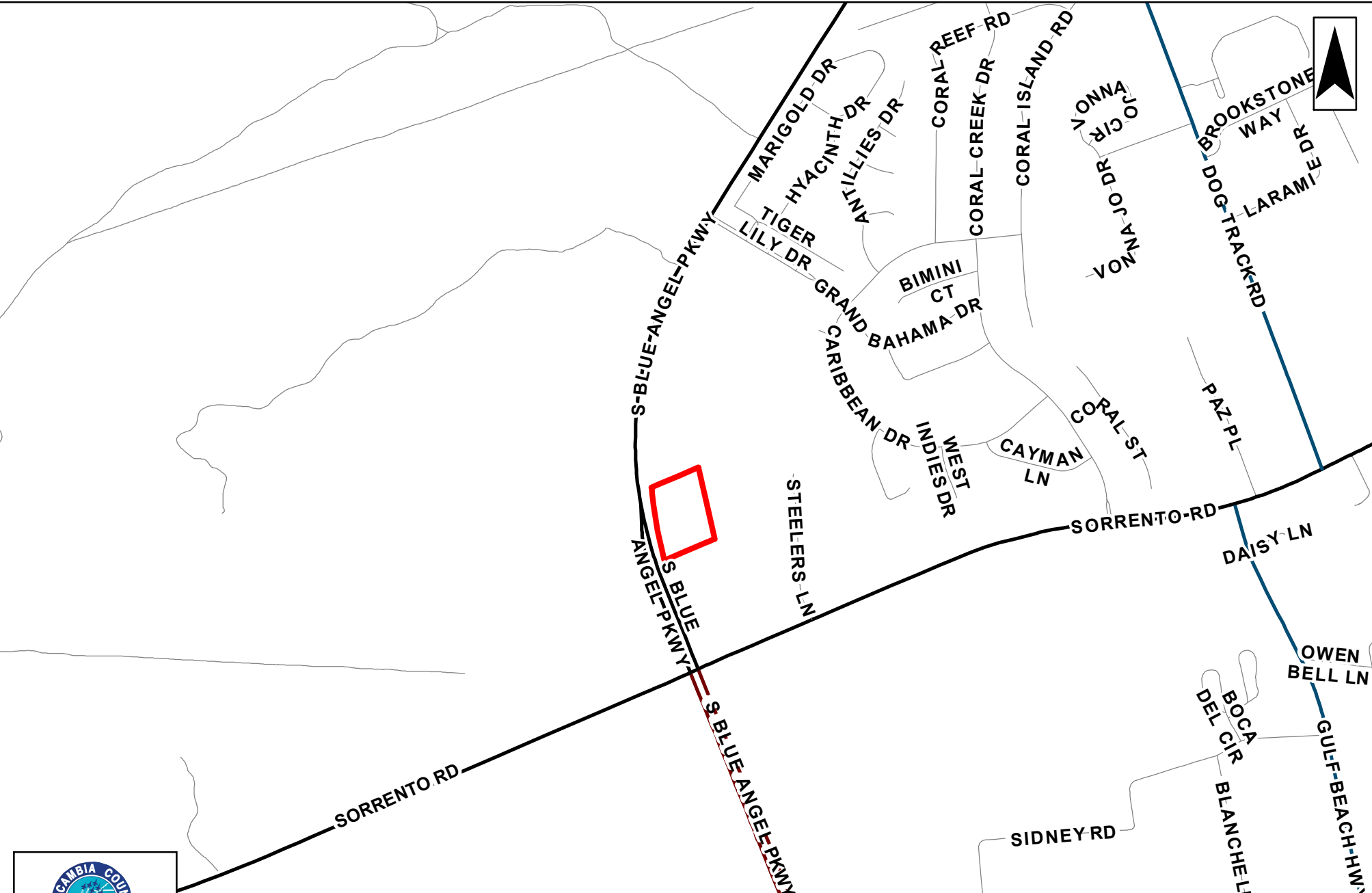
BOA DECISION

BOARD OF ADJUSTMENT FINDINGS

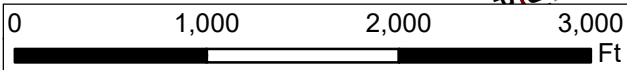
Attachments

Working Case File


CU-2020-07



CU-2020-7 LOCATION MAP

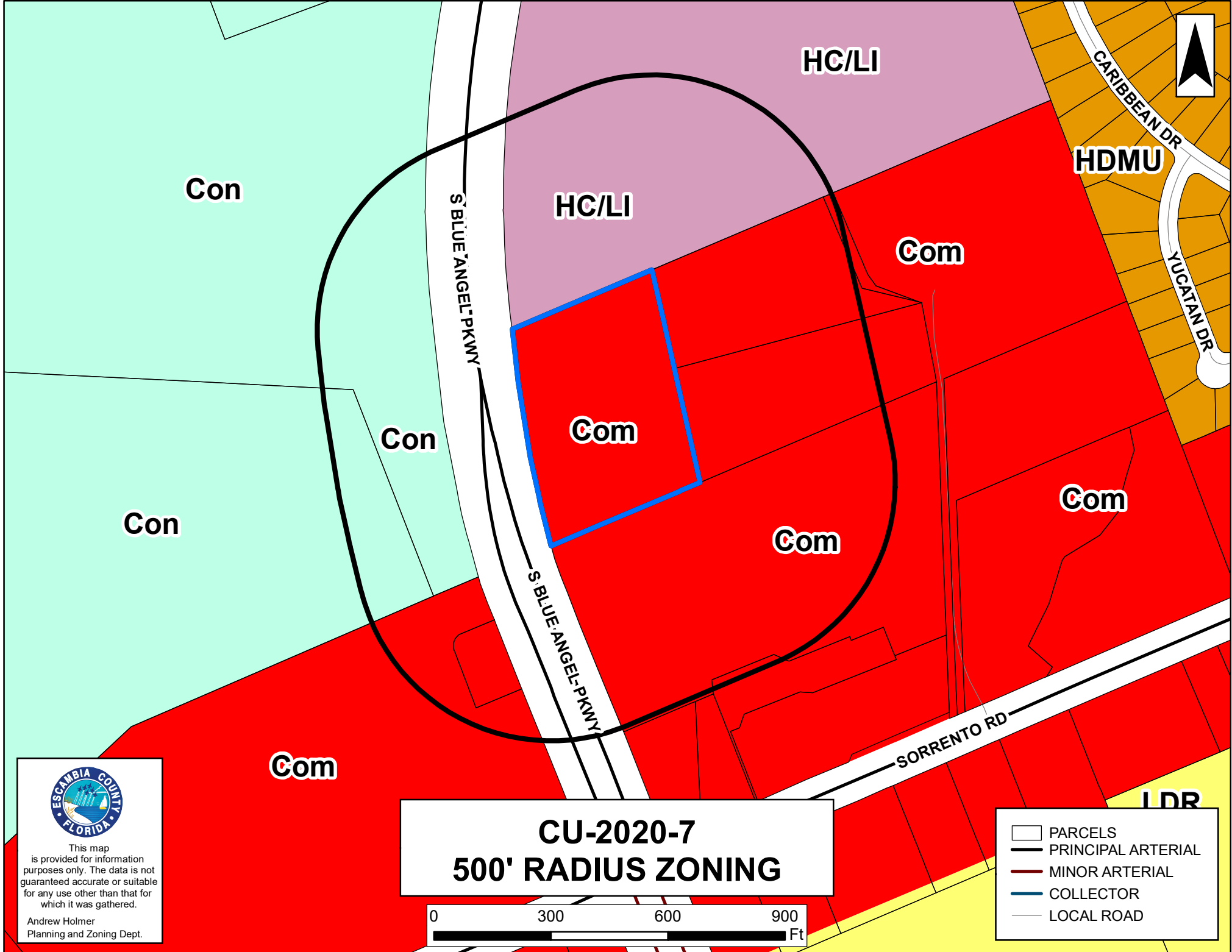


- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



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

Andrew Holmer
Planning and Zoning Dept.



