

AGENDA
ESCAMBIA COUNTY PLANNING BOARD
QUASI-JUDICIAL HEARING
June 1, 2020–8:30 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.
5. Acceptance of Rezoning Planning Board Meeting Packet.
6. Quasi-judicial Process Explanation.
7. Public Hearings.
 - A. Case #: 2020-03
Applicant: Tom Hammond, Agent for Forrest Homes and Steele Construction Inc., Owner
Address: 5250 Blue Angel Parkway
Property Size: 7.66 (+/-) acres
From: LDR, Low Density Residential (4 du/acre)
To: MDR, Medium Density Residential (10 du/acre)
 - B. Case #: Z-2020-04
Applicant: William Stokes, Esq./Clark Partington, Agent for Joe Baudendistel/Home Page Services, LLC
Address: 1303 Gulf Beach Highway
Property Size: 0.32 (+/-) acres
From: HDMU, High Density Mixed-use district (25 du/acre)

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

8. Adjournment.

Planning Board-Rezoning

7. A.

Meeting Date: 06/01/2020
CASE : Z-2020-03
APPLICANT: Tom Hammond, Agent for Forrest Homes and Steele Construction Inc., Owner
ADDRESS: 5250 Blue Angel Parkway
PROPERTY REF. NO.: 36-2S-31-1007-000-000
FUTURE LAND USE: MU-S, Mixed-Use Suburban
DISTRICT: 1
OVERLAY DISTRICT: N/A
BCC MEETING DATE: 07/02/2020

SUBMISSION DATA:

REQUESTED REZONING:

FROM: LDR, Low Density Residential (4 du/acre)

TO: MDR, Medium Density Residential (10 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 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).

FINDINGS

The proposed amendment to MDR is consistent with the intent and purpose of Future Land Use category MU-S as stated in CPP FLU 1.3.1. Mixed-Use Suburban allows for a mix of residential and non-residential uses and promote infill development. The parcel may utilize the existing public roads, utilities 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.

Sec. 3-2.5 Low Density Residential district (LDR).

(a) Purpose. The Low Density Residential (LDR) district establishes appropriate areas and land use regulations for residential uses at low densities within suburban areas. The primary intent of the district is to provide for large-lot suburban type residential neighborhood development that blends aspects of rural openness with the benefits of urban street connectivity, and at greater density than the Rural Residential district.

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

(1) Residential.

a. Manufactured (mobile) homes only within existing manufactured home parks or subdivisions, or on land zoned SDD prior to adoption of LDR zoning. No new or expanded manufactured home parks or subdivisions.

b. Single-family dwellings (other than manufactured homes), detached and only one per lot, excluding accessory dwellings. Accessory dwellings only on lots two acres or larger. Attached single-family dwellings and zero lot line subdivision only on land zoned V-5 or SDD prior to adoption of LDR zoning.

c. Two-family dwellings and multi-family dwellings up to four units per dwelling (triplex and quadruplex) only on land zoned V-5 or SDD prior to adoption of LDR zoning. See also conditional uses in this district.

(2) Retail sales. No retail sales.

(3) Retail services. No retail services.

(4) Public and civic.

a. Cemeteries, family only.

b. 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. On land not zoned SDD prior to adoption of LDR zoning, agricultural production and storage is limited to food primarily for personal consumption by the producer.

Sec. 3-2.7 MDR, Medium Density Residential.

(a) Purpose. The Medium Density Residential (MDR) district establishes appropriate areas and land use regulations for residential uses at medium 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.

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

(1) Residential.

a. Manufactured (mobile) homes only within manufactured home parks or subdivisions. No new or expanded manufactured home parks, and new or expanded manufactured home subdivisions only on land zoned V-4 prior to adoption of MDR zoning.

b. Single-family dwellings (other than manufactured homes), detached and only one per lot, excluding accessory dwellings. Accessory dwellings only on lots one acre or larger. Attached single-family dwellings and zero lot line subdivisions only on land zoned R-3 or V-4 prior to adoption of MDR zoning.

c. Two-family dwellings only on land zoned R-3 or V-4 prior to adoption of MDR zoning, and multi-family dwellings up to four units per dwelling (quadruplex) only on land zoned V-4 prior to MDR zoning.

See also conditional uses in this district.

(2) Retail sales. No retail sales.

(3) Retail services. No retail services. See conditional uses in this district.

(4) Public and civic. Public utility structures, excluding telecommunications towers. See also conditional uses in this district.

(5) Recreation and entertainment.

a. Marinas, private.

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.

See also conditional uses in this district.

FINDINGS

The proposed amendment **is consistent** with the intent and purpose of the Land Development Code. The site consisted of two parcels which have been combined by the Property Appraiser at the applicants request to create one parcel totaling 7.66 (+/-) acres. The property is surrounded by LDR zoning with MDR across Blue Angel Parkway to the west with individual lots as well as the Yorkshire Estates Subdivision. The MDR

zoning will allow for single family dwellings, one per lot. In this case, no multi-family, apartments or retail sales or services are allowed as per LDC 3-2.7(1)c, which states this allowance is permitted only if the previous zoning on the land was R-3 or V-4 prior to the adoption of the MDR zoning, and the previous zoning for the parcel in question was RR.

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

Compatible with surrounding uses

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

FINDINGS

The proposed amendment **is compatible** with surrounding existing uses in the area. Within the 500 radius impact area, staff observed properties with zoning districts LDR and MDR. The nearby land uses are single family residential therefore the zoning request will be consistent with the surrounding uses.

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 of MDR would by definition be spot zoning for the fact that all contiguous land is zoned LDR, however due to the restraints of the previous zoning, the permitted uses in MDR will be sufficiently similar to the existing LDR zoning. The major difference is in the site and building requirements. MDR zoning would allow for 10 dwelling units per acre versus LDR's four dwellings per acre and a lot width difference of 50 feet for MDR versus 60 feet for LDR.

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.

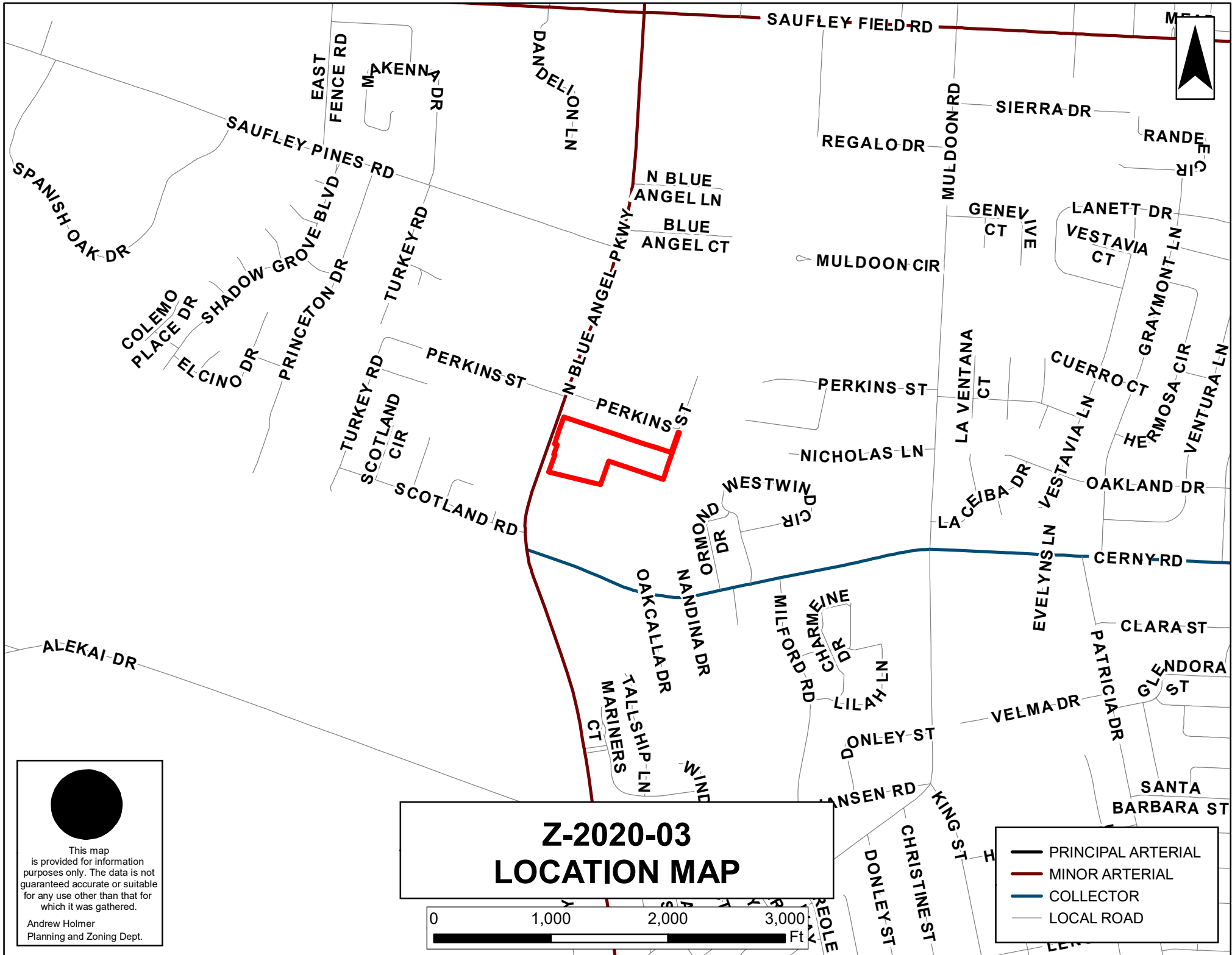
FINDINGS

The land uses or development conditions within the area surrounding the property of rezoning **have not** changed.

Attachments

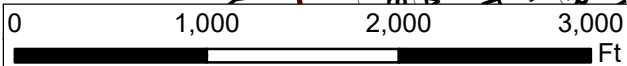
Working Case File

Z-2020-03

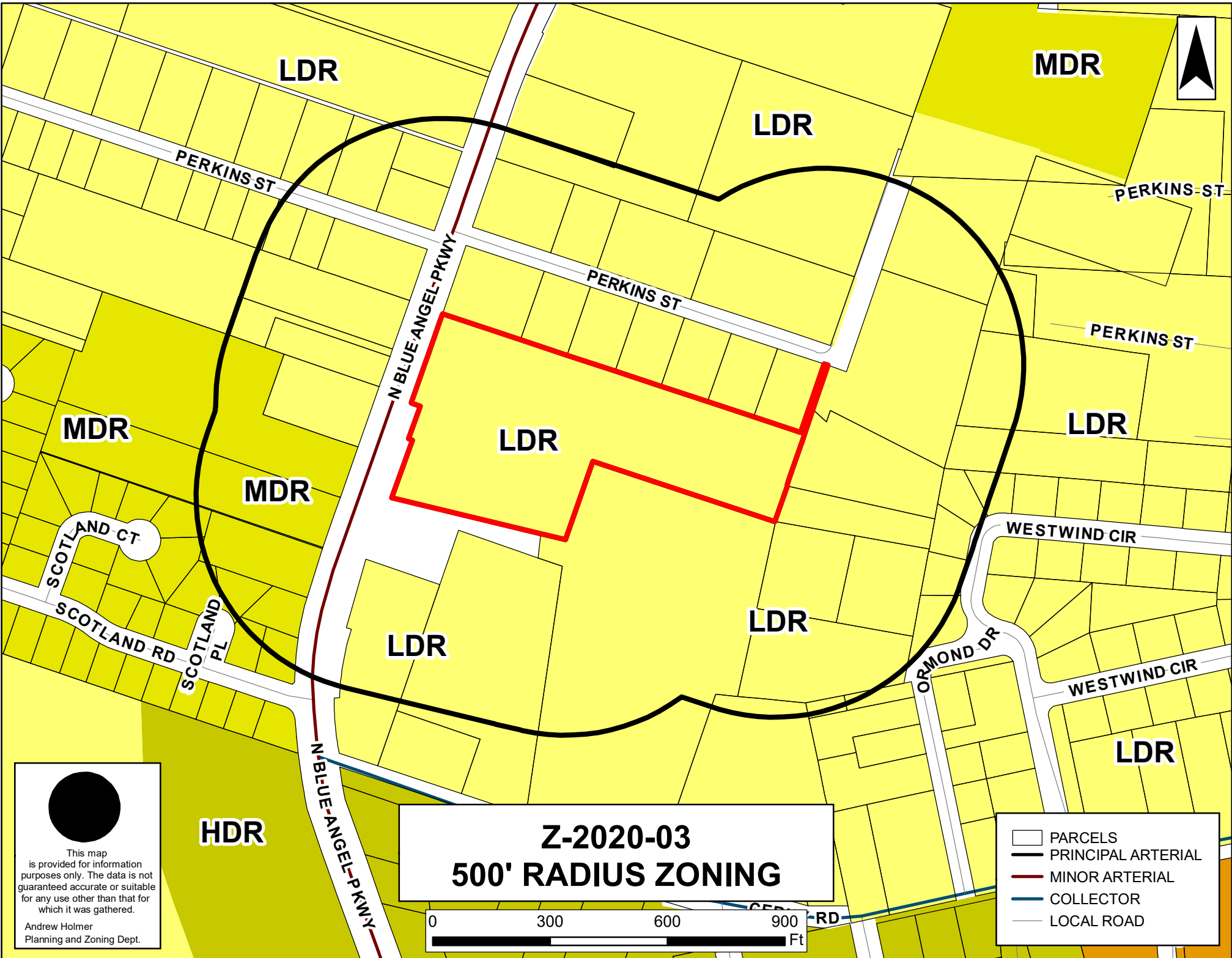


This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD



LDR

MDR

LDR

PERKINS ST

PERKINS ST

PERKINS ST

PERKINS ST

N BLUE ANGEL PKWY

MDR

LDR

LDR

MDR

SCOTLAND CT

WESTWIND CIR

SCOTLAND RD

SCOTLAND PL

LDR

LDR

ORMOND DR

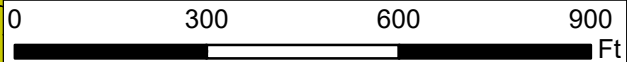
WESTWIND CIR

LDR

N BLUE ANGEL PKWY

HDR

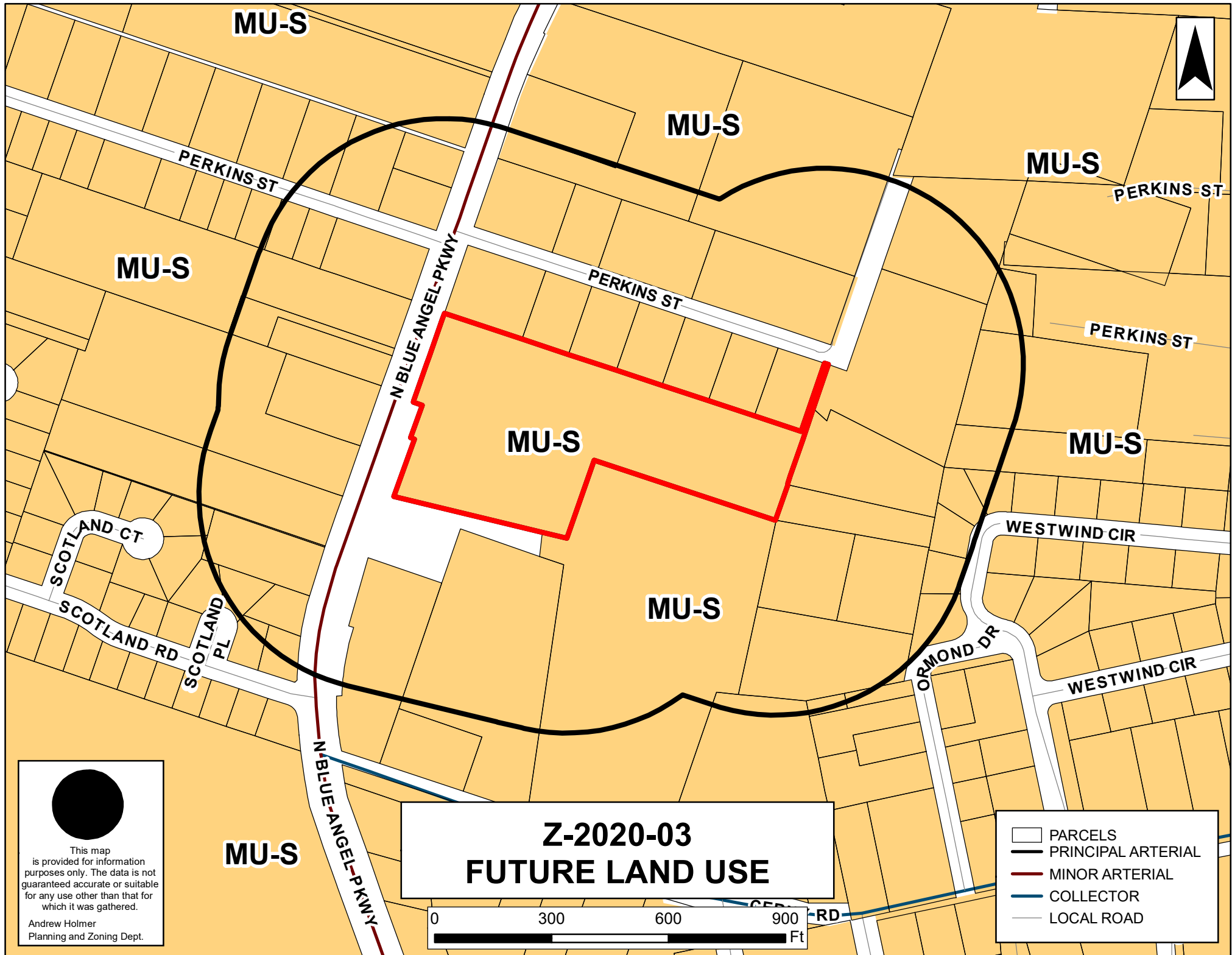
Z-2020-03
500' RADIUS ZONING



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

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Planning and Zoning Dept.



