

**MINUTES OF THE REGULAR MEETING OF THE ESCAMBIA
COUNTY BOARD OF ADJUSTMENT**

Regular Meeting - August 21, 2024 - 8:30 AM

Escambia County Central Office Complex

3363 West Park Place, Room 104

1. Call to Order.

Present:	Willie Kirkland, Jr., Board Member Ross Padden, Board Member Michael Godwin, Chairman Auby Smith, Board Member Marty Schack, Board Member
Absent:	Randy Ponson, Board Member
Staff Present:	Horace Jones, Director, Development Services Department Andrew Holmer, Deputy Director, Development Services Department Caleb MacCartee, Urban Planning Manager Kim Wilson, Senior Urban Planner Rachel Whitmire, Development Services Coordinator Kristin Hual, Deputy County Attorney

Chairman Godwin called the Regular Meeting of the Board of Adjustment
to order at 8:35 a.m.

2. Swearing in of Staff and acceptance of staff as expert witness

3. Acceptance of the BOA Meeting Package with the Development Services Staff Findings-of-Fact, into evidence.

Motion by Willie Kirkland, Jr., Seconded by Ross Padden

Motion was made to accept the August 21, 2024, BOA meeting packet.

Vote : 5 - 0 Motion carried unanimously

4. Proof of Publication and waive the reading of the legal advertisement.

Motion by Willie Kirkland, Jr., Seconded by Auby Smith

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

Vote : 5 - 0 Motion carried unanimously

5. Approval of Minutes.

- A. Approval of the Meeting Minutes from the July 17, 2024, Board of Adjustment Meeting.

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

Motion was made to accept the July 17, 2024, BOA Meeting Minutes.

Vote : 5 - 0 Motion carried unanimously

6. Consideration of the following cases:

A. **Case No.: CU-2024-15**

Address: 810 Archer Rd and 800 BLK Archer Rd
Request: To allow a restaurant not among the permitted uses
Requested by: Gregory Campbell, Agent for DKJ Real Properties, LLC,
Owner

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

No BOA member acknowledged visiting the site.

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

Motion by Auby Smith, Seconded by Willie Kirkland, Jr.

Motion was made to accept staff's findings of fact and grant the conditional use as requested.

Vote : 5 - 0 Motion carried unanimously

B. **Case No.: CU-2024-17**

Address: 1030 Underwood Ave, 1030 BLK Underwood Ave, 1030 Underwood Ave B, 80 Underwood Ave, and 2313 Douglas Ave
Request: To allow an outdoor recreational facility
Requested by: Patrick Jehle, Agent for Pensacola State College and Pensacola Junior College, Owners

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

No BOA member acknowledged visiting the site.

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

Motion by Auby Smith, Seconded by Willie Kirkland, Jr.

Motion was made to accept staff's findings of fact and grant the conditional use as requested.

Vote : 5 - 0 Motion carried unanimously

C. Case No.: CU-2024-14

Address: 5595 Hwy 95A
Request: To allow a borrow pit within 1000 feet of a residential use
Requested by: Jeremiah J. Talbott, Agent for Anthony J. Patterson, Owner

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

No BOA member acknowledged visiting the site.

Willie Kirkland, Jr. refrained from voting on this matter due to a conflict of interest

Motion by Auby Smith, Seconded by Ross Padden

Motion was made to accept William Merrill as an expert witness in civil engineering.

Vote: 4 - 0 Motion carried unanimously

Motion by Auby Smith, Seconded by Marty Schack

Motion was made to accept Tim Day as an expert witness in natural resource management.

Vote: 4 - 0 Motion carried unanimously

Motion by Auby Smith, Seconded by Marty Schack

Motion was made to accept exhibit 4 into evidence.

Vote : 4 - 0 Motion carried unanimously

Motion by Marty Schack, Seconded by Auby Smith

Motion was made to accept exhibit 3 into evidence.

Vote : 4 - 0 Motion carried unanimously

Motion by Marty Schack, Seconded by Auby Smith

Motion was made to accept exhibit 2 into evidence.

Vote : 4 - 0 Motion carried unanimously

Motion by Auby Smith, Seconded by Marty Schack

Motion was made to strike Mr. Connors' comment regarding wells in the area.

Vote : 4 - 0 Motion carried unanimously

Motion by Marty Schack, Seconded by Auby Smith

Motion was made to deny the conditional use request based on criteria a, d, f, and i.

Vote : 3 - 1

Voted No : Ross Padden

Willie Kirkland, Jr. abstained from voting

7. Discussion Items.

8. Old/New Business.

9. Announcement.

- A. The next Board of Adjustment Meeting is scheduled for Wednesday, September 18, 2024, at 8:30 a.m., at the Escambia County Central Office Complex 104, 3363 West Park Place.

10. Adjournment.

There being no further business to come before the Board, Chairman Godwin declared the Regular Meeting of the Board of Adjustment adjourned at 2:35 p.m.