Con

HC/LI

HDMU

HC/LI

Com

Con

Com

Con

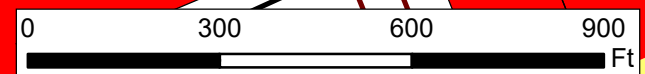
Com

Com

Com

LDR

**CU-2020-7
500' RADIUS ZONING**

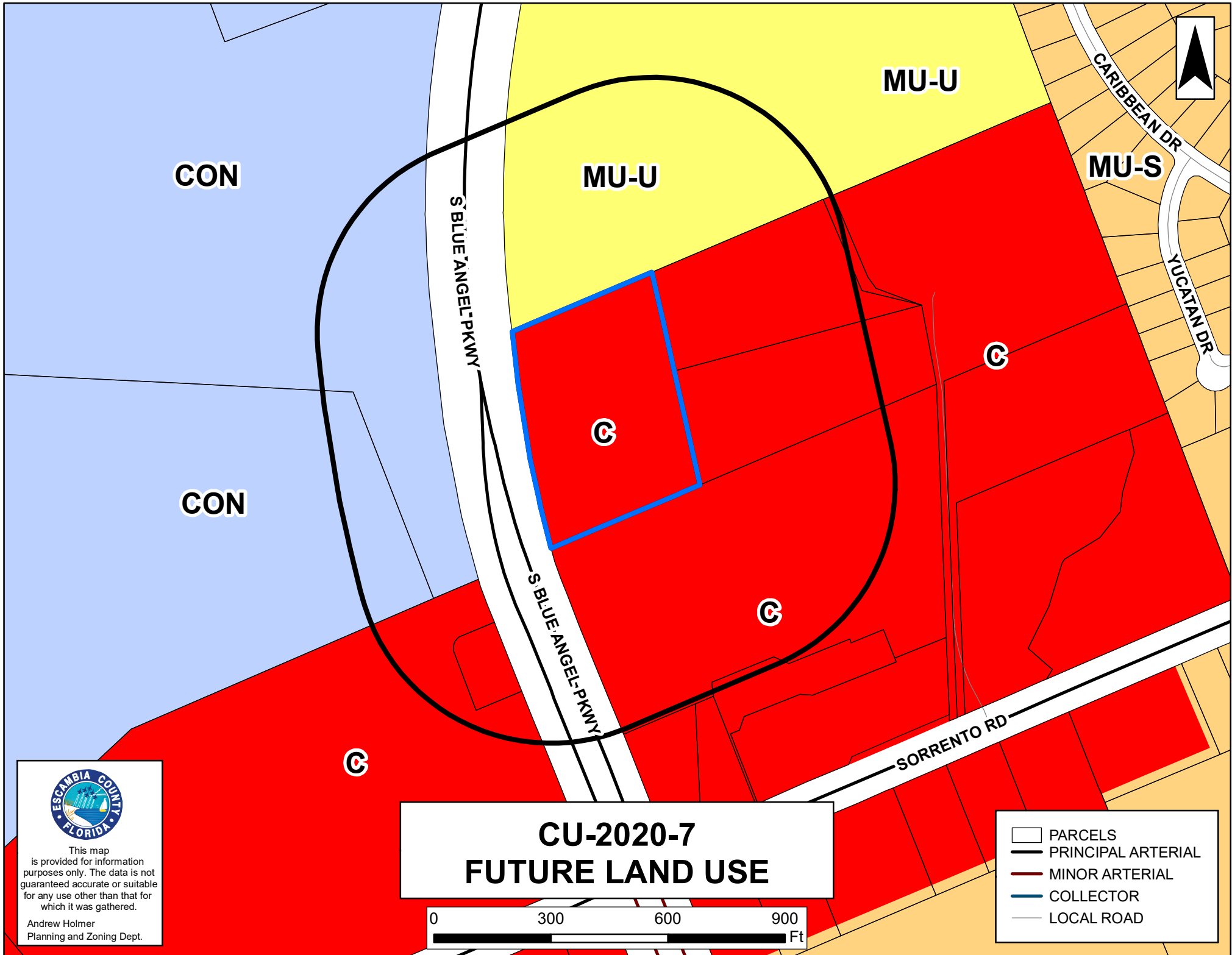


- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



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

Andrew Holmer
Planning and Zoning Dept.



CON

MU-U

MU-S

MU-U

CON