MU-S

MU-S

MU-S

MU-S

MU-S

MU-S


MU-S

MU-S

**Z-2020-03
FUTURE LAND USE**

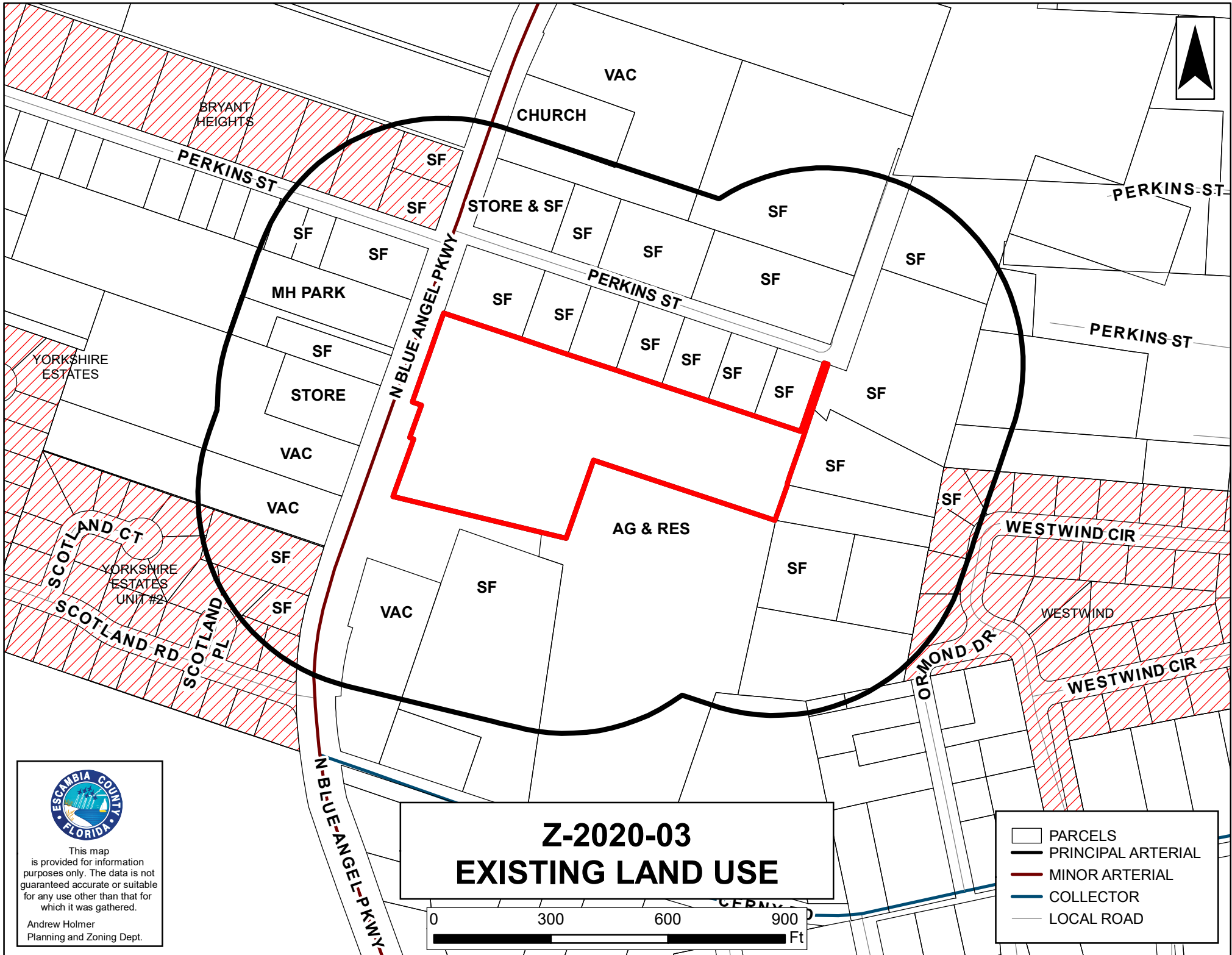


-  PARCELS
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD

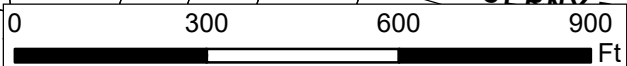







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Andrew Holmer
Planning and Zoning Dept.



**Z-2020-03
EXISTING LAND USE**

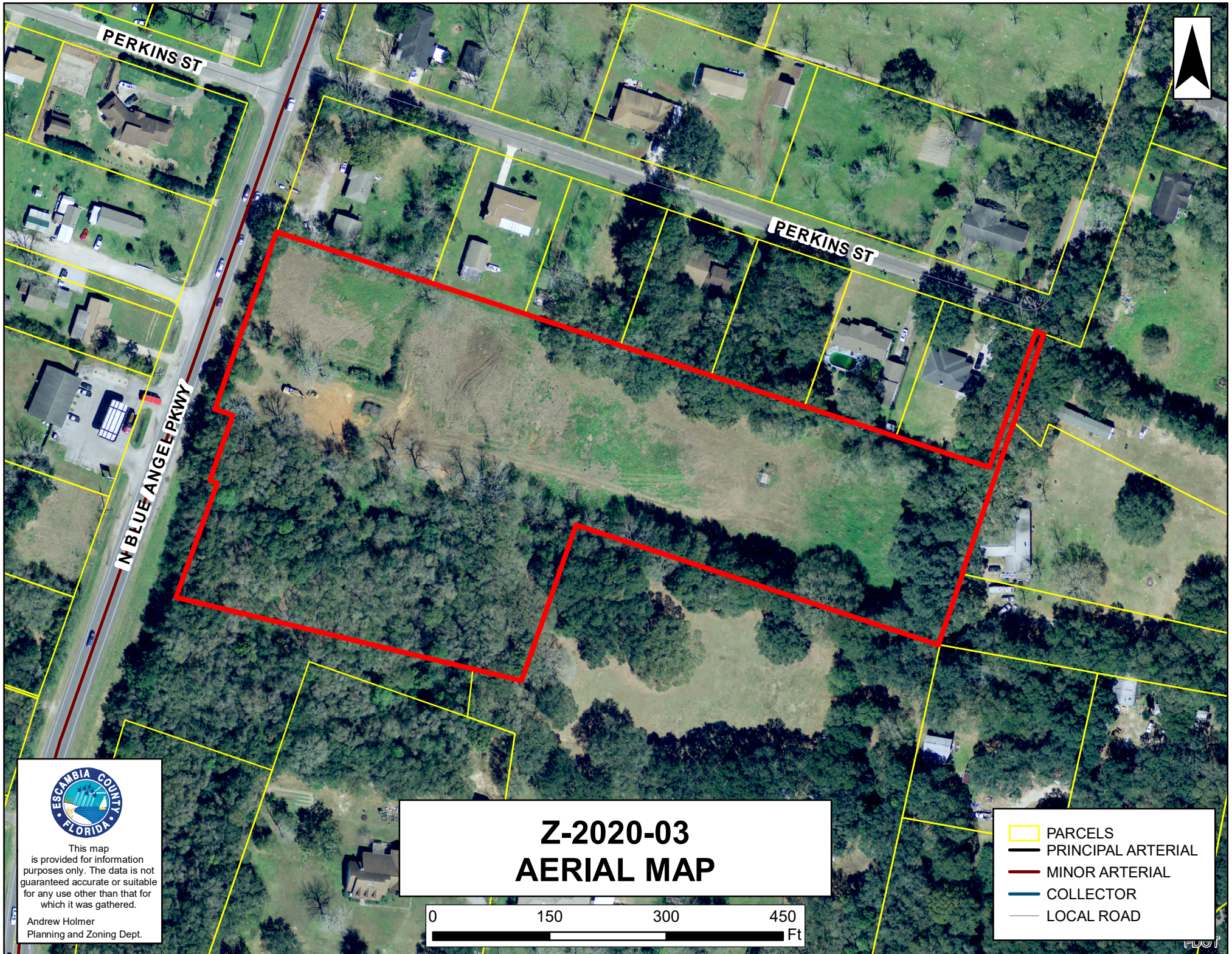


-  PARCELS
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD



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Andrew Holmer
Planning and Zoning Dept.



PERKINS ST

PERKINS ST

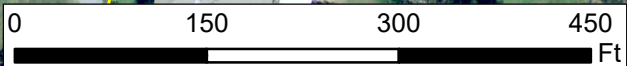
N BLUE ANGEL PKWY



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Andrew Holmer
Planning and Zoning Dept.

Z-2020-03 AERIAL MAP



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

Public Hearing Sign



NOTICE OF PUBLIC HEARING REZONING

CASE NO.: Z-2020-03

CURRENT ZONING: LDR PROPOSED ZONING: MDR

PLANNING BOARD

DATE: 06/01/20 TIME: 8:30 a.m.

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

BOARD OF COUNTY COMMISSIONERS

DATE: 07/02/20 TIME: 5:45 p.m.

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

PLEASE DO NOT REMOVE THIS SIGN
 PROPERTY OF ESCAMBIA COUNTY



Looking onto property



Another view of
property



Looking across Blue Angel
from subject property



Looking south along Blue
Angel from subject
property



Looking north along Blue
Angel from subject
property



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

February 24, 2020

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

**Reference: 5250 Blue Angel Parkway
HEI Project No. 19-024**

Dear Allyson:

The above referenced parcels currently have a zoning of LDR and has not been developed. The parcel is located at 5250 Blue Angel Parkway in Escambia County, FL. We request the parcels be re-zoned to MDR.

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

Sincerely,

HAMMOND ENGINEERING, INC.

A handwritten signature in black ink, appearing to be 'Thomas G. Hammond, Jr.', written in a cursive style.

Thomas G. Hammond, Jr., PE.
President

Attachments



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: 2-2020-03 Accepted by: A. Lindsay PB Meeting: 4/7/2020

1. Contact Information:

A. Property Owner/Applicant: FORREST HOMES & STEEL CONSTRUCTION INC.

Mailing Address: 10901 LILLIAN HWY PENSACOLA, FL 32506

Business Phone: 850-572-4588 Cell: 850-572-4588

Email: CLASSICC12@AOL.COM

B. Authorized Agent (if applicable): Tom Hammond

Mailing Address: 3802 North S Street, Pensacola, FL 32505

Business Phone: 850-434-2603 Cell: 850-554-9389

Email: tom@selanddesign.com

Note: Owner must complete the attached Agent Affidavit. If there is more than one owner, each owner must complete an Agent Affidavit. Application will be voided if changes to this application are found.

2. Property Information:

A. Existing Street Address: 5250 Blue Angel Parkway

Parcel ID (s): 36-2S-31-1007-000-000 & 36-2S-31-1007-000-001

B. Total acreage of the subject property: 7.51

C. Existing Zoning: LDR

Proposed Zoning: MDR; explain why necessary and/or appropriate appropriate due to existing MDR zoned properties and other urban type

developments within 500' of the subject property and subject parcels are located along an arterial roadway where denser type residential development is preferred.

FLU Category: MU-S

D. Is the subject property developed (if yes, explain): vacant & undeveloped

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.

PLEASE SEE ATTACHED

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

PLEASE SEE ATTACHED

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

PLEASE SEE ATTACHED

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

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

PLEASE SEE ATTACHED

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

PLEASE SEE ATTACHED

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

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

Property Reference Number(s): 36-2S-31-1007-000-001 & 36-2S-31-1007-000-000

Property Address: 5250 BLUE ANGEL PARKWAY

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 17 DAY OF January, YEAR OF 2020

[Handwritten Signature]
Signature of Property Owner

713 EDGAR
Printed Name of Property Owner

1-17-20
Date

Signature of Property Owner

Printed Name of Property Owner

Date

5. Submittal Requirements

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

B. _____ Application Fees: To view fees visit the website: <http://myescambia.com/business/ds/planning-board> or contact us at 595-3547

Note: Application fees include a \$5 technical fee. Cost of the public notice mailing is to be borne by the applicant. Payments must be submitted prior to 3 pm of the closing date of acceptance of application. Please make checks payable to Escambia County. MasterCard and Visa are also accepted (a 3% fee will be added for credit card payments).

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

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

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

By my signature, I hereby certify that:

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

Signature of Owner/Agent

F.R. Edgar
Signature of Owner

Thomas G Hammond Jr, PE
Printed Name Owner/Agent

F.R. Edgar
Printed Name of Owner

1/17/2020
Date

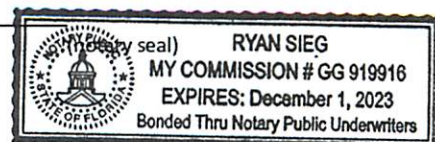
1-17-20
Date

STATE OF Florida COUNTY OF Escambia The foregoing instrument was acknowledged before me this 17 day of January 2020, by F.R. Edgar.

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

[Signature]
Signature of Notary

Ryan Sieg
Printed Name of Notary



Property Reference Numbers
36-2S-31-1007-000-001
36-2S-31-1007-000-000

Re-zoning Criteria

A. Consistency with the Comprehensive Plan

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

FLUM Mixed-Use Suburban (MU-S)

General Description: Intended for a mix of residential and non-residential uses

While promoting compatible infill development and the separation of urban and suburban land uses.

Range of Allowable Uses: Residential, retail sales & services, professional office, recreational facilities, public and civic, limited agriculture.

Standards:

Residential Maximum Density: 25 du/acre

Non-Residential Minimum Intensity: None

Maximum Intensity: 1.0 Floor Area Ratio (FAR)

Escambia County intends to achieve the following mix of land uses for new development within ¼ mile of arterial roadways or transit corridors by 2030:

a) Residential 8% to 25%

b) Public/Rec/Inst. 5% to 20%

c) Non-Residential:

Retail Service-30% to 50%

Office-25% to 50%

In areas beyond ¼ mile of arterial roadways or transit corridors, the following mix of land uses is anticipated:

a) Residential 70% to 85%

b) Public/Rec/Inst. 10% to 25%

c) Non-Residential 5% to 10%

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

B. Consistency with Zoning District provisions

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

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

For every combination of zoning district and FLU category represented by the table, "Yes" indicates the zoning is consistent with the FLU. "No" indicates zoning inconsistency with the FLU, primarily for the reason noted.

(Ord. No. 2015-56, § 1, 12-10-2015)

Supp 3

LDC 3:7

Also, LDC Chapter 3, Article 2, Section 3-2.7(f) states:

Rezoning to MDR.

Medium Density Residential zoning maybe established only within the Mixed-Use Suburban (MU-S) and Mixed-Use Urban (MU-U) future land use categories. The district is suitable for suburban or urban areas with central water and sewer and developed street networks. The district is appropriate to provide transitions between areas zoned or used for low density residential and areas zoned or used for high density residential or mixed-use.

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

C. Compatibility with surroundings

The parcels are bordered by LDR zoned parcels on the north, south, and east boundary lines. There is MDR zone parcels across Blue Angel Parkway slightly south of the subject parcels.

The subject parcels are directly across the street from a mobile home park. Also, there is a convenience store across the street adjoining the mobile home park to the south. All the other surrounding parcels appear to be single family detached residential uses.

It is common planning practice to have more dense residential developments near commercial corridors/uses and less dense residential districts.

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

D. Appropriate if Spot Zoning

The proposed rezoning would result in spot zoning as defined in chapter 6 of the LDC. However, the proposed zoning to MDR would be minor and sufficiently limited as follows:

The proposed rezoning would allow for 50' wide single-family residential lots where the existing zoning allows for 60' wide single-family residential lots.

There are NO uses allowed in the MDR zoning district that are not also allowed in the current LDR zoning district.

The proposed re-zoning would result in a logical and orderly development.

Proposed re-zoning would create an appropriate "spot zoning" situation.

E. Appropriate with changed or changing conditions

We are not aware of any known or changed conditions that would affect the proposed rezoning request.



Chris Jones, CFA
Escambia County Property Appraiser
221 Palafox Place, Suite 300
Pensacola, FL 32502
Phone (850) 434-2735 • Fax (850) 435-9526
Website: <http://www.escpa.org>

Roll Year: _____

Page 1 of 4

Date Received ___/___/___

Received by: _____

Total Number of Pages: _____
(including required attachments)

IMPORTANT NOTICE

Pursuant to Florida Statute 197.192, the Property Appraiser's Office will not split or combine parcels until all taxes due have been paid to the Tax Collector's Office.

It should be noted that a Combination or Split request processed by the Property Appraiser's Office is for taxing purposes only and does not imply legality of the land division being requested, nor the legality for such parcel(s) to be conveyed via land title, nor the suitability for such parcel(s) to be developed. Applicants should contact the appropriate land development, zoning and planning agency within your jurisdiction for questions concerning current and future property development regulations.

EXEMPT and NON-EXEMPT PROPERTIES AFFECTED BY ASSESSMENT LIMITATION

[Note: If this section is not completed, the request will not be processed.]

I or We, understand that combining or splitting property may affect the property's capped value resulting in an increase in my/our property taxes.

If I or We desire to reverse the process in the future, the "cap value" will not be restored to its former value.

I or We, understand that combining additional lands to a parcel that is currently benefiting from a homestead or an institutional exemption will not decrease parcel value. The existing "cap" will remain on the parcel with the original exemption. According to Florida Statutes, the newly added parcel's cap will reset at full market value. This will result in taxes based on full market value.

I or We acknowledge that I/we have read the foregoing cautionary message and do hereby acknowledge I/we understand the requirements and consequences of this request by initialing and printing my/our names as designated below:

 JJE J B Bergman
Initials Printed Name of Owner

Initials Printed Name of Owner

Initials Printed Name of Owner

Initials Printed Name of Owner



Chris Jones, CFA
 Escambia County Property Appraiser
 221 Palafox Place, Suite 300
 Pensacola, FL 32502
 Phone (850) 434-2735 • Fax (850) 435-9526
 Website: <http://www.escpa.org>

Roll Year: _____

Parcel Split-Out and Combination Request

Owner Name(s): PETE DEEGAR

Combination Request

Parcel Status	Exempt	Code	Reference Number	Account Number
<input checked="" type="radio"/> Vac <input type="radio"/> Imp	Yes / No	_____	<u>36-25-31-2007-000-001</u>	_____
<input checked="" type="radio"/> Vac <input type="radio"/> Imp	Yes / No	_____	<u>36-25-31-1607-000000</u>	_____
<input type="radio"/> Vac <input type="radio"/> Imp	Yes / No	_____	_____	_____

Split-Out Request

Parcel Status	Survey/Legal Included	Parent Reference Number	Account Number
<input type="radio"/> Vac <input type="radio"/> Imp	Yes / No	_____	_____

New Parcel Identification Number (issued by the Mapping Department): _____

Parcel Status	Survey/Legal Included	Parent Reference Number	Account Number
<input type="radio"/> Vac <input type="radio"/> Imp	Yes / No	_____	_____

New Parcel Identification Number (issued by the Mapping Department): _____

Notes:



Chris Jones, CFA
Escambia County Property Appraiser
221 Palafox Place, Suite 300
Pensacola, FL 32502
Phone (850) 434-2735 • Fax (850) 435-9526
Website: <http://www.escpa.org>

ECPA: Revised 11/2016

Roll Year: _____

Page 4 of 4

Zoning Review

[Note: If this section is not completed by the appropriate agency, the request **will not** be processed.]

As an agent of the appropriate jurisdictional agency where the parcel(s) exist in Escambia County Florida, I have reviewed this request from the parcel owner(s) and made the following determination:

- The Split Request is consistent with current zoning for the affected parcel(s).
- The Split Request is **not** consistent with current zoning for affected parcels for the following reason(s):

- The Combination Request is consistent with current zoning for the affected parcel(s).
- The Combination Request is **not** consistent with current zoning for the affected parcels for the following reason(s):

The information provided in this section does not constitute review or approval of any development or the confirmation of any development or land use rights for the affected parcels. Additional information on these issues may be obtained by contacting the County or City planning agencies at the addresses and telephone numbers below.

