



City of Pensacola

Zoning Board of Adjustments

Agenda

City of Pensacola
222 W. Main Street
Pensacola, FL 32502

August 20, 2025, 3:00 PM

Hagler-Mason Conference Room, 2nd Floor

The meeting can be watched via live stream at cityofpensacola.com/video.

CALL TO ORDER / QUORUM

1. 25-1091 SWEARING IN REAPPOINTMENT

Attachments: None

APPROVAL OF MINUTES

2. 25-1095 ZBA MINUTES JULY 16, 2025

Recommendation:

Sponsors:

Attachments: ZBA minutes 7.16.25

REQUESTS

3. 25-1092 ZBA 2025-017
700 MYRICK STREET
PENSACOLA MARINE CENTER
C-3 SIGNAGE

Attachments: Boat Yard Application
Pensacola Marine Center Rendering 05282025

4. 25-1094 ZBA 2025-018
1575 E TEXAR DRIVE
R-1AAA

Attachments: Magaha - Complete Variance Application

ADJOURNMENT

ADDITIONAL INFORMATION:

SUBSEQUENT APPLICATION(S): If denied a variance by the Board, that request for a variance cannot be heard again for a period of one (1) year.

JUDICIAL REVIEW OF DECISION OF BOARD OF ADJUSTMENT:

Per section 12-12-2 (D) of the City of Pensacola Land Development Code, any person or persons, jointly or severally, aggrieved by any decision of the board, or the city, upon approval by the city council, may apply to the circuit court of the First Judicial Circuit of Florida within thirty {30} days after rendition of the decision by the board. Review in the circuit court shall be by petition for writ of certiorari or such other procedure as may be authorized by law.

If any person decides to appeal any decision made with respect to any matter considered at this meeting or public hearing, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and any evidence upon which the appeal is to be based.

If a Notice of Appeal has not been received within thirty-five {35} days of the date of the meeting the variance was denied, the petitioner shall be notified by the Building Official that they have ten {10} days to remove or correct the violation.

ADA Statement:

The City of Pensacola adheres to the Americans with Disabilities Act and will make reasonable accommodations for access to City services, programs and activities. Please call 850-435-1670 (or TDD 850-435-1666) for further information. Requests must be made at least 48 hours in advance of the event in order to allow the City time to provide the requested services.

If any person decides to appeal any decision made with respect to any matter considered at such meeting, he will need a record of the proceedings, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The City of Pensacola adheres to the Americans with Disabilities Act and will make reasonable accommodations for access to City services, programs and activities. Please call 850-435-1606 (or TDD 850-435-1666) for further information. Request must be made at least 48 hours in advance of the event in order to allow the City time to provide the requested services.



Zoning Board of Adjustment

MINUTES OF THE ZONING BOARD OF ADJUSTMENT

July 16, 2025

MEMBERS PRESENT: Chairperson White, Vice-Chairperson Weeks, Board Member Price, Board Member Sebold, Board Member Stepherson, Board Member Steven Shelley, Board Member Williams, Board Member Chandler, Board Member Dittmar

MEMBERS ABSENT: NONE

STAFF PRESENT: Planner Hargett, Assistant Planning & Zoning Division Manager Harding, Network Engineer Russo

STAFF VIRTUAL: Development Services Director Sherry Morris, Planning & Zoning Division Manager Cynthia Cannon

OTHERS PRESENT: Christopher Hill, Dale Moore, Shelia Moore, Christian Price, Darryl McBride, Jennifer McBride

1) CALL TO ORDER/QUORUM PRESENT

Chairperson White called the meeting to order at 3:00 PM with a quorum present.

Chairperson White then read the ZBA rules and instructions and explained the procedures of the Board meeting.

Chairperson White then motions to approve last month's meeting minutes without objection.

2) APPROVAL OF MINUTES

The ZBA June 18, 2025, minutes were approved without objection by the Board.

ZBA 2025-015

2090 N 19TH Ave

R-1AAA

Applicants and homeowners Christopher and Michele Hill are requesting the following variances for an existing wood shed and carport; 1) reduce the required corner side yard setback from 15 feet to 6.8 feet, 2) increase the rear yard coverage from 25% to 33.5%.