S BLUE ANGEL PKWY

CARIBBEAN DR






YUCATAN DR

S BLUE ANGEL PKWY

SORRENTO RD

**CU-2020-7
FUTURE LAND USE**

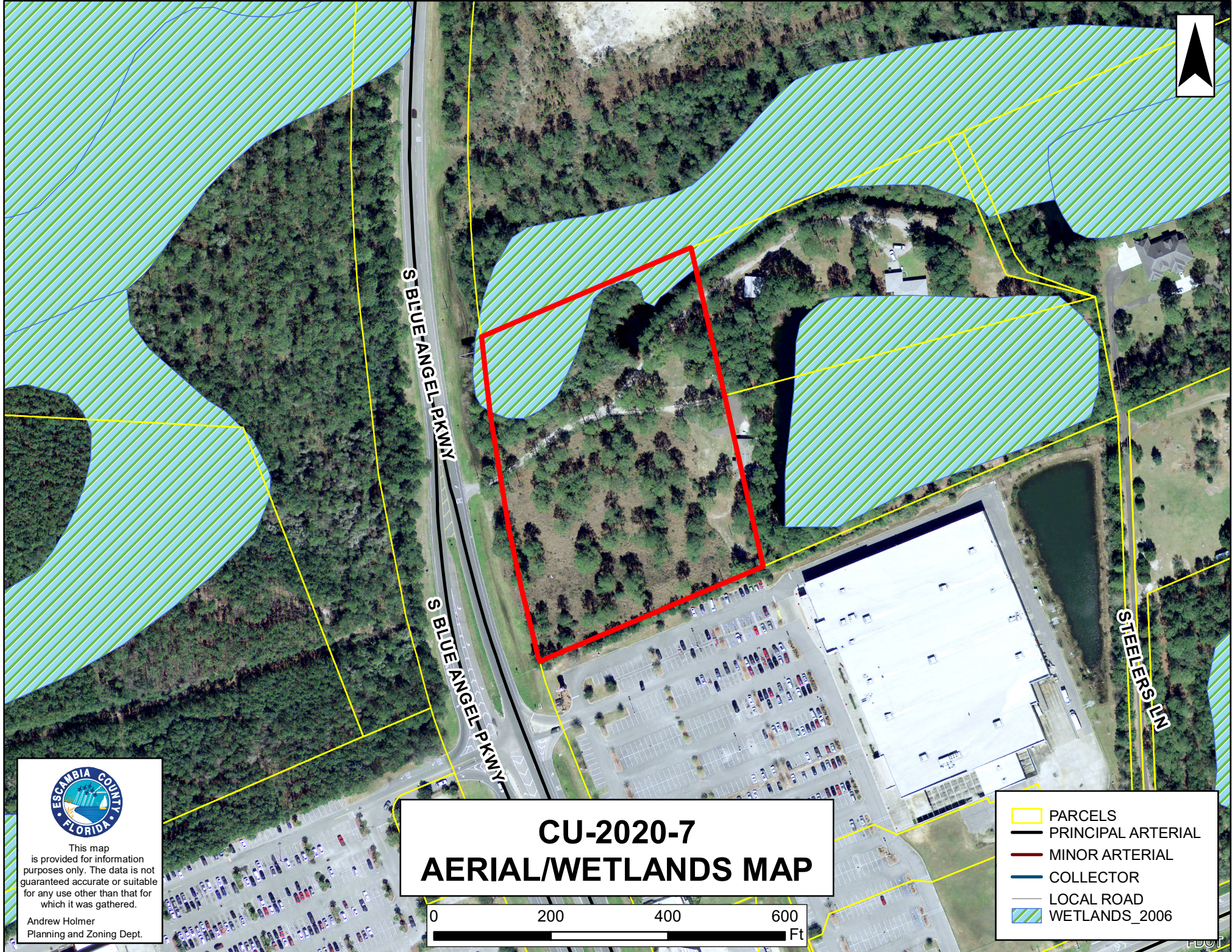
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-  PARCELS
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD

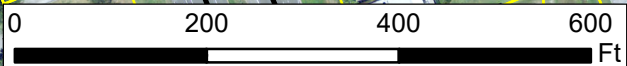


This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.