Escambia County Planning and Zoning

3363 West Park Place
(850) 595-3475

City of Pensacola Planning Division

222 West Main Street, 5th Floor, City Hall
(850) 435-1670

Agent: Allyson Lindsay
Signature

Allyson Lindsay
Print Name

malindsay@myescambia.com
Email Address

Title: Urban Planner II

Date: 2/13/2020

Phone: 595-3547

Prepared by and return to:
Tina M. Wiles

Emerald Coast Title, Inc.
811 N. Spring Street
Pensacola, FL 32501
850-434-3223
File Number: 19-14048
Will Call No.: SF

[Space Above This Line For Recording Data]

Trustee's Deed

This Trustee's Deed made this 16th day of January, 2020 between Leon B. Hirsh, as Trustee of the Amended and Restated James H. Sasser Trust dated June 3, 2009, grantor, and Forrest Homes & Steel Construction, Inc., a Florida Corporation whose post office address is 10901 Lilian Hwy, Pensacola, FL 32506, 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 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 grantees heirs and assigns forever, the following described land, situate, lying and being in Escambia County, Florida, to-wit:

**DESCRIPTION AS PREPARED BY NORTHWEST FLORIDA LAND SURVEYING, INC.
NEW PARCEL CREATED AT THE CLIENT'S REQUEST
DESCRIBED AS FOLLOWS:**

COMMENCE AT THE NORTHEAST CORNER OF ALEXANDER LOVE GRANT, SECTION 36, TOWNSHIP 2 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA; THENCE GO SOUTH 18 DEGREES 43 MINUTES 25 SECONDS WEST ALONG THE EAST LINE OF THE ALEXANDER LOVE GRANT FOR A DISTANCE OF 1319.97 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF PERKINS STREET (50' R/W) AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 18 DEGREES 43 MINUTES 25 SECONDS WEST ALONG THE EAST LINE OF THE ALEXANDER LOVE GRANT FOR A DISTANCE OF 421.59 FEET TO THE NORTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 5344 AT PAGE 4689 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA; THENCE GO NORTH 71 DEGREES 06 MINUTES 41 SECONDS WEST ALONG THE NORTH LINE THEREOF FOR A DISTANCE OF 489.82 FEET TO THE NORTHWEST CORNER OF SAID PARCEL OF LAND; THENCE GO SOUTH 18 DEGREES 46 MINUTES 13 SECONDS WEST ALONG THE WEST LINE THEREOF FOR A DISTANCE OF 211.94 FEET; THENCE GO NORTH 75 DEGREES 50 MINUTES 13 SECONDS WEST FOR A DISTANCE OF 456.40 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT OF WAY LINE OF BLUE ANGEL PARKWAY (R/W WIDTH VARIES); THENCE GO NORTH 19 DEGREES 22 MINUTES 45 SECONDS EAST ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID BLUE ANGEL PARKWAY FOR A DISTANCE OF 154.29 FEET; THENCE GO NORTH 70 DEGREES 37 MINUTES 15 SECONDS WEST ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID BLUE ANGEL PARKWAY FOR A DISTANCE OF 10.00 FEET; THENCE GO NORTH 19 DEGREES 22 MINUTES 45 SECONDS EAST ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID BLUE ANGEL PARKWAY FOR A DISTANCE OF 89.66 FEET; THENCE GO NORTH 71 DEGREES 31 MINUTES 30 SECONDS WEST ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID BLUE ANGEL PARKWAY FOR A DISTANCE OF 25.29 FEET; THENCE GO NORTH 19 DEGREES 22 MINUTES 45 SECONDS EAST ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID BLUE ANGEL PARKWAY FOR A DISTANCE OF 232.13 FEET TO THE SOUTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 7660 AT PAGE 584 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE GO SOUTH 71 DEGREES 42 MINUTES 29 SECONDS EAST ALONG THE SOUTH LINE THEREOF AND AN EASTERLY PROJECTION FOR A DISTANCE OF 964.82 FEET; THENCE GO NORTH 18 DEGREES 43 MINUTES 25 SECONDS EAST FOR A DISTANCE OF 185.00 FEET TO AN INTERSECTION WITH THE AFORESAID SOUTH RIGHT OF WAY LINE OF PERKINS STREET; THENCE GO SOUTH 71 DEGREES 42 MINUTES 29 SECONDS EAST ALONG SAID THE SOUTH RIGHT OF WAY LINE OF SAID PERKINS STREET FOR A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PARCEL OF LAND IS SITUATED IN A PORTION OF SECTION 36, TOWNSHIP 2 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA.

Parcel Identification No. 362S311007000001 & 362S311007000000

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 claiming by, through or under grantors.

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:

[Signature]
Witness Name: Tina M Wiles

[Signature]
Witness Name: Gerald McArthur

[Signature]
Leon B. Hirsh, as Trustee

State of Florida
County of Escambia

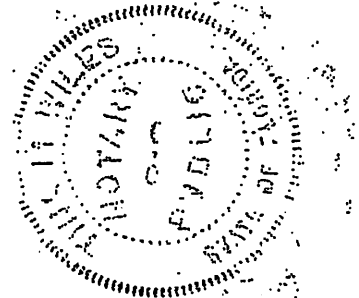
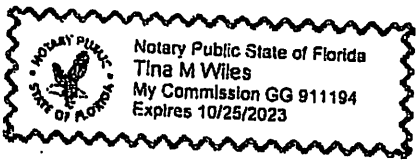
The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 16th day of January, 2020 by Leon B. Hirsh, as Trustee of the Amended and Restated James H. Sasser Trust dated June 3, 2009, who is personally known or has produced a driver's license as identification.

[Notary Seal]

[Signature]
Notary Public

Printed Name: Tina M Wiles

My Commission Expires: 10-25-2023



BOUNDARY SURVEY WITH IMPROVEMENTS OF A PORTION OF SECTION 36, TOWNSHIP 2 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA

GENERAL NOTES:

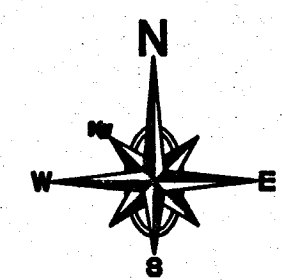
1. THE BEARINGS AS SHOWN HEREON ARE REFERENCED TO NORTH AMERICAN DATUM 1983, STATE PLANE HAPPING ZONE FLORIDA NORTH CROSS, LAMBERT PROJECTION AS ESTABLISHED ALONG THE EAST LINE OF THE SUBJECT PROPERTY HAVING A BEARING OF SOUTH 18 DEGREES 43 MINUTES 25 SECONDS WEST.
2. THE SURVEY DATUM AS SHOWN HEREON IS REFERENCED TO DEEDS OF RECORD AND TO EXISTING FIELD MONUMENTATION.
3. NO TITLE SEARCH WAS PROVIDED TO NOR PERFORMED BY NORTHWEST FLORIDA LAND SURVEYING, INC. FOR THE SUBJECT PROPERTY. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHTS-OF-WAY, STATE AND/OR FEDERAL JURISDICTIONAL AREAS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY.
4. THE PROPERTY AS SHOWN HEREON IS LOCATED IN FLOOD ZONE "X", OUTSIDE 0.2% ANNUAL CHANCE OF FLOOD, AS DETERMINED FROM FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP OF ESCAMBIA COUNTY, FLORIDA (UNINCORPORATED AREAS), MAP NUMBER 12033C 0395 6, REVISED SEPTEMBER 24, 2006.
5. THIS SURVEY DOES NOT DETERMINE OWNERSHIP.
6. THIS SURVEY MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-11.051 - 5J-11.053 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, TO THE BEST OF MY KNOWLEDGE AND BELIEF.
7. THE MEASUREMENTS AS SHOWN HEREON WERE MADE TO UNITED STATES STANDARDS.
8. THE MEASUREMENTS OF THE BUILDINGS AND/OR FOUNDATIONS SHOWN HEREON DO NOT INCLUDE CONCRETE FOOTERS OR EAVE OVERHANGS.
9. FENCE LOCATIONS SHOWN HEREON MAY BE EXAGGERATED AND NOT TO SCALE FOR CLARITY PURPOSES
10. FEDERAL AND STATE COPYRIGHT ACTS PROTECT THIS MAP FROM UNAUTHORIZED USE. THIS MAP IS NOT TO BE COPIED OR REPRODUCED IN WHOLE OR PART AND IS NOT TO BE USED FOR THE BENEFIT OF ANY OTHER PERSON, COMPANY OR FIRM WITHOUT PRIOR WRITTEN CONSENT OF THE COPYRIGHT OWNER, FRED R. THOMPSON, AND IS TO BE RETURNED TO OWNER UPON REQUEST.
11. THIS DOCUMENT MUST BE COMPARED TO THE ORIGINAL HARD COPY ISSUED ON THE SURVEY DATE WITH A RAISED SEAL TO INSURE THE ACCURACY OF THE INFORMATION AND TO FURTHER INSURE THAT NO CHANGES, ALTERATIONS OR MODIFICATIONS HAVE BEEN MADE. NO RELIANCE SHOULD BE MADE ON A DOCUMENT TRANSMITTED BY COMPUTERS OR OTHER ELECTRONIC MEANS UNLESS FIRST COMPARED TO THE ORIGINAL SIGNED AND SEALED DOCUMENT.
12. THIS SURVEY MAY BE SUBJECT TO ADDITIONAL REQUIREMENTS BY COUNTY, STATE OR OTHER AGENCIES.
13. ENCROACHMENTS ARE AS SHOWN.

NOTES:

- ⊙ ~ 1/2" CAPPED IRON ROD, NUMBERED 1271 (PLACED)
- ⊙ ~ 1/2" CAPPED IRON ROD, ILLEGIBLE (FOUND)
- ⊙ ~ 1/2" IRON ROD, UNNUMBERED (FOUND)
- ⊙ ~ 1" IRON PIPE, UNNUMBERED (FOUND)
- ~ 4" SQUARE CONCRETE MONUMENT, UNNUMBERED (FOUND)
- (D) ~ DEED INFORMATION
- (F) ~ FIELD INFORMATION
- RM ~ RIGHT OF WAY
- P.O.B. ~ POINT OF BEGINNING
- O.R. ~ OFFICIAL RECORD
- P.S. ~ PAGE

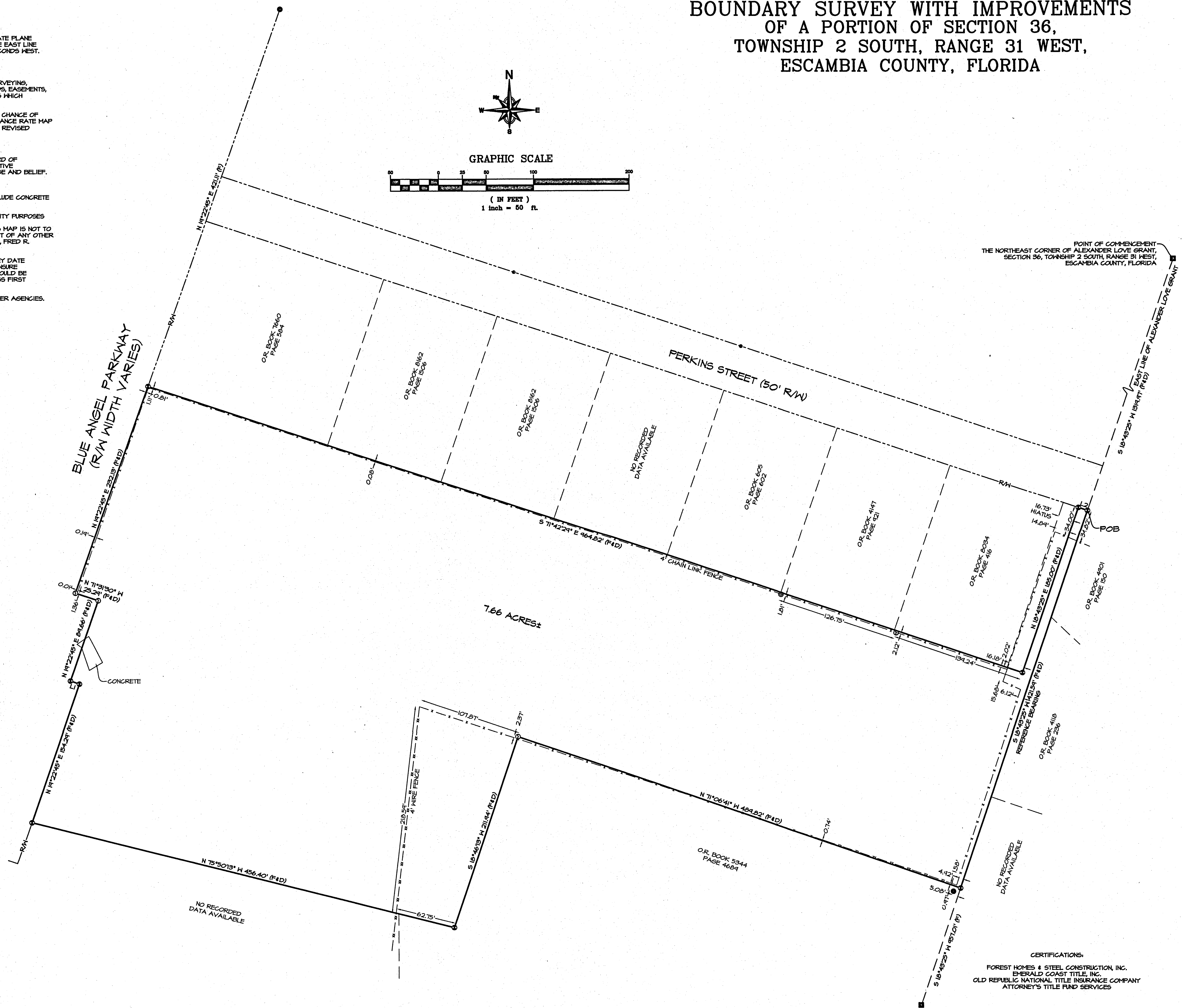
DESCRIPTION AS PREPARED BY NORTHWEST FLORIDA LAND SURVEYING, INC.
NEW PARCEL CREATED AT THE CLIENT'S REQUEST
DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF ALEXANDER LOVE GRANT, SECTION 36, TOWNSHIP 2 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA; THENCE 60 SOUTH 18 DEGREES 43 MINUTES 25 SECONDS WEST ALONG THE EAST LINE OF THE ALEXANDER LOVE GRANT FOR A DISTANCE OF 1314.91 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF PERKINS STREET (50' R/W) AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 18 DEGREES 43 MINUTES 25 SECONDS WEST ALONG THE EAST LINE OF THE ALEXANDER LOVE GRANT FOR A DISTANCE OF 421.94 FEET TO THE NORTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 5344 AT PAGE 4684 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA; THENCE 60 NORTH 71 DEGREES 06 MINUTES 41 SECONDS WEST ALONG THE NORTH LINE THEREOF FOR A DISTANCE OF 484.82 FEET TO THE NORTHWEST CORNER OF SAID PARCEL OF LAND; THENCE 60 SOUTH 18 DEGREES 46 MINUTES 19 SECONDS WEST ALONG THE WEST LINE THEREOF FOR A DISTANCE OF 211.44 FEET; THENCE 60 NORTH 75 DEGREES 50 MINUTES 19 SECONDS WEST FOR A DISTANCE OF 456.40 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT OF WAY LINE OF BLUE ANGEL PARKWAY (R/W WIDTH VARIES); THENCE 60 NORTH 14 DEGREES 22 MINUTES 45 SECONDS EAST ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID BLUE ANGEL PARKWAY FOR A DISTANCE OF 154.24 FEET; THENCE 60 NORTH 10 DEGREES 31 MINUTES 15 SECONDS WEST ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID BLUE ANGEL PARKWAY FOR A DISTANCE OF 10.00 FEET; THENCE 60 NORTH 14 DEGREES 22 MINUTES 45 SECONDS EAST ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID BLUE ANGEL PARKWAY FOR A DISTANCE OF 94.66 FEET; THENCE 60 NORTH 71 DEGREES 31 MINUTES 30 SECONDS WEST ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID BLUE ANGEL PARKWAY FOR A DISTANCE OF 25.24 FEET; THENCE 60 NORTH 14 DEGREES 22 MINUTES 45 SECONDS EAST ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID BLUE ANGEL PARKWAY FOR A DISTANCE OF 232.15 FEET TO THE SOUTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 1660 AT PAGE 584 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE 60 SOUTH 71 DEGREES 42 MINUTES 24 SECONDS EAST ALONG THE SOUTH LINE THEREOF AND AN EASTERLY PROJECTION FOR A DISTANCE OF 464.82 FEET; THENCE 60 NORTH 18 DEGREES 43 MINUTES 25 SECONDS EAST FOR A DISTANCE OF 125.00 FEET TO AN INTERSECTION WITH THE AFORESAID SOUTH RIGHT OF WAY LINE OF PERKINS STREET; THENCE 60 SOUTH 71 DEGREES 42 MINUTES 24 SECONDS EAST ALONG SAID SOUTH RIGHT OF WAY LINE OF SAID PERKINS STREET FOR A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PARCEL OF LAND IS SITUATED IN A PORTION OF SECTION 36, TOWNSHIP 2 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA AND CONTAINS 7.66 ACRES MORE OR LESS.



GRAPHIC SCALE

(IN FEET)
1 inch = 50 ft.



7.66 ACRES±

LINE	LENGTH	BEARING
L1	19.00'	N10°31'15"W
L2	10.00'	S71°42'24"E

CERTIFICATIONS:
FOREST HOMES & STEEL CONSTRUCTION, INC.
EMERALD COAST TITLE, INC.
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
ATTORNEYS' TITLE FUND SERVICES

NORTHWEST FLORIDA LAND SURVEYING, INC.
742 BELGIUM CIRCLE, PENSACOLA, FLORIDA 32506
1/9/20
FRED R. THOMPSON, PROFESSIONAL LAND SURVEYOR
REGISTRATION NUMBER 30271, CORP. NUMBER 7277
STATE OF FLORIDA

5250 BLUE ANGEL PARKWAY

BOUNDARY SURVEY WITH IMPROVEMENTS
OF A PORTION OF SECTION 36
TOWNSHIP 2 SOUTH, RANGE 31 WEST,
ESCAMBIA COUNTY, FLORIDA
PREPARED FOR: FOREST HOMES, INC.
REQUESTED BY: GERALD McARTHUR/
McARTHUR GULF COAST REAL ESTATE ADVISORS, LLC

PROJECT NO.	NO.
23462	1 of 1
INDEX	10 SHEETS

NORTHWEST FLORIDA LAND SURVEYING, INC.
A PROFESSIONAL SERVICE ORGANIZATION
742 BELGIUM CIRCLE
PENSACOLA, FL 32506
(850) 438-1066

SCALE	1"=50'
CREW CHIEF	JD
DRAWN	JAS
CHECKED	JAS
DATE	1/9/20

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR.
DATE
NO.

REVISIONS
APPR.

The drawings in this property are the property of Northwest Florida Land Surveying, Inc. and shall not be used for any other project without the express written consent of the firm.



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

INTEROFFICE MEMORANDUM

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

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

DATE: May 8, 2020

RE: Transportation & Traffic Operations (TTO) Comments – Z-2020-3

TTO Staff has reviewed the Rezoning Case Z-2020-3 5250 Blue Angel Parkway (LDR to MDR), agenda item for the Planning Board meeting scheduled for June 2, 2020. Please see the below comments.

Blue Angel Parkway is a two-lane roadway with paved shoulders. Near the parcel in question, the traveling roadway width is approximately 23 feet with a right-of-way width of 86 feet.

FDOT has begun a feasibility study of this corridor to look at capacity issues on both Blue Angel Parkway and Pine Forest Road.

Per the Florida-Alabama TPO's Congestion Management Process Plan, Blue Angel Parkway is classified as a Minor Arterial with a Maximum LOS of D and a corresponding daily volume threshold of 17,700. The daily traffic on this road was recorded as 22,000 for year 2019.