It should be noted for reference, December 18, 2024, a violation was discovered during a lien search, however the title company did not disclose this information, and the purchase went through without Mr. and Mrs. Hill knowing of the code case or unpermitted structures.

Applicant Mr. Hill stated his name and address for the record and explained his request. Mr. Hill stated he and his wife had a title company do the search for permits and liens on the property to ensure proper permits were obtained. Mr. Hill further explained they had a sign posted in their yard that they needed to obtain permits and had no idea what this was about and hoped the variances would be approved for the existing structures, since they were already constructed before they purchased the property.

Board members and applicant discuss questions about the title search and clarified that the purchase went through and Mr. Hill cannot back out of purchasing the property.

Chairperson White asked if there were additional questions for the applicant, and there was no one in the audience that requested to speak.

After further board discussion, Chairperson White asks for a motion.

Board Member Dittmar made a motion to approve the variance, seconded by Board Member Sebold. The motion then carried unanimously.

ZBA 2025-013

850 N 10th Ave

R-1AA

Applicants and homeowners Dale and Sheila Moore are requesting a variance to reduce the side yard setback from 6 feet to 5 feet to accommodate a new single-family dwelling.

The intent of the applicant is to demolish the existing structures and rebuild a new home. However, they wish to shift the house to the south boundary line to accommodate a driveway on the north side of the property.

This item was tabled at the May 21, 2025, Zoning Board of Adjustments meeting so the applicant could address and amend the request.

Applicants, Mr. and Mrs. Moore stated their name and address for the record. They continued to clarify the variance request.

Mr. Moore stated they have reduced the request from asking 3 feet to 1 foot for the side yard setback in order to save as much of his front yard as possible.

After more discussion, Chairperson White asked for a motion.

Board Member Kirwin made a motion to approve the variance, seconded by Board Member Chandler. The motion then carried unanimously.

ZBA 2025-016 7635 Le Grande Dr. R-1AA

Applicants and homeowners Darryl and Jennifer McBride are requesting a variance to increase the allowed fence height from 6 feet to 8 feet along the rear property line.

Code Enforcement referred the new fence to the Building Department, March 23, 2025, for height assessment. It was then discovered no permit was obtained.

Mr. McBride stated his name and address for the record and explained the request. Mr. McBride stated they had a fence contractor construct the fence under the assumption they did not need any permits or that permits were even required. He further explained that the adjacent property's yard slopes so the neighbor can see directly into their back yard and they just wanted privacy from the neighbor.

After further discussion, Chairperson White asked for a motion.

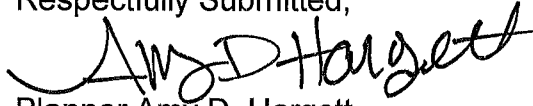
Board Member Kirwin made a motion to approve the variance, seconded by Board Member Dittmar. The motion carried 8 to 1 with Board Member Weeks dissenting.

Board members and staff briefly discuss nonconforming structures and then Chairperson White asks for adjournment.

ADJOURNMENT –

There being no further business, the meeting adjourned at 3:45 PM.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Amy D. Hargett". The signature is fluid and cursive, with a large initial "A" and "H".

Planner Amy D. Hargett
Secretary to the Board



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 25-1092

Zoning Board of Adjustments

8/20/2025

ACTION ITEM

SUBJECT:

ZBA 2025-017
700 Myrick Street
Pensacola Marine Center
C-3 Signage

SUMMARY:

Applicant David Finkelstein is requesting to increase signage from the allowed 50 SF to 484 SF and increase the height from 20 FT to 66.4 FT.

This request is to accommodate a new digital sign for The Barn at Pensacola Marine Center.

It should be noted per Section 12-5-4 (b), this property is not located within a major transportation thoroughfare and therefore section 12-5-4 (c) (1) (2) applies.

Supporting documentation has been provided for your review.