CU-2020-7
AERIAL/WETLANDS MAP



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



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Andrew Holmer
 Planning and Zoning Dept.



**NOTICE OF
PUBLIC HEARING
BOARD OF ADJUSTMENT**

TYPE OF REQUEST: Conditional Use

CASE NO: CU-2020-07

DATE: 09/16/20 **TIME:** 8:30 a.m.

LOCATION OF HEARING

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

**FOR MORE INFORMATION CALL:
DEVELOPMENT SERVICES AT 595-3475 OR VISIT
WWW.MYESCAMBIA.COM**

**PLEASE DO NOT REMOVE THIS SIGN
PROPERTY OF ESCAMBIA COUNTY**

Public Hearing Sign



Looking north from parcel
onto Blue Angel Parkway



Looking onto property from
Blue Angel Parkway



Looking south along Blue Angel
Parkway from parcel



Looking southwest from property across
Blue Angel Parkway

**Escambia County Planning and Zoning
Development Services Department
3363 West Park Place
Pensacola, FL 32505
Phone: (850) 595-3475 • Fax: (850) 595-3481
<http://myescambia.com/business/ds>**

Board of Adjustment Application

FOR OFFICE USE ONLY - Case Number: _____ Accepted by: _____ BOA Meeting: _____

Conditional Use Request for: Tractor Supply Outdoor Display Area

Variance Request for: _____

1. Contact Information:

A. Property Owner/Applicant: Bullseye LLC / Mark Lyons, III

Mailing Address: 33329 Olympic Circle, Loxley, AL 36551

Business Phone: 850-341-4400 Cell: _____

Email: bocklylyons@yahoo.com

B. Authorized Agent (if applicable): HSC Pensacola South, LLC

Mailing Address: P. O. Box 130

Business Phone: 251-243-0708 Cell: _____

Email: lindsay@hixsnedeker.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: 2820 Blue Angel Pkwy, Pensacola, FL 32506

Parcel ID (s): 05-3S-31-1500-013-005

B. Total acreage of the subject property: 4.63 acres

C. Existing Zoning: Commercial

FLU Category: C-Commercial

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

E. Sanitary Sewer: X **Septic:** _____

3. Amendment Request

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

HSC Pensacola South, LLC (Developer) is requesting as part of a new development for a commercial Tractor Supply Company tenant, a 15,000 SF Fenced Outdoor Display Area, 3000 SF Permanent Trailer Display Area, and Permanent Sidewalk Display areas out in front of the building totaling to 2,980 SF. This area is a trademark of the Tractor Supply store brand and is intended for the sale and display of larger items that cannot be kept inside the confines of the building. Please see attached Narrative for further details.

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

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

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

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

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

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

6. The granting of the variance will be consistent with the general intent and purpose of the land development code and that such variance will not be injurious to the area or otherwise detrimental to the public welfare.

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

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

Yes, the proposed development is compatible with the existing surrounding retail operations including Walmart and Target. Hours of operation will be similar to these merchants as well. Please see attached narrative for further details on hours of operation.

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

Public facilities are available and will be provided with the proposed development.

3. On-site circulation. Ingress to and egress from the site and its structures will be sufficient, particularly regarding vehicle and pedestrian safety and convenience, efficient traffic flow and control, on-site parking and loading, and emergency vehicle access.
Adequate circulation has been incorporated into the proposed development as per attached site plan.

4. Nuisances and hazards. The scale, intensity, and operation of the use will not generate unreasonable noise, glare, dust, smoke, odor, vibration, electrical interference, or other nuisances or hazards for adjoining properties and other properties in the immediate area.
None of the above pertain to the proposed development.

5. Solid waste. All on-site solid waste containers will be appropriately located for functional access, limited off-site visibility and minimal odor and other nuisance impacts.
Solid waste has been addressed as per the attached site plan.

6. Screening and buffering. Where not otherwise required by the LDC, screening and buffering will be provided if appropriate to the proposed use and site.
Screening and buffering have been incorporated into the attached site plan per code and per comments given in the pre-app with the DRC.

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

All signs and lighting associated with this project will be compatible with the adjoining properties and comply with any applicable Escambia County code.

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

Site characteristics have been taken into consideration when developing site plan.

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

This application is for the conditional use of an outdoor display area as described in the attached narrative and depicted in attached site plan.

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

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

As owner of the property located at 28205 Blue Angel Pkwy, Pensacola Florida, property reference number(s) 05-35-31-1500-013-005 I hereby designate HSC Pensacola South, LLC for the sole purpose of completing this application and making a presentation to the Board of Adjustment on the above referenced property. This Limited Power of Attorney is granted on this 30th day of July the year of, 2020, and is effective until the Board of Adjustment has rendered a decision on this request and any appeal period has expired. The owner reserves the right to rescind this Limited Power of Attorney at any time with a written, notarized notice to the Development Services Department.