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

**cc: Horace Jones, Development Services Department Director
Joy Jones, P.E., Engineering Department Director
Allyson Lindsay, Development Services Department**

Planning Board-Rezoning

7. B.

Meeting Date: 06/01/2020
CASE : Z-2020-04
APPLICANT: William Stokes, Esq./Clark Partington, Agent for Joe Baudendistel/Home Page Services, LLC
ADDRESS: 1303 Gulf Beach Highway
PROPERTY REF. NO.: 35-2S-31-1000-050-166
FUTURE LAND USE: MU-U, Mixed-Use Urban
DISTRICT: 2
OVERLAY DISTRICT: N/A
BCC MEETING DATE: 07/02/2020

SUBMISSION DATA:

REQUESTED REZONING:

FROM: HDMU, High Density Mixed-use district (25 du/acre)

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

RELEVANT AUTHORITY:

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

APPROVAL CONDITIONS

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

Consistent with Comprehensive Plan

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

CPP FLU 1.3.1 Future Land Use Categories The Mixed-Use Urban (MU-U) Future Land Use (FLU) category is intended for an intense mix of residential and 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 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 Commercial is **consistent** with the intent and purpose of Future Land Use category MU-U as stated in CPP FLU 1.3.1. The Comprehensive Plan allows for professional offices, light industrial, recreational facilities, public and civic. The parcel will utilize the existing public road, utilities, and infrastructure fulfilling the requirements under CPP FLU 1.5.1. The proposed rezoning would also promote higher residential density in the MU-U FLU category as stated in CPP FLU 2.1.2.

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. 4-4.5 Airport and airfield planning districts.

(b) Military Airfield Influence Planning Districts. Airfield Influence Planning Districts (AIPDs) are established to provide enhanced protection in support of the continued operation of military airfields for areas that are close enough to those airfields to influence or be influenced by their activities. AIPDs impose additional restrictions on surrounding development that primarily address noise and safety concerns created by flight operations and potential interferences with those operations. If military operations permanently cease at an airfield, the supplemental requirements of its AIPDs will no longer apply to surrounding lands.

(1) General characteristics. Airfield Influence Planning Districts are combinations of noise zones, clear zones, accident potential zones, and other areas of influence that overlap and combine to define a broad range of airfield influences on surrounding land use. The range of influences is divided between two planning districts: AIPD-1 composed of areas closest to an airfield and, therefore, with highest noise exposure and accident risk; and AIPD-2 composed of areas further from the airfield than AIPD-1, but that still may influence or be influenced by airfield operations.

(4) General AIPD requirements.

a. Real estate disclosure. All real estate transactions for property within an AIPD shall include a form disclosing the proximity of the site to the military airfield. The disclosure is

intended to inform a potential property owner or occupant of the nearby airfield and alert them to possible incompatibilities of the intended property use with airfield operations. The disclosure form shall be attached to all listing agreements, sales and rental contracts, subdivision plats, and marketing materials provided to prospective buyers, renters and lessees. The form need not be included in advertisements directed to the public at large. Disclosure is required as soon as practicable, but shall occur before the making or acceptance of an offer to buy, rent or lease.

b. Avigation easement. For any parcel within an AIPD where subdivision or any site plan approval is requested, the application shall include an executed avigation easement or proof of the public recording of an executed easement. The purpose of the easement is to grant a clear property right to maintain flight operations in the airspace above the property. The easement shall be in a form approved by the County Attorney and recorded with the property deed to run in perpetuity with the land.

(6) AIPD-2 requirements. AIPD-2 is additional areas extended beyond AIPD-1 that is sufficiently close to the airfield to require some protections. AIPD-2 requirements are the same for all airfields. Densities and minimum lot sizes of the underlying zoning districts are not modified by AIPD-2.

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

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.

Sec. 3-2.10 Commercial district (Com).

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

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

(1) Residential. The following residential uses are allowed throughout the district, but if within the Commercial (C) future land use category they are permitted only if part of a predominantly commercial development:

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

services.

- b. Manufactured (mobile) homes, including new or expanded manufactured home parks or subdivisions.
- c. Single-family dwellings (other than manufactured homes), detached or attached, including townhouses and zero lot line subdivisions.
- d. Two-family and multi-family dwellings.

See also conditional uses in this district.

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

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

- a. Car washes, automatic or manual, full service or self-serve.
- b. Child care facilities.
- c. Hotels, motels and all other public lodging, including boarding and rooming houses.
- d. Personal services, including those of beauty shops, health clubs, pet groomers, dry cleaners and tattoo parlors.
- e. Professional services, including those of realtors, bankers, accountants, engineers, architects, dentists, physicians, and attorneys.
- f. Repair services, including appliance repair, furniture refinishing and upholstery, watch and jewelry repair, small engine and motor services, but excluding major motor vehicle or boat service or repair, and outdoor work.
- g. Restaurants and brewpubs, including on-premises consumption of alcoholic beverages, drive-in and drive-through service, and brewpubs with the distribution of on-premises produced alcoholic beverages for off-site sales. The parcel boundary of any restaurant or brewpub with drive-in or drive-through service shall be at least 200 feet from any LDR or MDR zoning district unless separated by a 50-foot or wider street right-of-way.

See also conditional uses in this district.

(4) Public and civic.

- a. Broadcast stations with satellite dishes and antennas, including towers.
- b. Cemeteries, including family cemeteries.
- c. Community service facilities, including auditoriums, libraries, museums, and neighborhood centers.
- d. Educational facilities, including preschools, K-12, colleges, and vocational schools.
- e. Emergency service facilities, including law enforcement, fire fighting, and medical assistance.
- f. Foster care facilities.
- g. Funeral establishments.
- h. Hospitals.
- i. Offices for government agencies or public utilities.
- j. Places of worship.
- k. Public utility structures, including telecommunications towers, but excluding any industrial uses.

l. Warehousing or maintenance facilities for government agencies or for public utilities. See also conditional uses in this district.

(5) Recreation and entertainment.

- a. Campgrounds and recreational vehicle parks on lots five acres or larger.
- b. Indoor recreation or entertainment facilities, including movie theaters, bowling alleys,

skating rinks, arcade amusement centers, bingo facilities and shooting ranges, but excluding bars, nightclubs or adult entertainment facilities.

c. Marinas, private and commercial.

d. Parks without permanent restrooms or outdoor event lighting.

See also conditional uses in this district.

(6) Industrial and related.

a. Printing, binding, lithography and publishing.

b. Wholesale warehousing with gross floor area 10,000 sq.ft. or less per lot.

See also conditional uses in this district.

(7) Agricultural and related.

a. Agricultural food production primarily for personal consumption by the producer, but no farm animals.

b. Nurseries and garden centers, including adjoining outdoor storage or display of plants.

c. Veterinary clinics.

See also conditional uses in this district.

(8) Other uses.

a. Billboard structures.

b. Outdoor storage if minor and customarily incidental to the allowed principal use, and if in the rear yard, covered, and screened from off-site view, unless otherwise noted.

c. Parking garages and lots, commercial.

d. Self-storage facilities, excluding vehicle rental.

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

(1) Residential.

a. Group living not among the permitted uses of the district.

b. Home occupations with non-resident employees.

(2) Retail sales.

a. Boat sales, new and used.

b. Automobile sales, used autos only, excluding parcels fronting on any of the following streets: Sorrento Road/Gulf Beach Highway/Barrancas Avenue (SR 292); Blue Angel Parkway (SR 173); Pine Forest Road, south from Interstate 10 to State Road 173; Navy Boulevard (SR 295 and US 98); and Scenic Highway (SR 10A and US 90). Additionally, the parcel shall be no larger than one acre and provided with a permanent fence, wall, or other structural barrier of sufficient height and mass along all road frontage to prevent encroachment into the right-of way other than through approved site access.

c. Automobile rental limited to the same restrictions as used automobile sales.

d. Utility trailer, heavy truck (gross vehicle weight rating more than 8500 lbs), and recreational vehicle sales, rental, or service limited to the same restrictions as used automobile sales.

(3) Retail services.

a. Restaurants not among the permitted uses of the district.

b. Service and repair of motor vehicles, small scale (gross floor area 6000 sq. ft. or less per lot), excluding painting and body work and outdoor work and storage.

(4) Public and civic.

a. Cemeteries, including family cemeteries.

b. Clubs, civic and fraternal.

c. Cinerators.

d. Homeless shelters.

(5) Recreation and entertainment.

- a. Bars and nightclubs.
- 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.

(a) Borrow pits and reclamation activities 20 acres minimum and (subject to local permit and development review requirements per Escambia County Code of Ordinances, Part I, Chapter 42, article VIII, and land use and regulations in Part III, the Land Development Code, chapter 4. *Borrow pits are prohibited on land zoned GMD prior to the adoption of the Commercial (Com) zoning.

(b) Microbreweries, microdistilleries, microwineries.

(7) Agricultural and related. 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.

(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.
- c. Self-storage facilities, including vehicle rental as an accessory use.
- d. Structures of permitted uses exceeding the district structure height limit.

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

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

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

(3) Infill development. Along an arterial or collector street, in an area where already established non-residential uses are otherwise consistent with the Commercial district, and where the new use would constitute infill development of similar intensity as the conforming development on surrounding parcels. Additionally, the location would promote compact development and not contribute to or promote strip commercial development.

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

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

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

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

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

(f) Rezoning to Commercial. Commercial 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 appropriate to provide transitions between areas zoned or used as high density mixed-use and areas zoned or used as heavy commercial or industrial. Rezoning to Commercial is subject to the same location criteria as any new non-residential use proposed within the Commercial district.

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

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

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

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

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

a. Bars and nightclubs.

b. Check cashing services.

c. Convenience stores.

d. Pawnshops.

e. Retail sales of alcohol for off-premises consumption.

f. Tattoo parlors.

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

(d) Prohibited uses. The following uses are prohibited in the Warr-OL district regardless of their status in any underlying zoning district:

(1) Manufactured (mobile) homes. The construction of modular homes is not prohibited.

(2) Manufactured (mobile) home subdivisions or parks.

(Ord. No. 2015-21, § 1, 7-7-15)

(e) Non-residential site and building requirements. The site and building requirements of non-residential uses within the Warr-OL are modified as follows:

- (1) Structure height. New buildings, additions and redeveloped buildings shall complement the existing pattern of building heights. No structure shall exceed 45 feet in height and any lower height required by the underlying zoning district shall govern.
- (2) Setbacks. New construction must maintain the existing alignment of facades along the street front. Exceptions may be granted if the setback is pedestrian oriented and contributes to the quality and character of the streetscape.
- (3) Materials and detailing. New structures, additions and renovations shall be constructed to be long-lasting and use materials and detailing that maintain the distinct character and harmony of the Warrington Community Redevelopment District. Vinyl or metal siding is prohibited on the primary facades of buildings adjacent to public rights-of-way. All accessory structures shall use the same materials, color, and/or style of the primary façade if visible from a public way.
- (4) Facades.
 - a. Front façade. A front building facade more than 80 feet in width shall be divided into increments by changes in materials, bay windows, wall offsets, or similar methods.
 - b. Rear façades. A minimum of 15 feet of a building's rear façade facing a public right of way, parking area, or open space shall consist of transparent materials, not including reflective glass.
- (5) Awnings. Awnings are encouraged to enhance the character of Warrington while providing sun protection for display windows, shelter for pedestrians, and a sign panel for businesses.
- (6) Natural features. Natural features shall be protected and integrated into site design/development where possible. The applicant shall demonstrate how the development protects and incorporates existing vegetation.
- (7) Landscaping. Water conservation is encouraged through proper landscape plant selection, installation and maintenance practices. Native plant species are required. All non-residential development applications shall include a landscape plan as part of compliance review. The plan shall include the areas of natural vegetation to be protected, location and species of all plants to be installed, and an irrigation plan.
- (8) Buffers and screening of outdoor storage. All outside storage must be screened from public view. The screening must use the same materials, color, and/or style as the primary building for architectural compatibility with the primary building and the building it is adjacent to. If the outside storage area is separate from the building it serves the following shall apply:
 1. Type. Only fences constructed of legitimate fencing materials (may or may not be opaque) or masonry, concrete or stucco walls may supplement buffers. Specifically, garage doors and sheets of roofing material do not qualify for fencing or wall materials.
 2. Screening of outdoor storage. Opaque fencing shall mean chain link fence with slats, privacy wooden fence, or privacy PVC/vinyl fence. A six-foot concrete or stucco wall may also be used to screen outdoor storage.
- (9) Signs. Site signage is limited to one freestanding monument sign per development parcel, scaled primarily for pedestrians, and not to exceed 100 square feet in area and 12 feet in height, except for multi-tenant development where the sign may be up to 300 square feet. Sign colors, materials, and lighting shall avoid adverse visual impacts on surrounding properties. Wall signs shall not obstruct design details, windows, or cornices of the buildings to which they are attached.
- (10) Lighting. Lighting in the overlay district should serve to illuminate facades entrances and signage to provide an adequate level of personal safety while enhancing the

aesthetic appeal of the buildings. Building and signage lighting must be indirect, with the light source(s) hidden from direct pedestrian and motorist view.

(11) Parking. Parking in the overlay district must adequately serve the users without detracting from the compact design that makes it a successful commercial center. Off-street parking must be located in the rear. If the lot orientation cannot accommodate adequate rear parking, parking on the side will be permitted.

(12) If within HC/LI zoning. Development within the HC/LI zoning district is subject to the following design standards.

a. Landscaping. A minimum 10-foot wide landscaped strip is required on all roadway frontages. The strip shall contain one tree and 10 shrubs for every 35 linear feet of frontage. Preservation of existing plants within the required landscaped areas can be used to satisfy this requirement. Buffers required adjacent to residential districts shall include a minimum of two trees and 15 shrubs for every 35 linear feet of required buffer length.

b. Vehicular use areas. Areas other than public rights-of-way, designed to be used for parking, storage of vehicles for rent or sales, or movement of vehicular traffic, shall be separated by a minimum five-foot wide landscaped strip from any boundary of the property on which the vehicular use area is located. The strip shall contain shrubs or ground covers with a minimum mature height of 24 inches and a maximum height of 30 inches. Plant material shall be spaced 18 inches to 24 inches apart, depending on mature size.

c. Parking lots. Interior parking areas shall have one landscape island containing at least one tree and shrubs or ground covers as per the above specifications, for every eight contiguous spaces.

d. Irrigation system. An irrigation system shall be installed for all landscaped areas of the site. All systems shall include rain sensors and all system materials used shall be ASTM approved.

e. Existing development. Any change of use to a HC/LI use within the overlay district must meet the above standards.

(f) Rezoning. Rezoning of Commercial zoned property to a more intense zoning district is prohibited if located on an arterial roadway.

FINDINGS

The proposed amendment **is not consistent** with the intent and purpose of the Land Development Code due the Community Redevelopment Area (CRA) Warrington overlay area. Attached in the case file a letter from Clara Long, CRA Division Manager referencing section 3-3.9(f) rezoning of commercial zoned property to a more intense zoning district is prohibited if located on an arterial roadway. The parcel is located on a principal arterial roadway Gulf Beach Hwy currently zoned HDMU which is considered neighborhood commercial & residential area. Changing the zoning designation to Commercial (Com) would allow for many permitted heavy and intense commercial type uses that will create other adverse impacts upon the surrounding properties more than the uses, density, or intensity of the current zoning of High Density Mixed Use.

Furthermore, staff determines that this will be a indirect conflict with Section 3-3.8 (f) Warrington Overlay as mentioned therein the proposed rezoning request would not enhance this quality of life that is an established residential community which is one of the primary goals for the adoption of the Community Redevelopment areas and there corresponding regulations that include prohibitions and restrictions as reference in the

land Development Code. The current parcel is under the restrictions of a church. Any new use will have to go through the Site Plan Review Process / Development Review Committee (DRC). As it appears from the photos this site is operating without DRC approval or even a pre-application. If this case is approved, Per the LDC, the Warrington Overlay Sec. 3-3.8(e)(8) All outside storage must be screened from public view and be on a all weather surface such as gravel. As well all outdoor storage must comply with all of Sec.4-7.9 Outdoor Storage. Depending on the height of the storage a eight to twelve foot opaque fence would be required. Thus, type of screening and buffering is intended for existing commercial type of area that are not contiguous and/or adjacent to significantly residential and limited neighborhood commercial type or zoned areas.

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

Compatible with surrounding uses

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

FINDINGS

The proposed amendment **is not compatible** with surrounding residential uses in the area. Within the 500' radius impact area, staff observed properties with zoning districts Com that are vacant, MDR (Medium-Density Residential), and HDMU. The current property has an established Church use. The more intense uses of the Com zoning district **would not be compatible** with the amount of residential uses surrounding the area. The proposed rezoning to Com would encroach on the existing and well-established residential subdivision. The proposed rezoning would promote strip commercial development in the residential area. The applicant has submitted a compatible Analysis as part of their application.

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 proposed zoning of Com **would not** be spot zoning by definition, however the district **would be transitional** in character between the adjoining districts. The differences with those districts would be significant in that the Com district allows for more intense commercial than the residential uses of the HDMU and MDR districts surrounding the area. The current area to the south and east has a concentration of residential uses already in place. The subject parcel was previously a church. The area to the north and west is a mix of single family resident, vacant properties, and some stores with a HDMU zoning. The subject parcel also fronts a local road Mills 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.

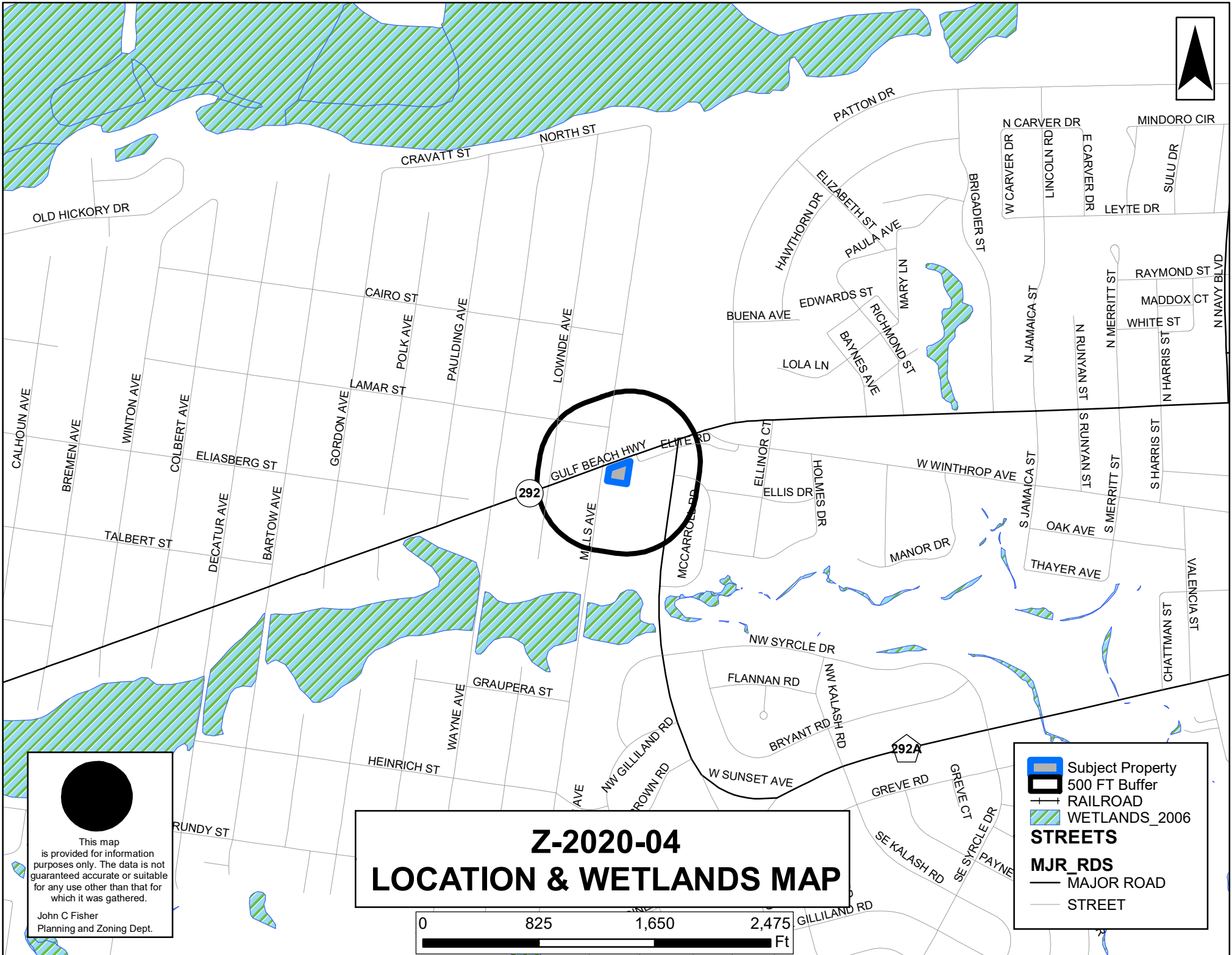
FINDINGS


The land uses or development conditions within the area surrounding the property of rezoning **have not changed**. The area along Gulf Beach Highway has parcels with a light commercial, vacant land and mostly residential uses.