ATTACHMENTS:

1. Boat Yard Application
2. Pensacola Marine Center Rendering 05282025



- ☒ **Zoning Board of Adjustment**
☐ **Architectural Review Board**
☐ **Planning Board**
☐ **Gateway Review Board**

ZBA 2025-017

VARIANCE APPLICATION

A COMPLETE APPLICATION SHALL INCLUDE THE FOLLOWING:

- A. One (1) copy of this completed application form. *(Please type or print in ink.)*
- B. Site plan and/or survey showing the following details: *
 - 1. Abutting street(s)
 - 2. Lot dimensions and yard requirements (setbacks)
 - 3. Location and dimensions of all existing structures
 - 4. Location and dimensions of all proposed structures and/or additions
 - 5. Dimension(s) of requested variance(s)
- C. Other supporting documentation (drawings, photographs, etc) to support request(s).*
- D. A non-refundable application fee of \$500.00.

** The Applicant must provide fourteen (14) copies of any documents larger than 8½ x 11 or in color.
Maximum page size for all submitted material should be 11" x 17" to allow for processing and distribution.*

(To be Completed by Staff)

Provision(s) of Zoning Ordinance from which the variance(s) is/are being requested:

Section(s)/ Tables(s) 12-5-2 / 12-5-4 (4)(c) Zoning C-3

(To be Completed by Applicant)

The Applicant requests consideration of the following variance request(s):

Property Address: 700 Myrick St. Pensacola, FL 32505

Current use of property: Boat Yard / Boat Storage

1. Describe the requested variance(s): see attached

2. Describe the special condition(s) existing on this property which create(s) the need for the variance(s), but which are not applicable to other properties in the same district and which are not the results of the applicant's actions:

see attached.

3. Explain why the requested variance(s) is/are necessary to permit the property owner to obtain the right commonly enjoyed by other property owners in the same district:

see attached

4. Explain why the requested variance(s) is/are not detrimental to the general welfare or to property rights of others in the vicinity:

see attached

5. Explain what other condition(s) may justify the proposed variance(s):

see attached

Application Date: 7/9/25

Applicant:

David Finkelstein

Applicant's Address:

1500 W 11th St. Panama City, FL 32401

Email:

dafink1@hotmail.com

Phone: 713-443-6853

Applicant's Signature:

[Signature]

Property Owner:

David Finkelstein

Property Owner's Address:

1500 W 11th St. Panama City, FL 32401

Email:

dafink1@hotmail.com

Phone: 713-443-6853

Property Owner's Signature:

[Signature]

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Planning Services

222 W. Main Street * Pensacola, Florida 32502

(850) 435-1670

Mail to: P.O. Box 12910 * Pensacola, Florida 32521

Variance Application

VARIANCE GRANTED BY THE BOARD OF ADJUSTMENT: The petitioner must secure a building permit and commence work within one hundred-eighty (180) days of the date of the granting of the variance, unless additional time is granted by the Board at that particular meeting.

JUDICIAL REVIEW OF DECISION OF THE BOARD OF ADJUSTMENT: If denied a variance by the Board, that request for a variance cannot be heard again for one year. The petitioner has thirty (30) days from the date of the meeting to appeal the decision according to Section 12-12-2 of the Land Development Code. Any person or persons, jointly or severally aggrieved by a decision of the Board may apply to the Circuit Court of the First Judicial Court of Florida. The Board, Building Inspector, or Attorney of the City of Pensacola must be notified of an appeal within five (5) days of the application being made to the Circuit Court. If a Notice of Appeal has not been received within thirty-five (35) days of the date of the meeting the variance was denied, the petitioner shall be notified by the Building Inspector that they have ten (10) days to remove or correct the violation.

Planning Services
222 W. Main Street * Pensacola, Florida 32502
(850) 435-1670
Mail to: P.O. Box 12910 * Pensacola, Florida 32521

Variance Application Responses

The Applicant requests consideration of the following variance request(s):

Property Address: 700 Myrick St Pensacola, FL 32505

Current use of property: Boatyard/ Boat Service/ Boat Storage

1. Describe the requested variance(s):

We are requesting a variance to allow for a digital sign to be permanently installed at The Barn at Pensacola Marine Center. The proposed sign will be approximately 1,000 square feet in area. The sign will be used for facility identification and, more importantly, to provide directional information and real-time operational updates. This includes communication related to our hurricane haul out program, emergency operations, and coordination with state and federal agencies. Due to its size and digital nature, the sign exceeds current code limitations and therefore requires a variance.