Agent Name: HSC Pensacola South, LLC
Email: lindsay@hixsnecker.com

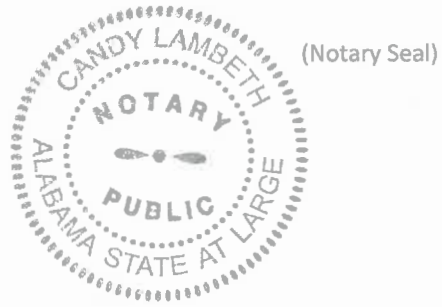
Address: P.O. Box 130 Phone: 251-243-0708
Mark Lyons III 7-30-20
Signature of Property Owner Printed Name of Property Owner Date

STATE OF Alabama COUNTY OF Baldwin
The foregoing instrument was acknowledged before me this 30 day of July 2020,
by means of physical presence or online notarization _____ Type of
Identification Produced: FLDL 520-540-34-052-D

Candy Lambeth
Signature of Notary

Candy Lambeth
Printed Name of Notary

7/8/24



5. Submittal Requirements

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

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

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

C. Legal Proof of Ownership (ex: copy of Tax Notice or Warranty Deed) **AND**

D. Site Plan A Certified Boundary Survey (Include Corporation/LLC documentation if applicable.) See attached site plan

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

[Signature]
Signature of Owner/Agent

Johna Foward
Printed Name of Owner/Agent

STATE OF Alabama COUNTY OF Baldwin

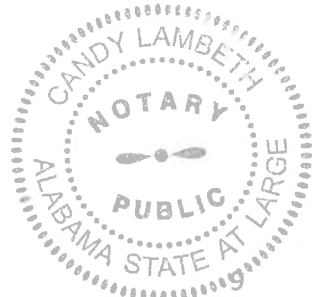
The foregoing instrument was acknowledged before me this 10th day of August 2020,
by means of physical presence or online notarization _____ Type of

Identification Produced: DL

[Signature]
Signature of Notary

Candy Lambeth
Printed Name of Notary

(Notary Seal)



27.00
7350.00

Prepared By:
Emmanuel, Sheppard & Condon
30 S. Spring Street
Pensacola, FL
incidental to the issuance of a title insurance policy.
File Number: 02562-111563
Parcel ID #:
Grantee(s) SS #:

**WARRANTY DEED
(INDIVIDUAL)**

This WARRANTY DEED, dated 02/10/2006 by T. Riley Shipman, joined by his wife, Sandra I. Shipman and Betty J. Shipman, an unremarried widow, whose post office address is: 2792 Blue Angel Parkway, Pensacola, Florida 32506, hereinafter called the GRANTOR, to Bullseye, LLC, a Florida Limited Liability Company whose post office address is: Post Office Box 99, Gulf Breeze, FL 32561 hereinafter called the GRANTEE:

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

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

-See attached Exhibit "A"-

Grantor retains an easement for ingress and egress over the North 20 feet of the subject property described in Exhibit "A" from Blue Angel Parkway to the property described on Exhibit "B".

event Grantee

In the event Grantor becomes the owner of the property described on Exhibit "B", this easement shall terminate and be in no further force or effect.

SUBJECT TO covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes and assessments for the year 2006 and subsequent years; and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any.

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

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

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

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

SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES:

Signature: [Signature]
Print Name: T. Riley Shipman

Signature: [Signature]
Print Name: T. Riley Shipman

Signature: [Signature]
Print Name: Sandra I. Shipman

Signature: [Signature]
Print Name: Sandra I. Shipman

Signature: [Signature]
Print Name: Betty J. Shipman

State of Florida
County of Escambia

THE FOREGOING INSTRUMENT was acknowledged before me on February 8, 2006 by: T. Riley Shipman, joined by his wife, Sandra I. Shipman and Betty J. Shipman, an unremarried widow, who are personally known to me or who have produced FLA. DRIVERS LICENSES as identification.

Signature: [Signature]
Print Name:

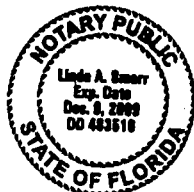


Exhibit A

Commence at the intersection of the North R/W line of S.R. #292-A (100' R/W A.K.A. New Gulf Beach Highway) and the East R/W line of S.R. #297 (200' R/W; A.K.A. Blue Angel Parkway); thence proceed North 19 degrees 34 minutes 27 seconds West along the East right of way of said Blue Angel Parkway for a distance of 669.63 feet to a point of curvature of a curve concave Easterly having a radius of 2764.79 feet and a central angle of 02 degrees 37 minutes 02 seconds and a chord bearing and distance of North 18 degrees 15 minutes 56 seconds West, 126.28 feet; thence proceed Northerly along the arc of said curve for a distance of 126.29 feet for the Point of Beginning; thence continue along the aforesaid curved right of way line being a curve concave Easterly and having a radius of 2764.79 feet an arc distance of 559.04 feet (chord=558.09', chord bearing=N18°15'56"W); thence departing said right of way line North 66°33'31" East a distance of 389.00 feet; thence South 13°36'02" East a distance of 558.04 feet; thence South 66°33'21" West a distance of 389.00 feet to the Point of Beginning. The above described parcel of land is situated in Section 5, Township 3 South, Range 31 West, Escambia County, Florida, and contains 5.03 acres.