Attachments






Working Case File

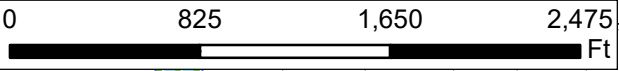
Z-2020-04

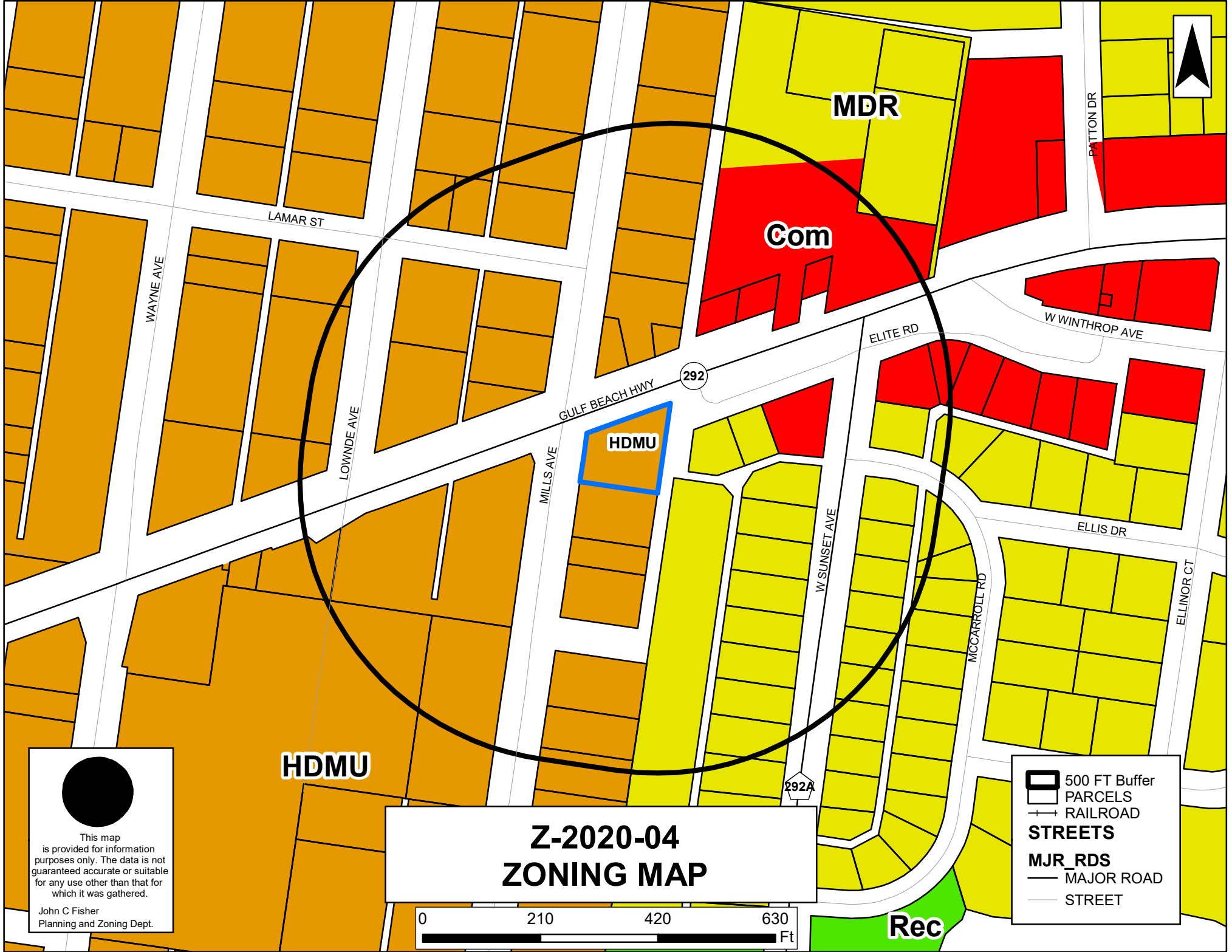



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 John C Fisher
 Planning and Zoning Dept.

Z-2020-04
LOCATION & WETLANDS MAP

 Subject Property
 500 FT Buffer
 RAILROAD
 WETLANDS_2006
STREETS
MJR_RDS
 MAJOR ROAD
 STREET





MDR


Com


HDMU

HDMU

Rec

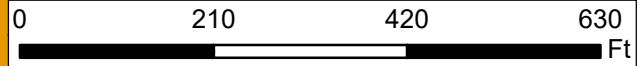
Z-2020-04 ZONING MAP

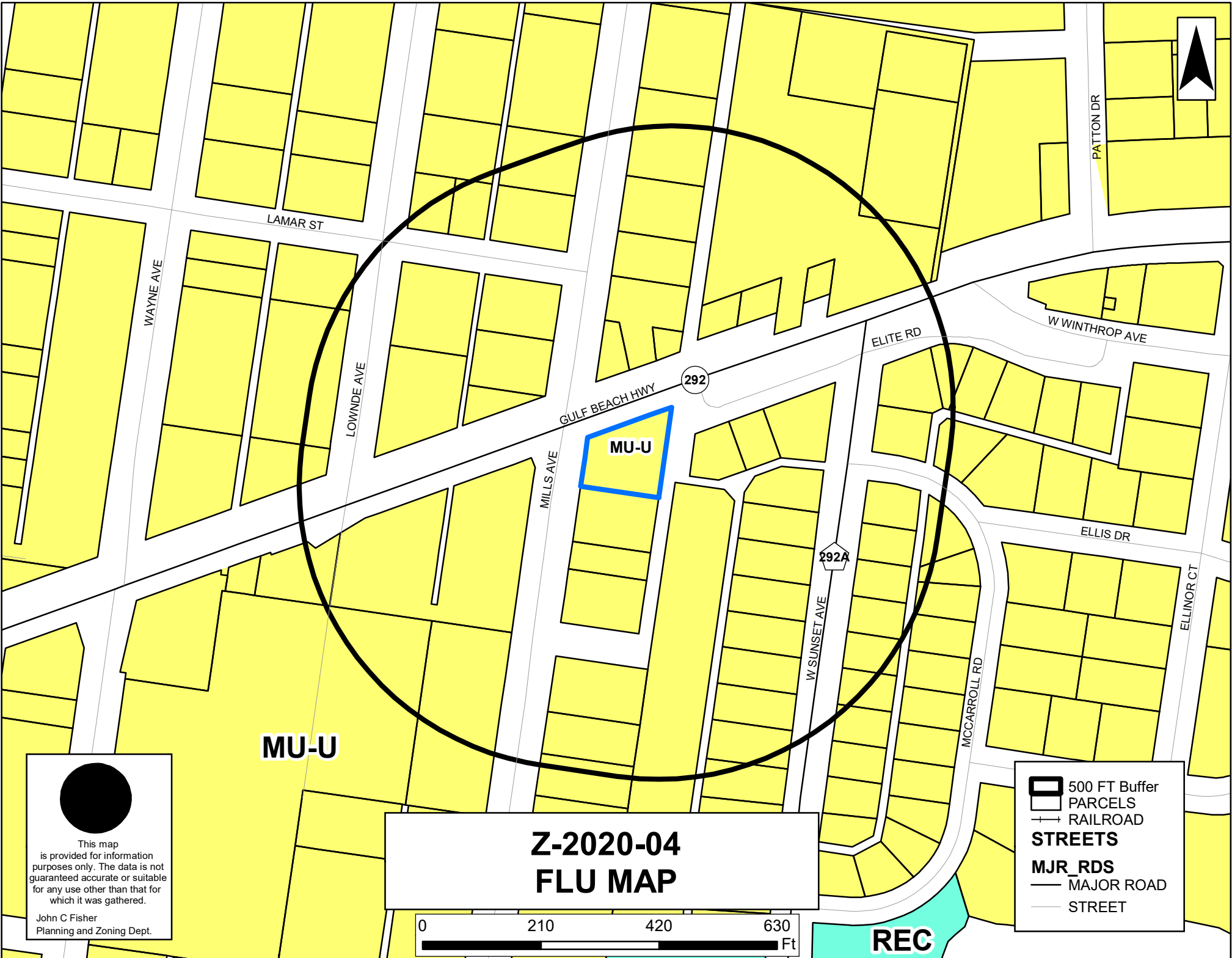
-  500 FT Buffer
-  PARCELS
-  RAILROAD
- STREETS**
- MJR_RDS**
-  MAJOR ROAD
-  STREET



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Planning and Zoning Dept.






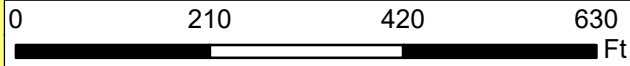
MU-U





MU-U

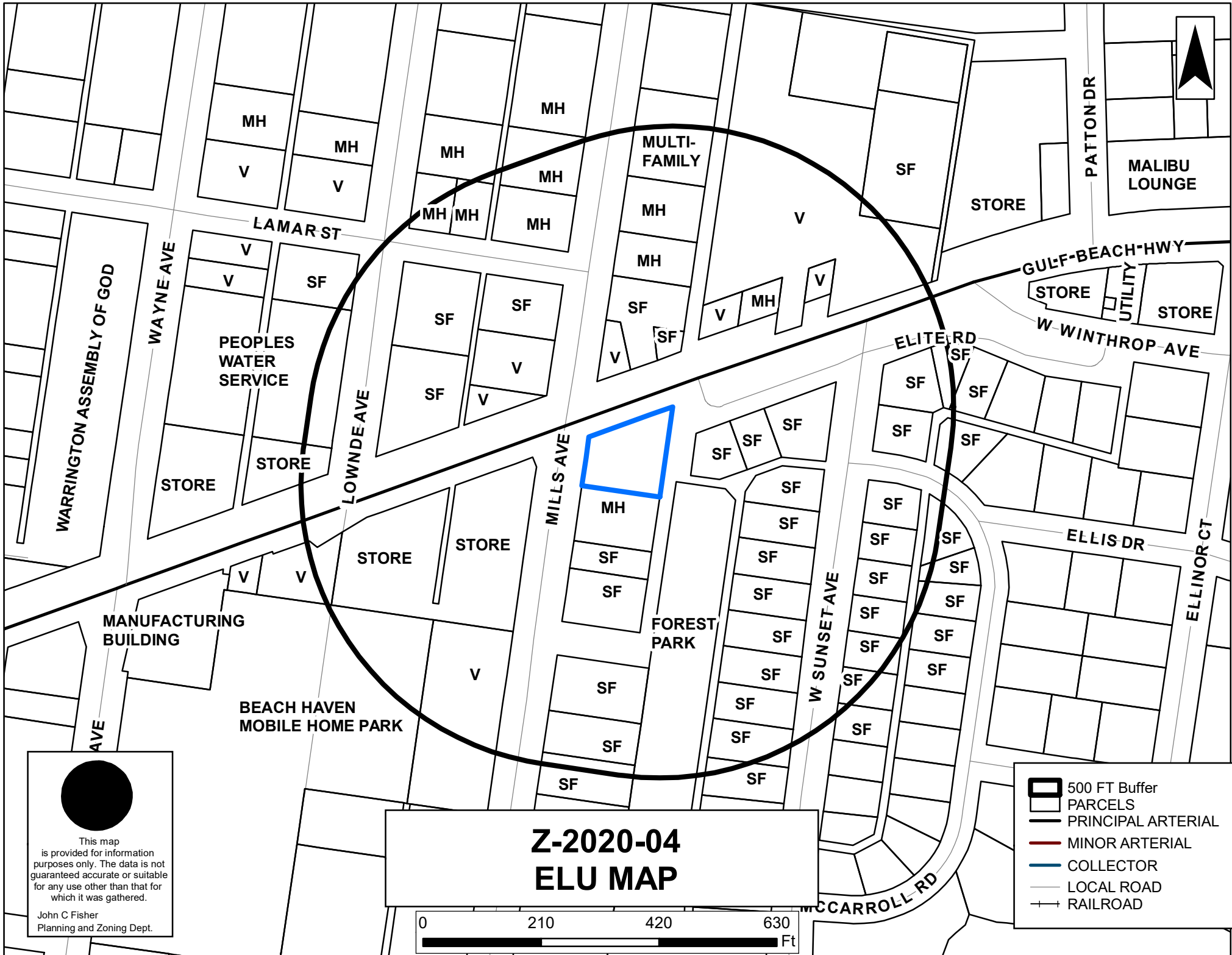
REC

Z-2020-04 FLU MAP


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Planning and Zoning Dept.

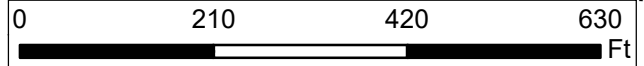


-  500 FT Buffer
-  PARCELS
-  RAILROAD
- STREETS**
- MJR_RDS**
-  MAJOR ROAD
-  STREET



- 500 FT Buffer
- PARCELS
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- RAILROAD

Z-2020-04 ELU MAP



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John C Fisher
Planning and Zoning Dept.

WARRINGTON ASSEMBLY OF GOD

WAYNE AVE

LAMAR ST

LOWNDE AVE

MILLS AVE

W SUNSET AVE

W CARROLL RD

PATTON DR

GULF-BEACH HWY

W WINTHROP AVE

ELITE RD

ELLIS DR

ELLINOR CT

PEOPLES WATER SERVICE

FOREST PARK

MALIBU LOUNGE

MANUFACTURING BUILDING

BEACH HAVEN MOBILE HOME PARK

MH

MH

MH

MH

MULTI-FAMILY

SF

STORE

V

V

MH

MH

MH

V

V

SF

SF

SF

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STORE

STORE

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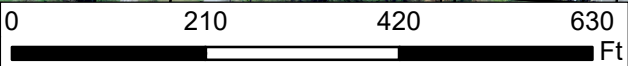
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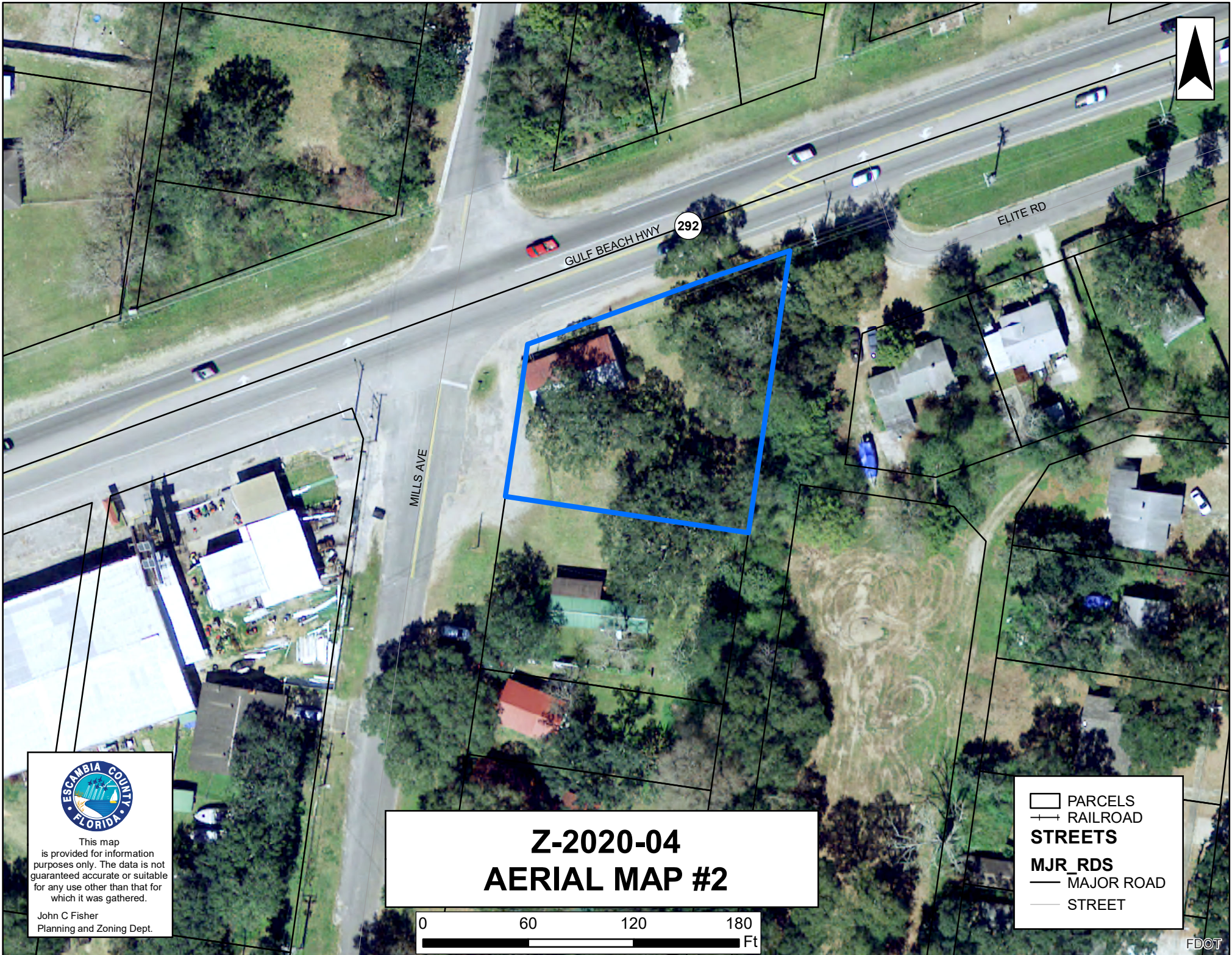
This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

John C Fisher
Planning and Zoning Dept.