Exhibit B

Commence at the intersection of the North R/W line of S.R. #292-A (100' R/W A.K.A. New Gulf Beach Highway) and the East R/W line of S.R. #297 (200' R/W; A.K.A. Blue Angel Parkway); thence proceed North 19 degrees 34 minutes 27 seconds West along the East right of way of said Blue Angel Parkway for a distance of 669.63 feet to a point of curvature of a curve concave Easterly having a radius of 2764.79 feet and a central angle of 02 degrees 37 minutes 02 seconds and a chord bearing and distance of North 18 degrees 15 minutes 56 seconds West, 126.28 feet; thence proceed Northerly along the arc of said curve for a distance of 126.29 feet; thence departing said curved right of way line proceed North 66 degrees 33 minutes 21 seconds East for a distance of 389.00 feet to the Point of Beginning; thence continue North 66 degrees 33 minutes 21 seconds East for a distance of 675.60 feet; thence proceed North 07 degrees 31 minutes 47 seconds West for a distance of 210.00 feet; thence proceed North 69 degrees 25 minutes 46 seconds West for a distance of 124.36 feet; thence proceed North 43 degrees 34 minutes 31 seconds West for a distance of 36.02 feet; thence proceed North 21 degrees 45 minutes 31 seconds West for a distance of 35.60 feet; thence proceed North 22 degrees 42 minutes 17 seconds West for a distance of 192.22 feet; thence proceed South 66 degrees 31 minutes 21 seconds West for a distance of 540.15 feet; thence proceed South 13 degrees 36 minutes 02 seconds East for a distance of 558.04 feet to the Point of Beginning, containing 7.84 acres, more or less.



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

RE: Conditional Use Request Narrative - Tractor Supply Company
Pensacola, FL

We, HSC Pensacola South, LLC (Developer) are proposing a new 4.63-acre development for a commercial Tractor Supply Company tenant located at 2820 South Blue Angel Parkway in Pensacola, FL. We are respectfully requesting a conditional use approval for the outdoor display areas, described below, associated with this project.

The proposed concept plan depicts 19,097 SF of retail sales area, an adjacent 15,000 SF Fenced Outdoor Display Area, 3,000 SF Permanent Trailer Display Area, and Permanent Sidewalk Display Areas out in front of the building totaling to 2,980 SF. The Fenced Outdoor Display area is a trademark of the Tractor Supply Store brand and includes items such as fencing materials, pet and livestock equipment such as feeding equipment and watering tanks as well as miscellaneous items such as bulk propane and motorized vehicles including UTV's & ATV's. These items are typically large enough to require loading onto the customer's vehicle through the gate/drive aisle through the middle of the Fenced Outdoor Display area as shown on the Concept plan provided. The Permanent Trailer Display area is generally marked off near the parking lot area holding utility trailers and tractor implements, typically not stacked over 3' tall. The Permanent Sidewalk Display areas hold items such as lawn and garden equipment, 3-point equipment, and Pet equipment. Attached is a further detailed list of items that will be in each of these Outdoor sales areas.

Please also refer to the attached for additional information about Tractor Supply Company operations and employment.



TRACTOR SUPPLY COMPANY'S INTENDED USE AND TYPICAL OUTSIDE DISPLAY MERCHANDISE

Intended Use: A typical Tractor Supply Company retail facility is primarily used for the sale of farm/ranch equipment and maintenance products; general maintenance products; animal (domestic and farm) feeds, equipment and health products; horse and rider tack, equipment and related products; bird feed, pet grooming and pet wash stations, housing and related products; lawn and garden equipment and products; tools and hardware; farm vehicle equipment and maintenance products; clothing and footwear.

Items Typically Displayed in the Fenced Outside Display Area: The following items may not appear in all stores as merchandise mix varies by region and by season.

- A. **FENCING MATERIALS** – such as fencing and posts
- B. **PET AND LIVESTOCK EQUIPMENT** – such as feeding equipment, round pens and watering tanks, hay and forage
- C. **MISCELLANEOUS/SEASONAL** – such as culverts, plastic water pipes and drainage tile, bulk propane and welding gas, motorized vehicles including dirt bikes, mini-bikes, scooters, UTV's & ATV's

Items Typically Displayed in the Permanent Trailer and Equipment Display Areas: The following items may not appear in all stores as merchandise mix varies by region and by season.

- A. **TRAILERS** – open & closed
- B. **3-POINT EQUIPMENT** – such as plows, tillers, seeders, rakes, etc

Items Typically Displayed in the Permanent Sidewalk Display Areas: The following items may not appear in all stores as merchandise mix varies by region and by season.

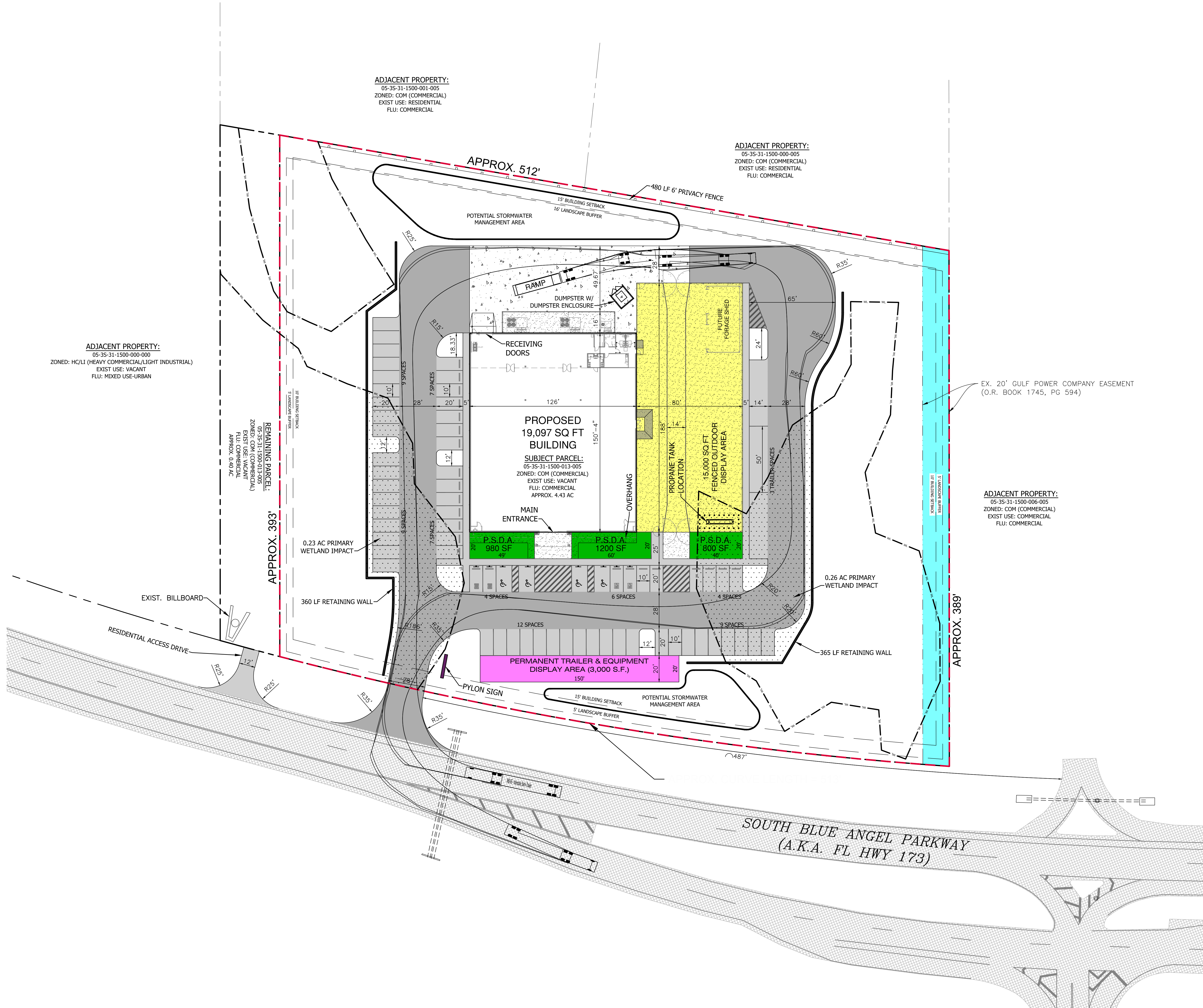
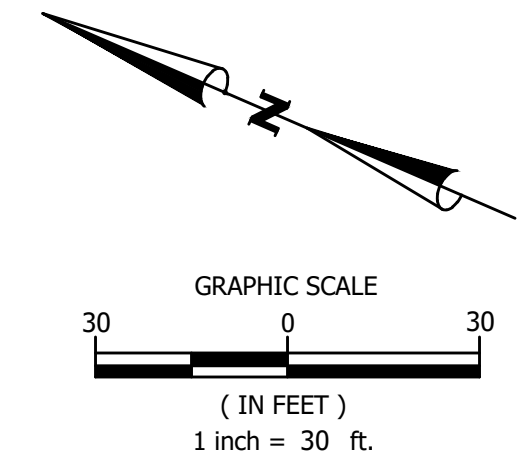
- A. **LAWN AND GARDEN EQUIPMENT** – such as push and riding mowers, garden carts, log splitters, snow blowers, etc
- B. **PET AND LIVESTOCK EQUIPMENT** – such as dog houses and kennels
- C. **MISCELLANEOUS/SEASONAL** – such as wheel barrows, bagged fertilizer and pine shavings, bagged feed, ATV's, UTV's, dirt bikes and paddle boats

Hours of Operation: Tractor Supply Store hours are as follows:

Sunday – 8am – 7pm

Monday through Saturday – 8am – 8pm

Number of Employees: Tractor Supply Stores employ 1 full time manager, 1 part time assistant store manager and 4-6 part time store associates (seasonal numbers may vary).