Z-2020-04 AERIAL MAP



-  PARCELS
-  RAILROAD
- STREETS**
- MJR_RDS**
-  MAJOR ROAD
-  STREET

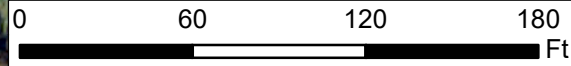


GULF BEACH HWY 292

ELITE RD

MILLS AVE

Z-2020-04 AERIAL MAP #2

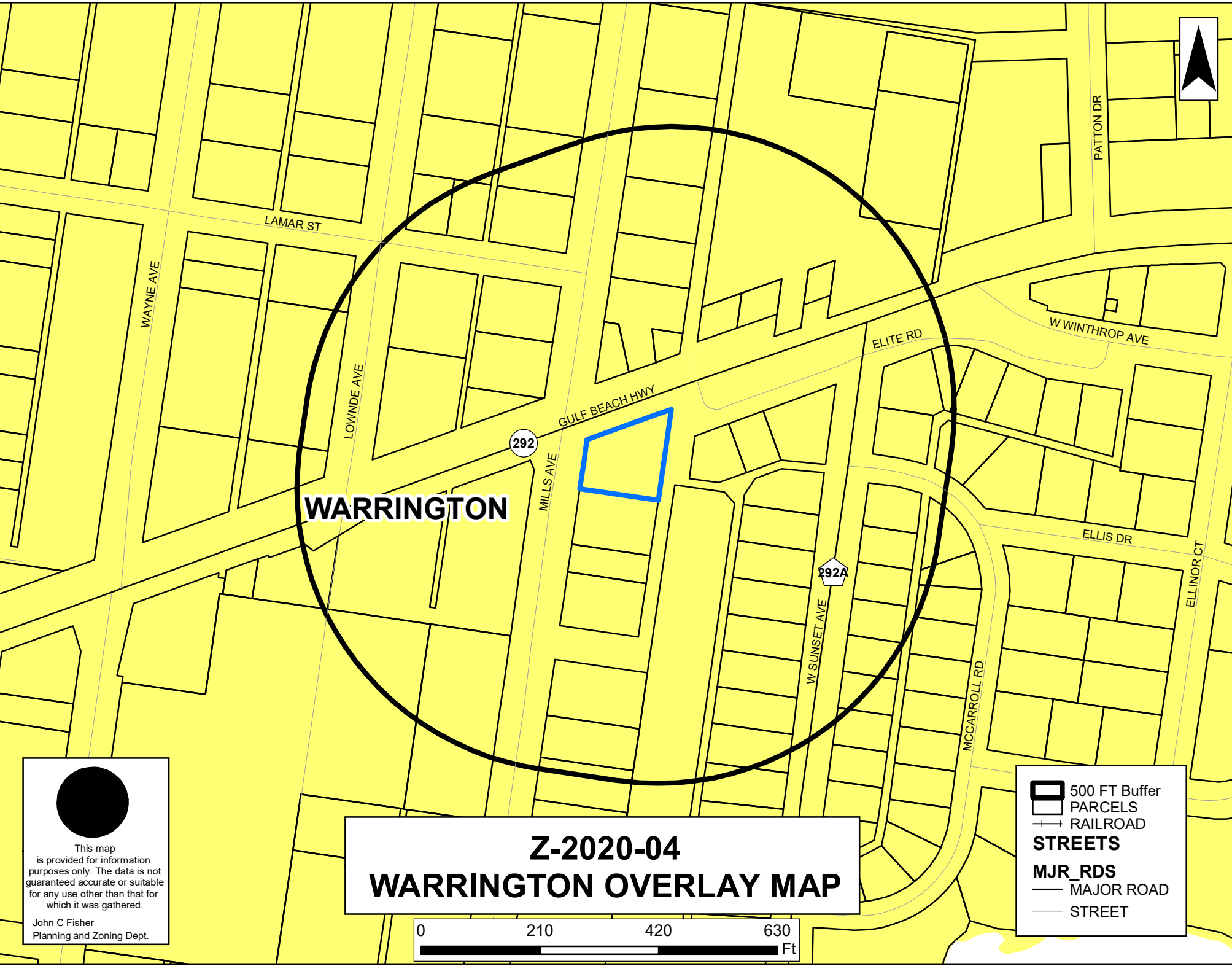


- PARCELS
- RAILROAD
- STREETS**
- MJR_RDS**
- MAJOR ROAD
- STREET



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.



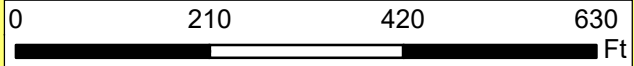
WARRINGTON


292

292A

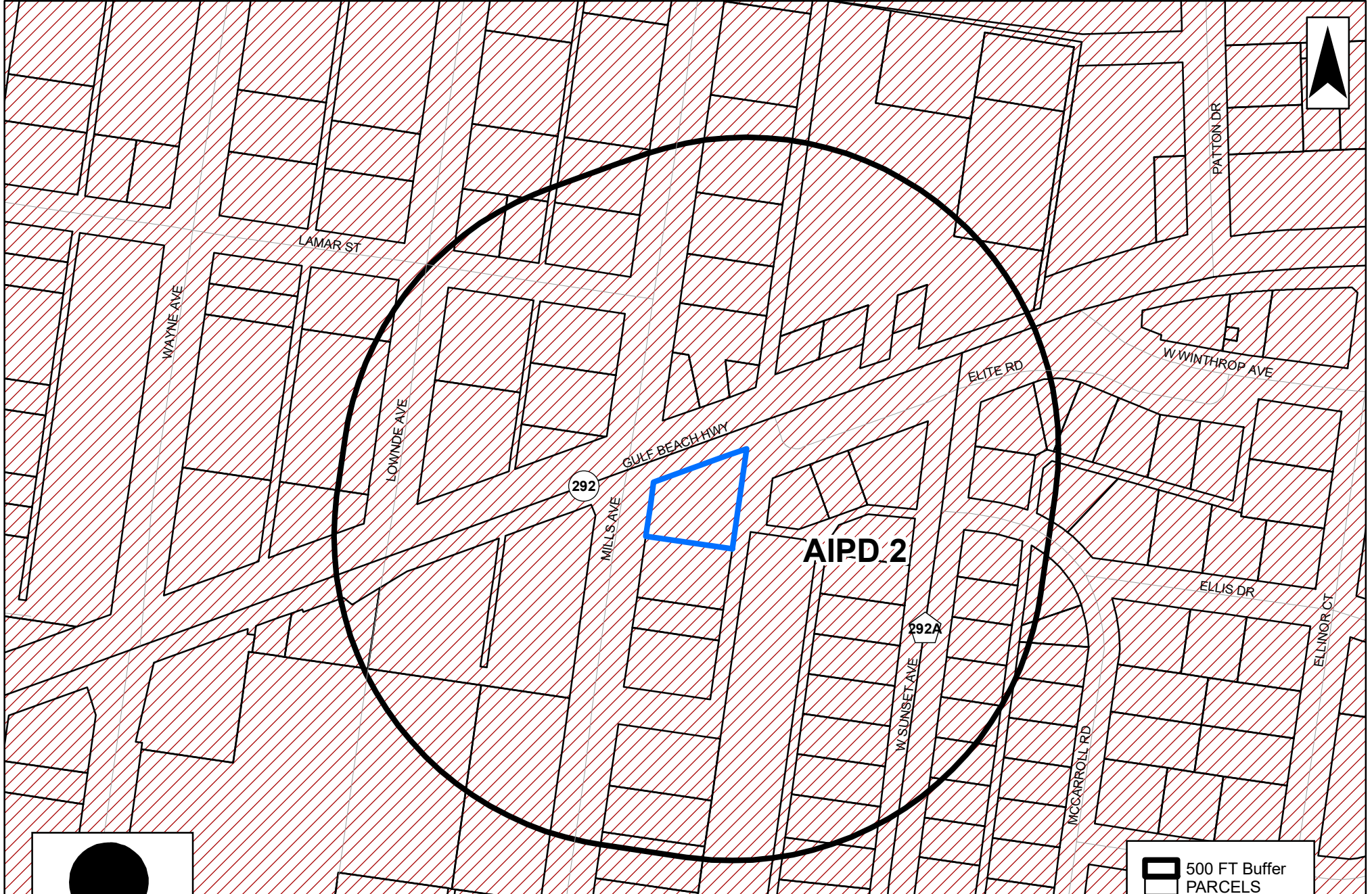
Z-2020-04


WARRINGTON OVERLAY MAP




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.

-  500 FT Buffer
-  PARCELS
-  RAILROAD
- STREETS**
- MJR_RDS**
-  MAJOR ROAD
-  STREET

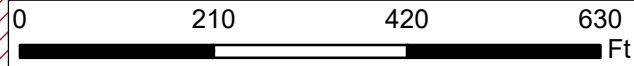









This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

John C Fisher
Planning and Zoning Dept.

Z-2020-04
AIRFIELD INFLUENCE PLANNING DISTRICT MAP



-  500 FT Buffer
-  PARCELS
-  RAILROAD
- STREETS**
- MJR_RDS**
-  MAJOR ROAD
-  STREET

Public Hearing Sign

 **NOTICE OF PUBLIC HEARING REZONING**

CASE NO.: Z-2020-04

CURRENT ZONING: **HDMU** PROPOSED ZONING: **COM**

PLANNING BOARD

DATE: 06/01/20 TIME: 8:30 a.m.

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

BOARD OF COUNTY COMMISSIONERS

DATE: 07/02/20 TIME: 5:45 p.m.

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

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

PLEASE DO NOT REMOVE THIS SIGN
PROPERTY OF ESCAMBIA COUNTY



Looking at subject
property from across
Gulf Beach Hwy



Looking onto subject
property from across
Mills Ave

Another view of subject property, looking east





Looking east along
Gulf Beach Hwy



Looking west along Gulf
Beach from property



Looking across Gulf
Beach from subject
property

William D. Stokes
Direct (850) 208-7038
wstokes@clarkpartington.com
Licensed to Practice in Florida and Alabama

Via Email Only

hljones@myescambia.com

Mr. Horace Jones, Director of Development Services
Escambia County Planning & Zoning
3363 West Park Place
Pensacola, FL 32505.

In re: Application for Rezoning - 1303 Gulf Beach Highway, Pensacola, Florida 32507

Dear Mr. Jones,

On behalf of my client, Mr. Joe Baudendistel, please find enclosed an application for rezoning Parcel ID (s): 35-2S-31-1000-050-166 located at 1303 Gulf Beach Highway, Pensacola, Florida 32507.

Along with the application, we are submitting a copy of the warranty deed, corporate information for Home Page Services, LLC and the signed and notarized Affidavit of Owner/Limited Power of Attorney and Concurrency Determination Acknowledgement which authorizes me to represent Mr. Baudendistel in this case.

Due to the "safer-at-home" physical distancing requirements resulting from the COVID-19 pandemic, we are submitting this application electronically and will contact your office to pay the application fee, including the cost of public notification, by telephone. We also have a hardcopy of the boundary survey. However it is unavailable electronically, and we ask that you allow us to submit the survey at a later date to avoid unnecessary delay in processing the request and unnecessary exposure to the virus.

Please contact me upon receipt and advise if this is acceptable or if additional steps are necessary prior to your review. Also, please advise of the date, time, location(s) and manner of appearance (in-person or electronic) for any required public hearings.

I hope that you are staying safe. Thank you for your service during this time. If you need additional information, please do not hesitate to call or write. I look forward to working with you on this rezoning.

Sincerely,

Cc:

Mr. Baudendistel, Pensacola_Joe@yahoo.com

/e / Will Stokes

E-signed: Will Stokes

Enclosures



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

Rezoning Application

FOR OFFICE USE ONLY- Case Number: Z-2020-04 Accepted by: _____ PB Meeting: 6-1-20

1. Contact Information:

A. Property Owner/Applicant: Joe Baudendistel/Home Page Services, LLC

Mailing Address: PO BOX 33366 Pensacola, Florida, 32508

Business Phone: (850)-723-7225 Cell: _____

Email: Pensacola_Joe@yahoo.com

B. Authorized Agent (if applicable): William Stokes, Esq./Clark Partington

Attorneys Mailing Address: 125 East Intendencia Street, 4th Floor,

Pensacola, Florida 32502 Business Phone: (850) 208-7038 Cell: _____

Email: wstokes@clarkpartington.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: 1303 Gulf Beach Highway, Pensacola, Florida 32507

Parcel ID (s): 35-2S-31-1000-050-166

B. Total acreage of the subject property: 0.4 acres

C. Existing Zoning: HDMU

Proposed Zoning: COM; explain why necessary and/or appropriate:

Rezoning the property is necessary and appropriate to comply with the provisions of LDC 3-1.1 which provides, in part, that the purpose of zoning is to: (1) provide for the orderly and efficient distribution of residential, commercial, mixed-use, industrial, and other land uses to meet the physical, economic, and other needs of present and future populations; (2) avoid the under-utilization of land capable of sustaining higher densities or intensities and maximize the use of public investments in facilities and service

s through urban infill and redevelopment; (3) promote the economic stability of existing land uses that are consistent with the comprehensive plan, protecting them from intrusions by incompatible land uses and ensuring that new development is compatible in character and size; (4) promote both mixed-use buildings and mixed-use neighborhoods, where residential and business uses may overlap to the enhancement and benefit of both. This rezoning accomplishes each of the goals listed herein.

FLU Category: MU-U

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

There is a structure on the property which is currently being utilized by Wayside Potter's Ministries.

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

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.

Sec. 3-1.3 of the LDC provides that the proposed zoning category of Commercial is consistent with the MU-U Future Land Use category. Additionally, this parcel is located in the Warrington Redevelopment District which supports utilization of land, redevelopment and infill development. The Comprehensive Plan supports redevelopment to maximize development densities and intensities on underutilized properties located in the MU-U Future Land Use Category and when in a redevelopment area. MU-U 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. It allows residential, retail and services, professional office, light industrial, recreational facilities, public and civic. Within MU-U, Escambia County intends to achieve the following mix of land uses for new development within a 1/4 mile of arterial roadways or transit corridors by 2030: a) Residential 8% to 25% b) Public/Rec/Inst. 5% to 20% c) Non-Residential: Retail/Service 30% to 50% Office 25% to 50 Light Industrial 5% to 10%.

Because COM zoning is specifically compatible with MU-U and because the location and facts of this particular rezoning further the County's goal of creating infill non-residential development within 1/4 of a mile from an arterial in MU-U and in the Warrington Overlay. The proposed rezoning is compatible with the Comprehensive Plan.

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

The proposed amendment is consistent with the intent and purpose of the Land Development Code. The parcel is currently used as a church. However, the church may have been vacant for some time, and the property is underutilized. The proposed zoning allows for general commercial activities, especially the retailing of commodities and services.

HDMU, COM and Medium Density Residential (MDR) zoned parcels are located within a 500 ft. radius. The subject parcel is across an intersection from COM zoning. Additionally, a corridor of COM zoning exists along Gulf Beach Highway and is located to the east within 200 feet of the subject parcel and across an intersection within 150 feet of the parcel. If granted, the property will be an expansion of the existing commercial property located to the east. See attached.

The rezoning is consistent with the purpose of the Land Development Code in that it remedies the under- utilization of land capable of sustaining higher densities or intensities and maximize the use of public investments in facilities and services through urban infill and redevelopment. The rezoning also serves to promote the economic stability of existing land uses that are consistent with the comprehensive plan.

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.

The proposed amendment is consistent with the surrounding uses. Within a 500 ft. radius, HDMU, COM and MDR parcels exist. There is concentration of COM property to the east of the parcel. To maintain compatibility with surrounding uses, all commercial operations within the commercial district are limited to the confines of buildings and not allowed to produce undesirable effects on surrounding property.

Existing uses near the parcel include Trim-a-Lawn lawn service, The Tool Shack, E-Z Save, Heights Tower Systems, the Malibu Lounge, Wash World Coin Laundry, Infinite Ink Tattoo Studio, Heritage Oaks Mobile Home & RV Park and other commercial and residential uses. Additionally, development standards and technical review will address access to the parcel and any necessary buffering between a commercial use and existing residences, if required. See attached.

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

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

The parcel is located directly across an intersection from COM property and is separated from the commercial corridor by two MDR parcels. There are existing commercial uses located to the west of the parcel. Spot zoning is not prohibited, but it carries a higher burden of demonstration that, if authorized, it will contribute to logical and orderly development. When observing the zoning map, it is apparent that, along the corridor and within the Warrington Overlay, the existing residential structures are more of a "spot" than the current request due to the changing characteristics of the area. Rezoning of the property continues the existing commercial development and allows for uses which make sense within the area which serves the public purpose of creating a logical and orderly development pattern.

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.

The parcel is located within the Warrington Overlay District which was established for community redevelopment. The intent of the additional land use controls is to enhance the character of an area undergoing revitalization, especially along those commercial corridors that provide primary access or gateways to the adjoining military installations within the Warrington area.

Recent trends and existing uses in the area and along this portion of Gulf Beach Highway show that the character of the location is consistent with and supports the commercial growth along Gulf Beach Highway. It is appropriate with the changed or changing conditions effectuated by the Warrington Overlay.

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 Urban Future Land Use. See CPP FLU 1.5.1.

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): 35-2S-31-1000-050-166

Property Address: 1303 Gulf Beach Highway, Pensacola, Florida 32507

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 23 DAY OF March, YEAR OF 2020

[Signature] VP
Signature of Property Owner

Joseph Bradburn for
Printed Name of Property Owner
Stone Page Services LLC

3/23/2020
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 1303 Gulf Beach Hwy
_____, Florida, property reference number(s) _____

_____ I hereby designate _____
_____ for the sole purpose of completing this application and making

a presentation to the Planning Board and the Board of County Commissioners to request a rezoning on
the above referenced property. This Limited Power of Attorney is granted on this 23 day of March
the year of, 2020, and is effective until the Board of County Commissioners or the Board of
Adjustment has rendered a decision on this request and any appeal period has expired. The owner
reserves the right to rescind this Limited Power of Attorney at any time with a written, notarized notice
to the Development Services Bureau.

Agent Name: _____ Email: _____

Address: _____ Phone: _____

[Signature]
Signature of Property Owner

Joseph Baudendistel for
Printed Name of Property Owner

3/23/2020
Date

Signature of Property Owner

Home Page Services LLC
Printed Name of Property Owner

Date

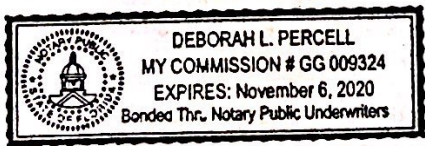
STATE OF FLORIDA COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 23 day of March 2020
by Joseph Baudendistel

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

[Signature]
Signature of Notary

Deborah Percell
Printed Name of Notary



(Notary Seal)

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

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

By my signature, I hereby certify that:

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

Respectfully submitted,

/e / Will Stokes

E-signed: Will Stokes

As authorized as attorney, licensed in the State of Florida, on behalf of property owners

COMPATIBILITY ANALYSIS
1303 Gulf Beach Highway, Pensacola, Florida

Introduction

This report supports the justification for a Zoning map change and analyzes the compatibility of rezoning a parcel located at 1303 Gulf Beach Highway, Pensacola, Florida 32507. The site is a 0.4023 acre parcel, in unincorporated Escambia County. The report constitutes the required Compatibility Analysis and provides competent and substantial evidence of unique circumstances regarding the rezoning request and that the rezoning will be able to achieve long-term compatibility with existing and potential uses.

The request is to amend the map from High Density Mixed Use (HDMU) to Commercial (COM). The requested zoning change is supported by the findings in this report.

The rezoning will be compatible with existing development. The commercial zoning will not, over time, adversely or negatively impact the surrounding uses.

THE LAW

In the development of this report, the following general provisions of relevant law were considered¹:

A. Florida Statutes:

§163.3164(9), Florida Statutes – Compatibility means a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.