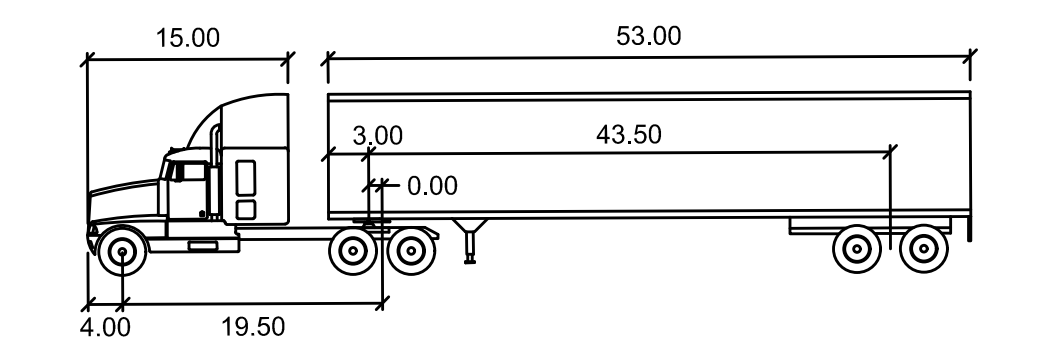


SITE DATA TABLE

| STATE OF FLORIDA COUNTY OF ESCAMBIA OUTSIDE OF CITY LIMITS | |
|--|---|
| TAX PARCEL ID: | 05-35-31-1500-013-005 |
| EXISTING PARCEL SIZE: | APPROX. 5.03 ACRES |
| PROP. SUBJECT PARCEL SIZE: | APPROX. 4.63 ACRES |
| PROP. REMAINING PARCEL SIZE: | APPROX. 0.40 ACRES |
| EXISTING ZONING: | COM (COMMERCIAL DISTRICT) |
| FUTURE LAND USE: | COMMERCIAL |
| BUILDING SETBACKS: | |
| FRONT: | 15' |
| SIDE: | 10' |
| REAR: | 15' |
| LANDSCAPE BUFFERS: | |
| FRONT: | 5' PARKING LOT SETBACK |
| SIDE: | 5' PARKING LOT SETBACK |
| REAR: | TYPE B BUFFER - 16' W/ OPAQUE FENCE OR WALL |
| PARKING STANDARDS: | |
| | REQUIRED: PROVIDED: |
| VEHICLE PARKING: | 3 SPACES/ 1,000 SF (19,097 SF / 1,000 SF) * 3 SP = 57 SP 70 SPACES (INC. 4 H/C) |
| LEASE PLAN REVISION TRACKING: | |
| INITIAL LEASE PLAN DATE: | 04/22/20 |
| REV. 1 LEASE PLAN DATE: | 04/23/20 |
| REV. 2 LEASE PLAN DATE: | 05/19/20 |
| REV. 3 LEASE PLAN DATE: | 05/29/20 |
| REV. 4 LEASE PLAN DATE: | 07/27/20 |
| CURRENT LEASE PLAN DATE: | 08/06/20 |

LEGEND

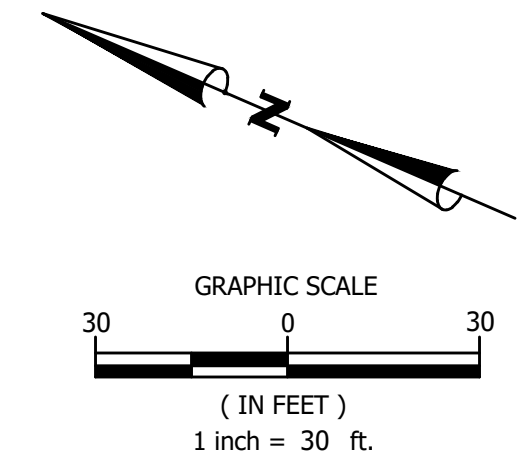
- DEMISED PROPERTY
- EXISTING WETLAND
- PROPOSED LIGHT DUTY ASPHALT
- PROPOSED HEAVY DUTY ASPHALT
- PROPOSED LIGHT DUTY CONCRETE (BROOM FINISH)
- PROPOSED HEAVY DUTY CONCRETE (BROOM FINISH)
- FENCED OUTDOOR DISPLAY AREA
- PERMANENT SIDEWALK DISPLAY AREA
- PERMANENT TRAILER AND EQUIPMENT DISPLAY AREA
- EASEMENT/SHARED/OTHER PROTECTED AREAS
- Pylon SIGN



WB-65

| | feet |
|--------------------|---------|
| Tractor Width | : 8.00 |
| Tractor Length | : 15.00 |
| Trailer Width | : 8.50 |
| Trailer Track | : 8.00 |
| Trailer Track | : 8.50 |
| Lock to Lock Time | : 6.00 |
| Steering Angle | : 28.40 |
| Articulating Angle | : 70.00 |

PRELIMINARY SITE PLAN
APPROX. 4.63 ACRES
PROPOSED COMMERCIAL DEVELOPMENT
SOUTH BLUE ANGEL PKWY
(A.K.A. FL HWY 173)
ESCAMBIA COUNTY, FLORIDA

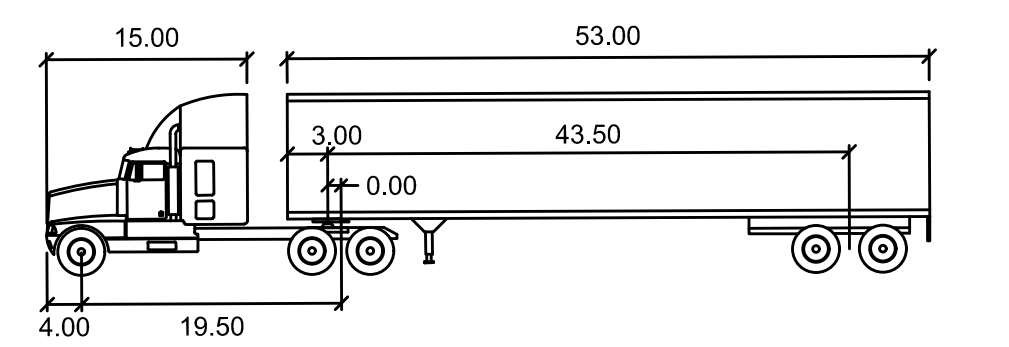


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| WB-65 | feet |
|--------------------|---------|
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