B. Escambia County Land Development Code:

1. Definition, Chapter 6: Compatible.

A condition in which land uses, activities or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use, activity, or condition is unduly negatively impacted directly or indirectly by another use, activity, or condition.

2. Sec. 2-2.7 - Compatibility.

To confirm that proposed land uses and development activities are compatible with adjacent uses or conditions, a review for compatibility is required for rezoning and may be necessary for certain types developments specified herein. Application for land use compatibility confirmation shall be submitted for review to the planning official.

¹ For the sake of brevity, the entire sections are not included verbatim but may be found at https://library.municode.com/fl/escambia_county.

3. Sec. 3-1.6 - Compatibility.

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.

Location criteria are established within some zoning districts to promote compatibility among uses, especially new nonresidential 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 and avoid negative or blighting influences of some commercial uses on adjacent residential neighborhoods.*

Other measures. In addition to the location criteria of the zoning districts, landscaping, buffering, and screening may be required to protect lower intensity uses from more intensive uses, such as residential from commercial or commercial from industrial.

Through the DRC process, buffers may also be required to protect natural resources from intrusive activities and negative impacts of development such as trespass, pets, vehicles, noise, lights, and stormwater.

4. Sec. 2-7.2 – LDC zoning map and text amendments.

Rezoning. 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 that the rezoning is 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.

5. 3-1.1 – Purpose of Zoning Chapter

The purpose of zoning is to:

- Provide for the orderly and efficient distribution of agricultural, residential, commercial, mixed-use, industrial, recreational, conservation, and other land uses to meet the physical, social, civic, security, economic, and other needs *of present and future populations;*

- Promote sustainable land development that avoids the under-utilization of land capable of sustaining higher densities or intensities, and maximizes the use of public investments in facilities and services through urban infill and redevelopment;
- Promote the economic stability of existing land uses that are consistent with the comprehensive plan, protecting them from intrusions by incompatible land uses and ensuring that new development is compatible in character and size.
- Preserve the character and quality of residential neighborhoods.
- Promote both mixed-use buildings and mixed-use neighborhoods, where residential and business uses may overlap to the enhancement and benefit of both.
- Balance individual property rights with the interests of the community to create a healthy, safe and orderly living environment.

6. Sec. 3-2.10 - Commercial district (Com).

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

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

Rezoning to commercial. Commercial 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 appropriate to provide transitions between areas zoned or used as high density mixed-use and areas zoned or used as heavy commercial or industrial. The commercial (Com) district establishes appropriate areas and land use regulations for general commercial activities, especially the retailing of commodities and services.

To maintain compatibility with surrounding uses, all commercial operations within the commercial district are limited to the confines of buildings and not allowed to produce undesirable effects on surrounding property. To retain adequate area for commercial activities, new and expanded residential development within the district is limited, consistent with the commercial (C) future land use category.

Permitted uses within the commercial district include, but are not limited to, the following:

- *Certain Residential.* The certain residential uses are allowed throughout the district, but if within the commercial (C) future land use category they are permitted only if part of a

predominantly commercial development to include single-family dwellings (other than manufactured homes), detached or attached, including townhouses and zero lot line subdivisions.

- *Retail sales.* Retail sales, including medical marijuana dispensing facilities, sales of alcoholic beverages and automotive fuels, but excluding motor vehicle sales and permanent outdoor storage.
- *Retail services.* The following retail services, excluding permanent outdoor storage: Child care facilities.
- *Personal services* including those of beauty shops, health clubs, pet groomers, dry cleaners.
- *Professional services,* including those of realtors, bankers, accountants, engineers, architects, dentists, physicians, and attorneys.
- *Repair services,* including appliance repair, furniture refinishing and upholstery, watch and jewelry repair, small engine and motor services, but excluding major motor vehicle or boat service or repair, and outdoor work.
- *Public and civic.* including Community service facilities, including libraries, museums, and neighborhood centers, Educational facilities, including preschools, K-12, colleges, and vocational schools. Emergency service facilities, including law enforcement, firefighting, and medical assistance. Foster care facilities. Places of worship.
- *Recreation and Entertainment.* Indoor recreation or entertainment facilities, including movie theaters, bowling alleys, skating rinks, arcade amusement centers, but excluding bars, nightclubs or adult entertainment facilities. Parks without permanent restrooms or outdoor event lighting.
- *Industrial and related.* Printing, binding, lithography and publishing. Wholesale warehousing with gross floor area 10,000 square feet or less per lot.
- *Agricultural and related.* Agricultural food production primarily for personal consumption by the producer, but no farm animals. Nurseries and garden centers, including adjoining outdoor storage or display of plants. Veterinary clinics.
- *Other uses.* Outdoor storage if minor and customarily incidental to the allowed principal use, and if in the rear yard, covered, and screened from off-site view, unless otherwise noted.

7. Documented compatibility.

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

Additionally, the following conditions exist: The parcel has not been rezoned by the landowner from the mixed-use, commercial, or industrial zoning assigned by the county.

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).

SUPPORTING FACTS AND ANALYSIS

Rezoning the property is necessary and appropriate to comply with the provisions of LDC 3-1.1 which provides, in part, that the purpose of zoning is to: (1) provide for the orderly and efficient distribution of residential, commercial, mixed-use, industrial, and other land uses to meet the physical, economic, and other needs of present and future populations; (2) avoid the under-utilization of land capable of sustaining higher densities or intensities and maximize the use of public investments in facilities and services through urban infill and redevelopment; (3) promote the economic stability of existing land uses that are consistent with the comprehensive plan, protecting them from intrusions by incompatible land uses and ensuring that new development is compatible in character and size; (4) promote both mixed-use buildings and mixed-use neighborhoods, where residential and business uses may overlap to the enhancement and benefit of both. This rezoning accomplishes each of the goals listed herein.

The parcel appears to be currently used as Wayside Potter's Ministries. A church is a permitted use in the COM district.

Sec. 3-1.3 of the LDC provides that the proposed zoning category of Commercial is consistent with the MU-U Future Land Use category.

Additionally, this parcel is located in the Warrington Redevelopment District which supports utilization of land, redevelopment and infill development. The Comprehensive Plan supports redevelopment to maximize development densities and intensities on underutilized properties located in the MU-U Future Land Use Category and when in a redevelopment area. MU-U 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. It allows residential, retail and services, professional office, light industrial, recreational facilities, public and civic. Within MU-U, Escambia County intends to achieve the following mix of land uses for new development within a 1/4 mile of transit corridors by 2030: a) Residential 8% to 25% b) Public/Rec/Inst. 5% to 20% c) Non-Residential: Retail/Service 30% to 50% Office 25% to 50 Light Industrial 5% to 10%.

Because COM zoning is specifically compatible with MU-U and because the location and facts of this particular rezoning further the County's goal of creating infill non-residential development within 1/4 of a mile from an arterial in MU-U and in the Warrington Overlay. The proposed rezoning is compatible with the Comprehensive Plan.

The proposed amendment is consistent with the intent and purpose of the Land Development Code. The parcel is currently used as a church. However, the church may have been vacant for some time, and the property is underutilized. The proposed zoning allows for general commercial activities, especially the retailing of commodities and services.

HDMU, COM and Medium Density Residential (MDR) zoned parcels are located within a 500 ft. radius. The subject parcel is across an intersection from COM zoning. Additionally, a corridor of COM zoning exists along Gulf Beach Highway and is located to the east within 200 feet of the subject parcel and across an intersection within 150 feet of the parcel. If granted, the property will be an expansion of the existing commercial property located to the east.

The rezoning is consistent with the purpose of the Land Development Code in that it remedies the under- utilization of land capable of sustaining higher densities or intensities and maximize the use of public investments in facilities and services through urban infill and redevelopment. The rezoning also serves to promote the economic stability of existing land uses that are consistent with the comprehensive plan.

The proposed amendment is consistent with the surrounding uses. Within a 500 ft. radius, HDMU, COM and MDR parcels exist. There is concentration of COM property to the east of the parcel. To maintain compatibility with surrounding uses, all commercial operations within the commercial district are limited to the confines of buildings and not allowed to produce undesirable effects on surrounding property.

Existing uses near the parcel include Trim-a-Lawn lawn service, The Tool Shack, E-Z Save, Heights Tower Systems, the Malibu Lounge, Wash World Coin Laundry, Infinite Ink Tattoo Studio, Heritage Oaks Mobile Home & RV Park and other commercial and residential uses. Additionally, development standards and technical review will address access to the parcel and any necessary buffering between a commercial use and existing residences, if required.

The parcel is located directly across an intersection from COM property and is separated from the commercial corridor by two MDR parcels. There are existing commercial uses located to the west of the parcel. Spot zoning is not prohibited, but it carries a higher burden of demonstration that, if authorized, it will contribute to logical and orderly development. When observing the zoning map, it is apparent that, along the corridor and within the Warrington Overlay, the existing residential structures are more of a "spot" than the current request due to the changing characteristics of the area. Rezoning of the property continues the existing commercial development and allows for uses which make sense within the area which serves the public purpose of creating a logical and orderly development pattern.

The parcel is located within the Warrington Overlay District which was established for community redevelopment. The intent of the additional land use controls is to enhance the character of an area undergoing revitalization, especially along those commercial corridors that provide primary access or gateways to the adjoining military installations within the Warrington area.

Recent trends and existing uses in the area and along this portion of Gulf Beach Highway show that the character of the location is consistent with and supports the commercial growth along Gulf Beach Highway. It is appropriate with the changed or changing conditions effectuated by the Warrington Overlay.

Finally, a goal of the Escambia County Comprehensive Plan is 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 Urban Future Land Use. See CPP FLU 1.5.1.

Any potential adverse impacts will be addressed through the Development Review Committee based on site design and performance standards within the Land Development Code.

CONCLUSION

Rezoning the property is necessary and appropriate to comply with the provisions of LDC 3-1.1 which provides, in part, that the purpose of zoning is to: (1) provide for the orderly and efficient distribution of residential, commercial, mixed-use, industrial, and other land uses to meet the physical, economic, and other needs of present and future populations; (2) avoid the under-utilization of land capable of sustaining higher densities or intensities and maximize the use of public investments in facilities and services through urban infill and redevelopment; (3) promote the economic stability of existing land uses that are consistent with the comprehensive plan, protecting them from intrusions by incompatible land uses and ensuring that new development is compatible in character and size; (4) promote both mixed-use buildings and mixed-use neighborhoods, where residential and business uses may overlap to the enhancement and benefit of both. This rezoning accomplishes each of the goals listed herein.

Therefore, the applicant respectfully requests that the County Planning Board recommend approval of this request for rezoning as having met the Code requirements and as supported by applicable law.

Respectfully submitted,

e/signed Will Stokes

Attorney at Law; Agent for Applicant

Clark Partington

125 E. Intendencia, Fourth Floor

Pensacola, Florida 32502

Recorded in Public Records 5/8/2019 12:05 PM OR Book 8091 Page 635,
Instrument #2019039983, Pam Childers Clerk of the Circuit Court Escambia
County, FL Recording \$18.50 Deed Stamps \$455.00

THIS INSTRUMENT PREPARED BY AND RETURN TO:

Linda Salter
Surety Land Title of Florida, LLC
358 W Nine Mile Road Ste D
Pensacola, Florida 32534
Property Appraisers Parcel Identification (Folio) Numbers:

WARRANTY DEED

Space Above This Line For Recording Data

THIS WARRANTY DEED, made the 30th day of April, 2019 by Felix Torrico Ibanez and Linette M. Zelada De Torrico , whose post office address is 1107 Mills Avenue, Pensacola, FL 32507 herein called the grantors, to Home Page Services, LLC , whose post office address is P. O. Box 33366, Pensacola, FL 32508, hereinafter called the Grantee:

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

W I T N E S S E T H: 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.:

Lots 5, 6, and 7, Block 166, Beach Haven, according to the plat thereof, recorded in Deed Book 46, Page 5, of the Public Records of Escambia County, Florida, less and except any portion thereof lying within the right of way of Gulf Beach Highway.

Subject to easements, restrictions and reservations of record and taxes for the year 2019 and thereafter.

THE PROPERTY DESCRIBED HEREIN IS NOT THE HOMESTEAD OF GRANTORS.

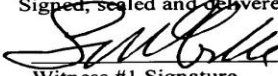
TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

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

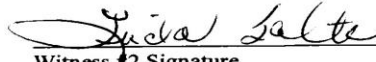
AND, the grantors hereby covenant with said grantee that the grantors are lawfully seized of said land in fee simple; that the grantors have good right and lawful authority to sell and convey said land, and hereby warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2018

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:


Witness #1 Signature

SHAWN L. MCCORKLE
Witness #1 Printed Name


Witness #2 Signature

LINDA SALTER
Witness #2 Printed Name


Felix Torrico Ibanez


Linette M. Zelada De Torrico

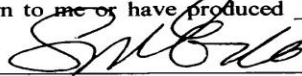
STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 30th day of April, 2019 by Felix Torrico Ibanez and Linette M. Zelada De Torrico who are personally known to me or have produced DRIVERS LICENSE as identification.

SEAL



My Commission Expires


Notary Public

SHAWN L. MCCORKLE
Printed Notary Name

File No: 1902455B

**RESIDENTIAL SALES
ABUTTING ROADWAY
MAINTENANCE DISCLOSURE**

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

Address 1303 Gulf Beach Hwy, Pensacola, FL 32507

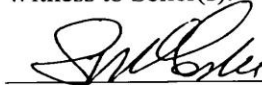
**the County (x) has accepted () has not accepted the abutting
roadway for maintenance. (private)**


This form completed by: Linda G Salter
Surety Land Title, Inc.
2600 North 12th Avenue
Pensacola, FL 32503

AS TO SELLER (S):

Witness to Seller(s):

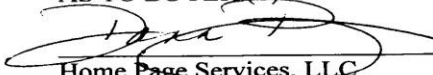

Feliz Torrico Ibanez


SHAWN L. MCCORRIE


Linette M. Zglada De Torrico

AS TO BUYER (S):

Witness to Buyer(s):


Home Page Services, LLC


SHAWN L. MCCORRIE

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

Detail by Entity Name

Florida Limited Liability Company
HOMEPAGE SERVICES LLC

Filing Information

Document Number L19000095537
FEI/EIN Number 83-4314557
Date Filed 04/08/2019
Effective Date 04/03/2019
State FL
Status ACTIVE

Principal Address

507 PALOMAR DR
PENSACOLA, FL 32507

Mailing Address

PO BOX 33366
PENSACOLA, FL 32508

Registered Agent Name & Address

BAUDENDISTEL, JOE
507 PALOMAR DR
PENSACOLA, FL 32507

Address Changed: 02/26/2020

Authorized Person(s) Detail

Name & Address

Title MGR

BAUDENDISTEL, DONNA
PO BOX 33366
PENSACOLA, FL 32508

Title AMGR

BAUDENDISTEL, JOE
PO BOX 33366
PENSACOLA, FL 32508

Annual Reports

Report Year	Filed Date
2020	02/26/2020

Document Images

[02/26/2020 -- ANNUAL REPORT](#)

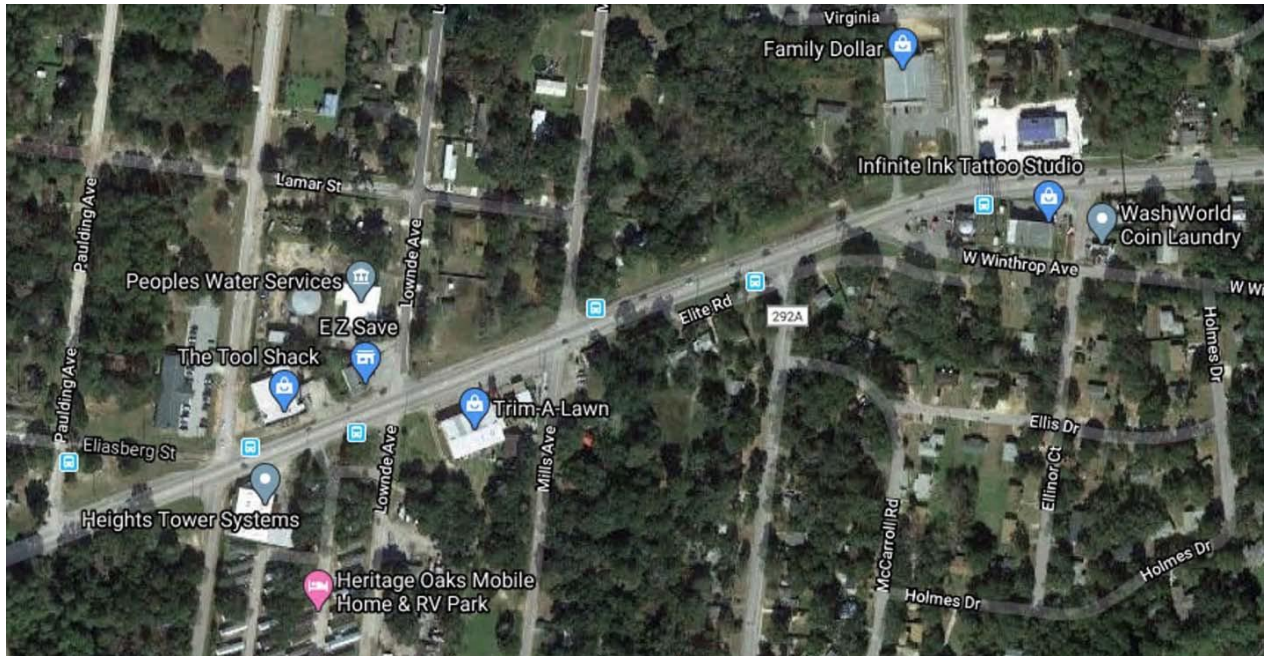
[View image in PDF format](#)

[04/08/2019 -- Florida Limited Liability](#)

[View image in PDF format](#)

Addendum to Rezoning Application – 1303 Gulf Beach Highway

I. Aerial of the Property

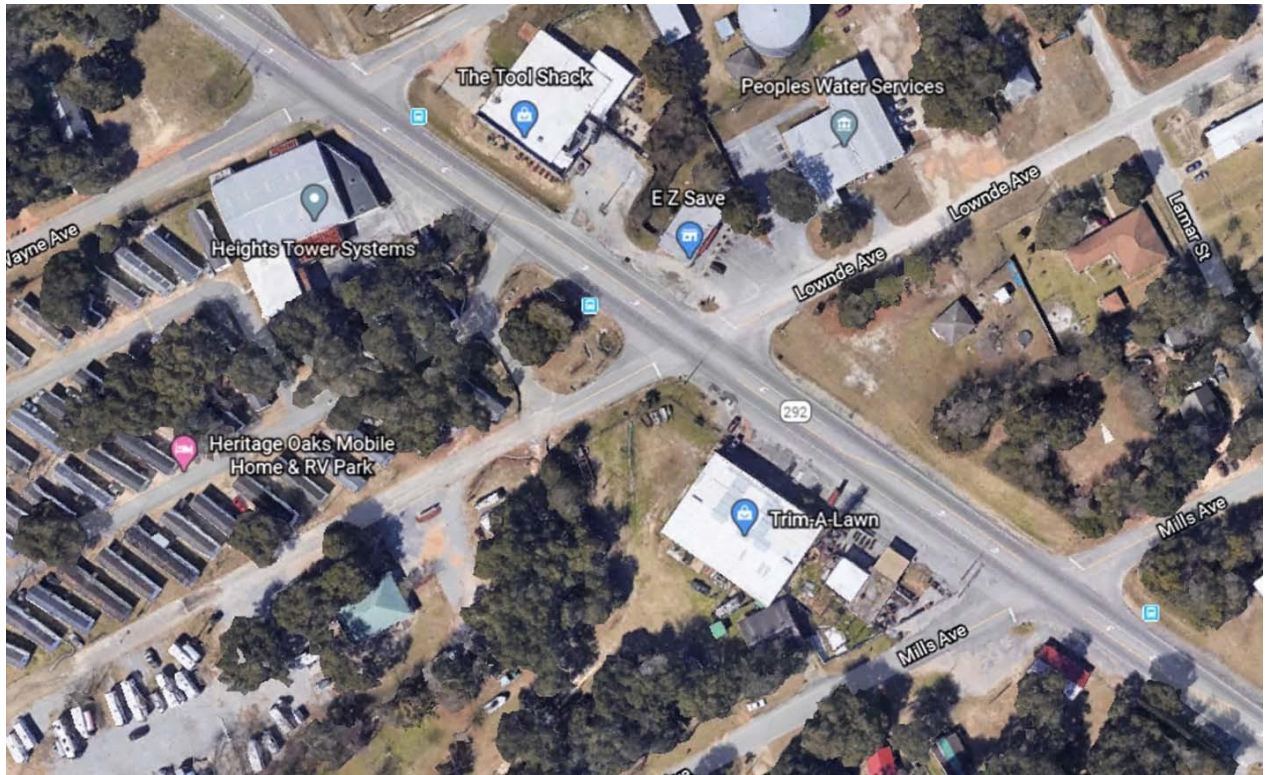


II. Surrounding Zoning



III. Surrounding Uses

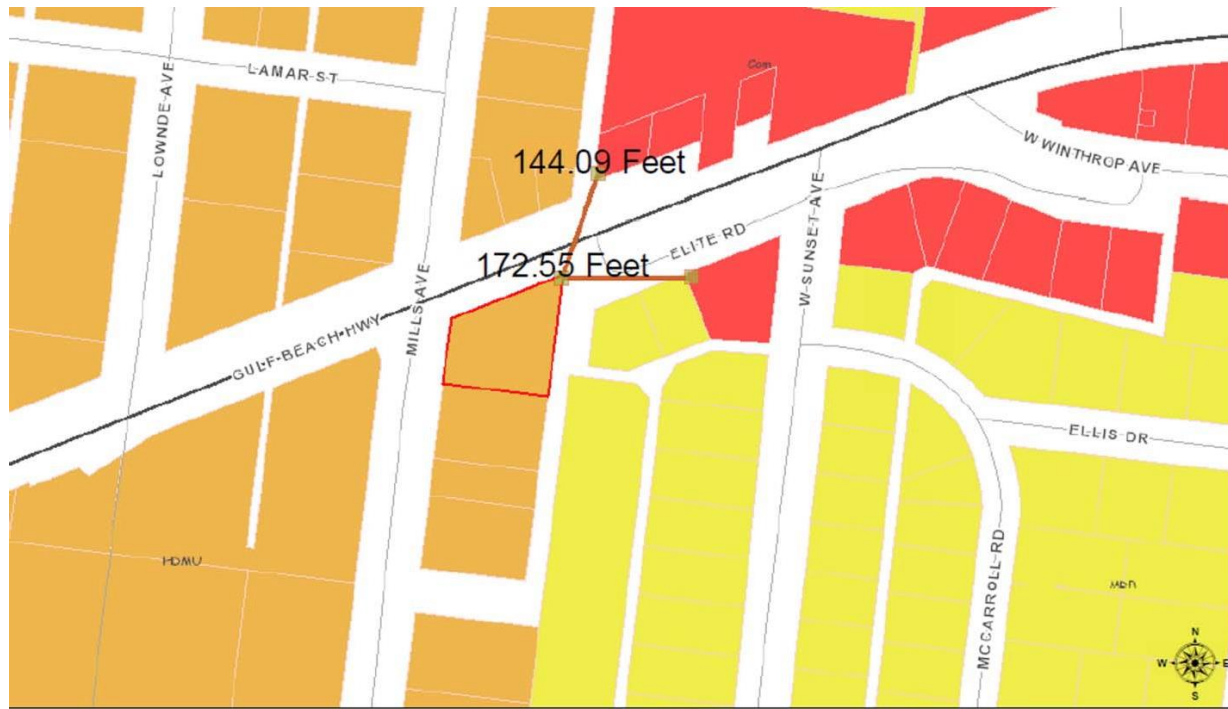
A. To the West – Existing Commercial Uses Outside the Commercial Corridor



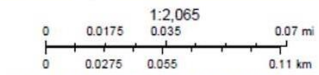
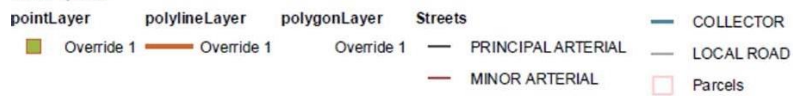
IV. Commercial Corridor



V. Distance to Commercial Zoning



March 4, 2020



Sources: Esri, HERE, Garmin, UDOO, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NISCC, (c) OpenStreetMap contributors, and the GIS User Community



NORTHWEST FLORIDA LAND SURVEYING, INC.

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

A PROFESSIONAL SERVICE ORGANIZATION



PREPARED FOR: HOMEPAGE SERVICES, LLC

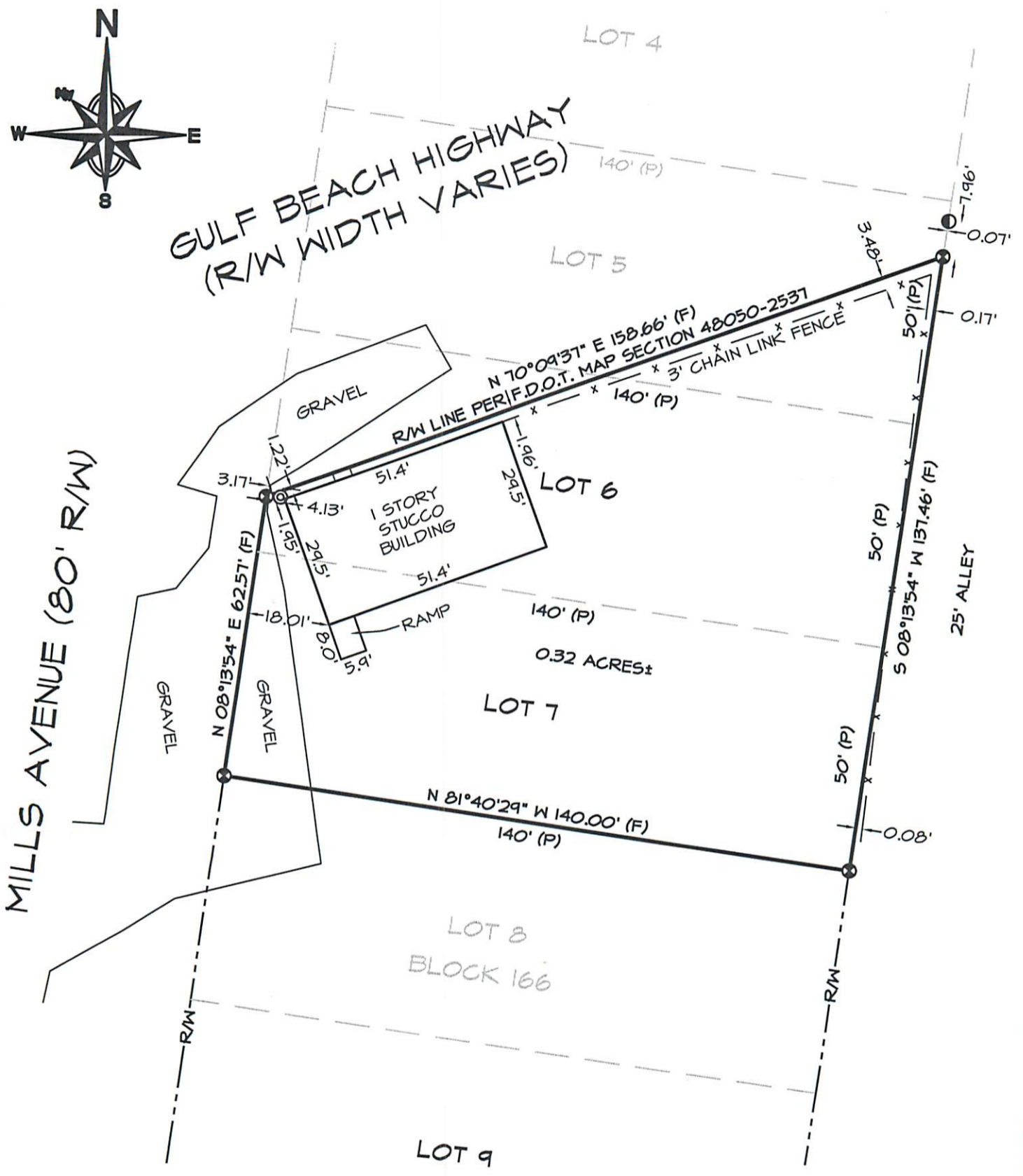
JOB NO.: 10-22958-19

REQUESTED BY: MIKE RUSSO/BUSINESS AND COMMERCIAL BROKERAGE, INC.

DATE: MAY 09, 2020

PROPERTY ADDRESS: 1303 GULF BEACH HIGHWAY

SCALE: 1"=30'



BOUNDARY SURVEY WITH IMPROVEMENTS

SHEET 1 OF 2

MEASUREMENTS MADE TO UNITED STATES STANDARDS

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

DESCRIPTION: SEE SHEET 2 OF 2

SEC. 35 , TWP. 25 , RGE. 31W , ESCAMBIA COUNTY, STATE OF FLORIDA.

RECORDED O.R. BOOK 7247 , PAGE 325 . *THE ENCROACHMENTS ARE AS SHOWN*

FIELD DATE: 5/09/2020 , FIELD BOOK: RR , PG. 63

NORTHWEST FLORIDA LAND SURVEYING, INC.
FLORIDA CORPORATION NUMBER 7277

REVISIONS:

Fred R. Thompson 5/09/20
FRED R. THOMPSON PROFESSIONAL LAND SURVEYOR
FLORIDA REGISTRATION NUMBER 3027 STATE OF FLORIDA

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



NORTHWEST FLORIDA LAND SURVEYING, INC.

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

A PROFESSIONAL SERVICE ORGANIZATION



PREPARED FOR: HOMEPAGE SERVICES, LLC

JOB NO.: 10-22958-19

REQUESTED BY: MIKE RUSSO/BUSINESS AND COMMERCIAL BROKERAGE, INC.

DATE: MAY 09, 2020

PROPERTY ADDRESS: 1303 GULF BEACH HIGHWAY

SCALE: 1"=30'

DESCRIPTION AS FURNISHED: (OFFICIAL RECORDS BOOK: 7247, PAGE: 325)

LOTS 5, 6 AND 7, BLOCK 166, BEACH HAVEN ACCORDING TO THE PLAT THEREOF, RECORDED IN DEED BOOK 46, PAGE(S) 51, OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA. LESS AND EXCEPT ANY PORTION THEREOF LYING WITHIN THE RIGHT OF WAY OF GULF BEACH HIGHWAY.

GENERAL NOTES:

1. THE BEARINGS AS SHOWN HEREON ARE REFERENCED TO NORTH AMERICAN DATUM 1983, STATE PLANE MAPPING ZONE FLORIDA NORTH 0903, LAMBERT PROJECTION AS ESTABLISHED ALONG THE EAST LINE OF THE SUBJECT PROPERTY HAVING A BEARING OF NORTH 04 DEGREES 59 MINUTES 18 SECONDS WEST.
1. THE BEARINGS AS SHOWN HEREON ARE REFERENCED TO THE ASSUMED BEARING OF NORTH 04 DEGREES 59 MINUTES 18 SECONDS WEST ALONG THE EAST LINE OF THE PROPERTY AS PER THE RECORD PLAT OF WATERWAYS AT TIGER POINT EAST AS RECORDED IN PLAT BOOK D AT PAGE 33 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA.
2. THE SURVEY DATUM AS SHOWN HEREON IS REFERENCED TO THE DESCRIPTION AS FURNISHED AND TO EXISTING FIELD MONUMENTATION.
3. NO TITLE SEARCH WAS PROVIDED TO NOR PERFORMED BY NORTHWEST FLORIDA LAND SURVEYING, INC., FOR THE SUBJECT PROPERTY. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHTS-OF-WAY, STATE AND/OR FEDERAL JURISDICTIONAL AREAS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY.
4. THE PROPERTY AS SHOWN HEREON IS LOCATED IN FLOOD ZONE "X", OUTSIDE 0.2% ANNUAL CHANCE OF FLOOD, AS DETERMINED FROM FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP OF ESCAMBIA COUNTY, FLORIDA (UNINCORPORATED AREAS), MAP NUMBER 12033C 0368 G, REVISED SEPTEMBER 29, 2006.
5. THIS SURVEY DOES NOT DETERMINE OWNERSHIP.
6. THIS SURVEY MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17.051 - 5J-17.053 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, TO THE BEST OF MY KNOWLEDGE AND BELIEF.
7. THE MEASUREMENTS AS SHOWN HEREON WERE MADE TO UNITED STATES STANDARDS.
8. THE MEASUREMENTS OF THE BUILDINGS AND/OR FOUNDATIONS SHOWN HEREON DO NOT INCLUDE CONCRETE FOOTERS OR EAVE OVERHANGS.
9. FENCE LOCATIONS SHOWN HEREON MAY BE EXAGGERATED AND NOT TO SCALE FOR CLARITY PURPOSES
10. FEDERAL AND STATE COPYRIGHT ACTS PROTECT THIS MAP FROM UNAUTHORIZED USE. THIS MAP IS NOT TO BE COPIED OR REPRODUCED IN WHOLE OR PART AND IS NOT TO BE USED FOR THE BENEFIT OF ANY OTHER PERSON, COMPANY OR FIRM, WITHOUT PRIOR WRITTEN CONSENT OF THE COPYRIGHT OWNER, FRED R. THOMPSON, AND IS TO BE RETURNED TO OWNER UPON REQUEST.
11. THIS DOCUMENT MUST BE COMPARED TO THE ORIGINAL HARD COPY ISSUED ON THE SURVEY DATE WITH A RAISED SEAL TO INSURE THE ACCURACY OF THE INFORMATION AND TO FURTHER INSURE THAT NO CHANGES, ALTERATIONS OR MODIFICATIONS HAVE BEEN MADE. NO RELIANCE SHOULD BE MADE ON A DOCUMENT TRANSMITTED BY COMPUTER OR OTHER ELECTRONIC MEANS UNLESS FIRST COMPARED TO THE ORIGINAL SIGNED AND SEALED DOCUMENT.
12. THIS SURVEY MAY BE SUBJECT TO ADDITIONAL REQUIREMENTS BY COUNTY, STATE OR OTHER AGENCIES.
13. ENCROACHMENTS ARE AS SHOWN.

DENOTES:

- ⊙ ~ 1/2" CAPPED IRON ROD, NUMBERED 7277 (PLACED)
- ⊙ ~ 1/2" CAPPED IRON ROD, NUMBERED 3851 (FOUND)
- ⊙ ~ 1" IRON PIPE, UNNUMBERED (FOUND)
- (P) ~ PLATTED INFORMATION
- (F) ~ FIELD INFORMATION
- R/W ~ RIGHT OF WAY
- SEC. ~ SECTION
- TWP. ~ TOWNSHIP
- RGE. ~ RANGE
- O.R. ~ OFFICIAL RECORD
- PG. ~ PAGE

CERTIFICATIONS:

CASH
SURETY LAND TITLE
FIRST AMERICAN TITLE INSURANCE
HOMEPAGES SERVICES, LLC

BOUNDARY SURVEY WITH IMPROVEMENTS

SHEET 2 OF 2

MEASUREMENTS MADE TO UNITED STATES STANDARDS

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

DESCRIPTION: SEE ABOVE DESCRIPTION

SEC. 35, TWP. 2S, RGE. 31W, ESCAMBIA COUNTY, STATE OF FLORIDA.

RECORDED O.R. BOOK 7247, PAGE 325. *THE ENCROACHMENTS ARE AS SHOWN*

FIELD DATE: 5/09/2020, FIELD BOOK: RR, PG. 63

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

NORTHWEST FLORIDA LAND SURVEYING, INC.
FLORIDA CORPORATION NUMBER 7277

REVISIONS:

Fred R. Thompson 5/09/20
FRED R. THOMPSON PROFESSIONAL LAND SURVEYOR
FLORIDA REGISTRATION NUMBER 3027 STATE OF FLORIDA



Board of County Commissioners • Escambia County, Florida

Clara Long, Director
Neighborhood & Human Services Department

May 20, 2020

Horace Jones, Director
Escambia County Planning & Zoning Division
3363 West Park Place
Pensacola, FL 32505

**SUBJECT: REZONING REQUEST FOR THE FOLLOWING
PARCEL #35-2S-31-1000-050-166 FROM HDMU to COM
ADDRESS: 1303 Gulf Beach Highway**

Horace,

I have reviewed the rezoning request package for the abovementioned location and my comments are below:

This property is located within the Warrington Redevelopment District. The property is subject to the Warrington Overlay. Please note: Sec. 3-3.8 (f) **Rezoning**. Rezoning of Commercial zoned property to a more intense zoning district is prohibited if located on an arterial roadway.

HDMU is a nonresidential zoning district designation. See Sec. 3-1-3 (h) (2) (a). The primary intent of the HDMU district is to provide for a mix of neighborhood sales, services and professional offices with greater dwelling until density and diversity than the low-density mixed-use district. Additionally, HDMU seeks to encourage vertical mixes of commercial and residential uses to accommodate a physical pattern of development characteristic of village main streets and older neighborhood commercial areas. See Sec. 3-2.9 (a).

The proposed rezoning seeks to change the zoning of a parcel located on Gulf Beach Highway (an arterial roadway) to a more intense zoning district. The rezoning request is not supported by Sec. 3-3.8 (f).

If you have any questions or comments, please contact Max Rogers, AICP at 850-595-3499.

Sincerely,

A handwritten signature in black ink that reads "Clara Long".

Clara Long, Neighborhood and Human Services Director



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

INTEROFFICE MEMORANDUM

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

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

DATE: May 11, 2020

RE: Transportation & Traffic Operations (TTO) Comments – Z-2020-4

TTO Staff has reviewed the Rezoning Case Z-2020-4 1303 Gulf Beach Highway agenda item for the Planning Board meeting scheduled for June 1, 2020. Please see the below comments.

Gulf Beach Highway is a two-lane roadway with a center turn lane and paved shoulders. Near the parcel in question, the traveling roadway width is approximately 36 feet with a right-of-way width of 90 feet.

The Florida Department of Transportation (FDOT) is in the Project Development & Environmental stage of widening this road. FDOT. The County does not have any project scheduled for this roadway.

Per the Florida-Alabama TPO's Congestion Management Process Plan, Gulf Beach Highway is classified as a Principal Arterial with a Maximum LOS of D and a corresponding daily volume threshold of 17,700. The daily traffic on this road was recorded as 25,000 for year 2019.

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

**cc: Horace Jones, Development Services Department Director
Christine Franchi, TTO Division, Engineering Department
Joy Jones, P.E., Engineering Department Director
Allyson Lindsay, Development Services Department**