2. Describe the special condition(s) existing on this property which create(s) the need for the variance(s), but which are not applicable to other properties in the same district, and which are not the results of the applicant's actions:

The Pensacola Marine Center operates on a large, industrial-scale footprint and serves a much broader purpose than a typical boatyard in the same district. The Barn is set well back and not visible from the road without oversized, elevated signage. Our facility supports emergency operations and vessel haul outs not just for private vessels but also for public-sector clients, including the U.S. Coast Guard, U.S. Customs and Border Protection, Florida Fish & Wildlife, and Buoy Maintenance vessels. These operations require large equipment, directional signage, and visibility for coordination, especially during storms or emergencies. These site-specific and mission-critical needs are not present in typical commercial properties and are not a result of any action by the applicant, but rather the property's essential function and site layout.

3. Explain why the requested variance(s) is/are necessary to permit the property owner to obtain the right commonly enjoyed by other property owners in the same district:

Many commercial properties in the district benefit from direct frontage and clear visibility to passing traffic. Because of our facility's setback and the orientation of The Barn, traditional signage would not provide sufficient visibility to identify the property or safely direct incoming traffic- especially during emergency operations. A digital sign of this size

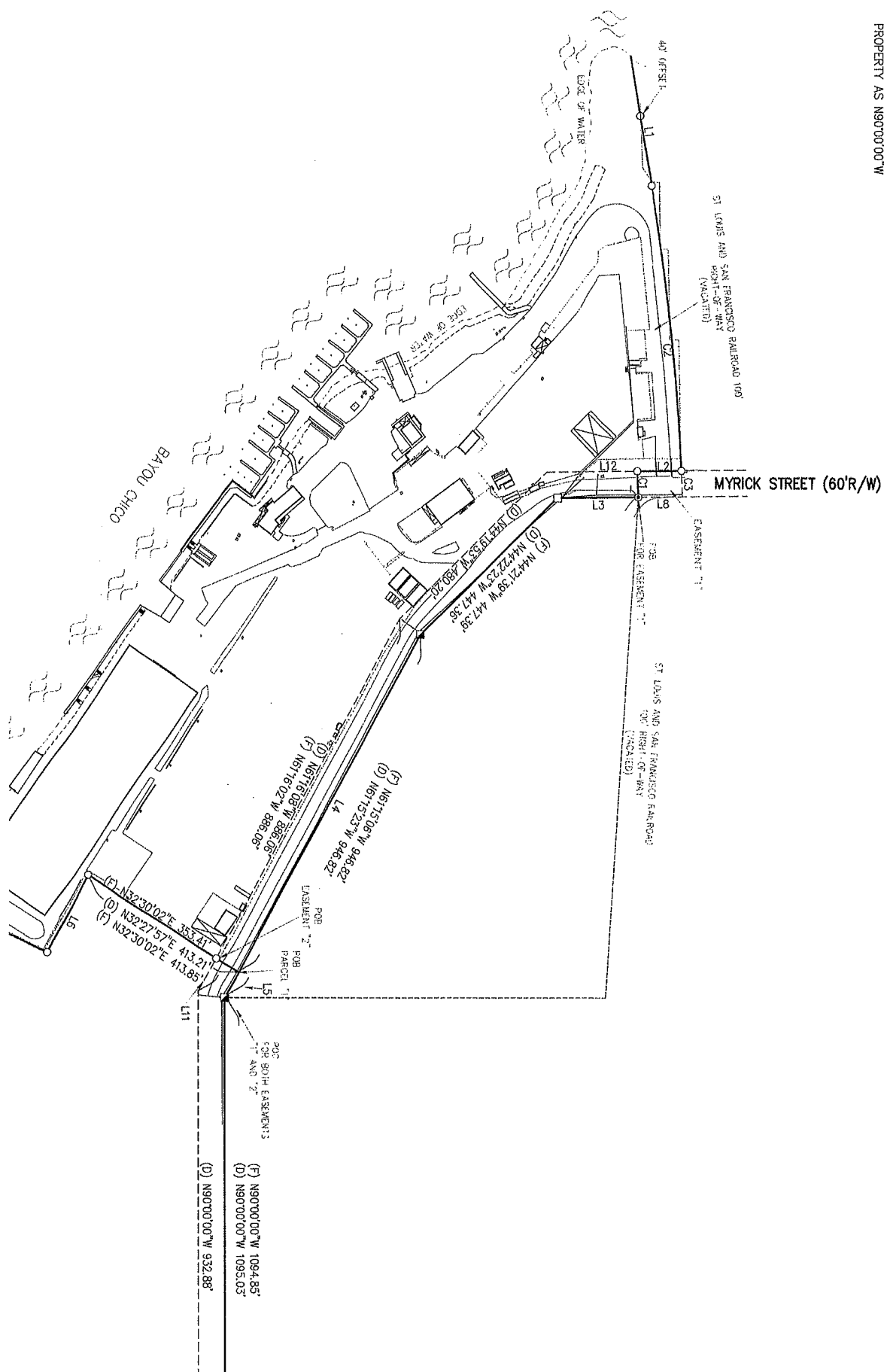
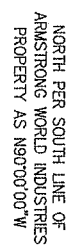
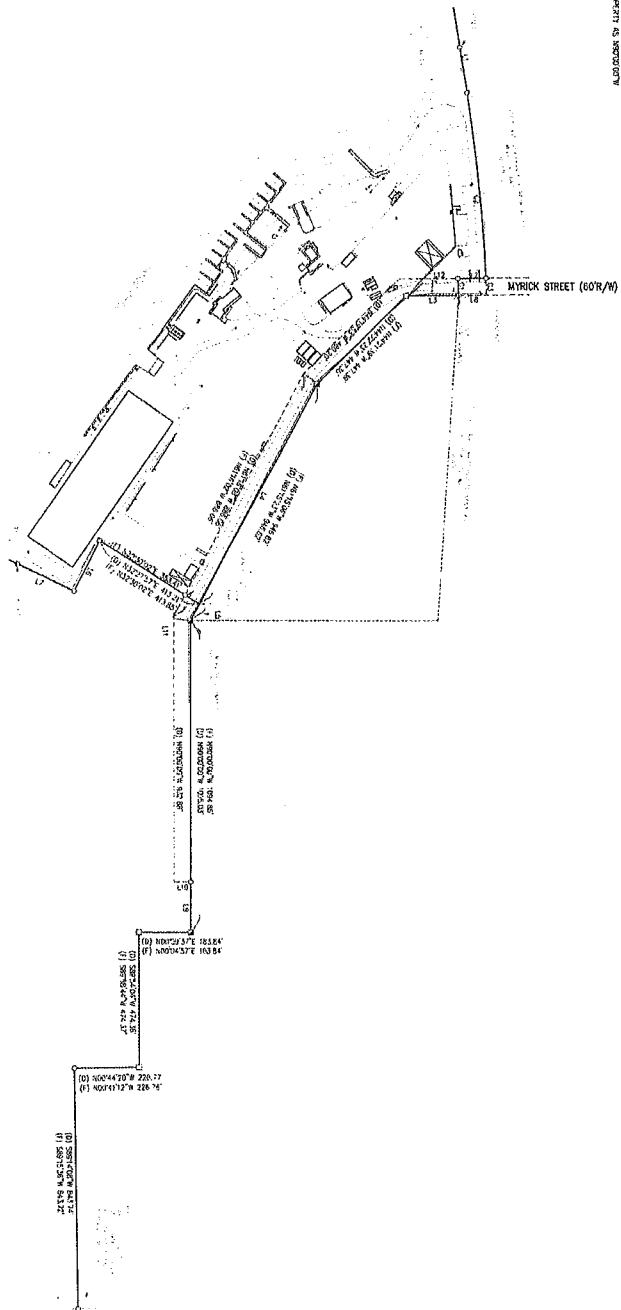


FIGURE 1

The lot referred to herein shall be a portion of the County of Escambia, State of Florida, and situated on the corner of State Street, E. Township 3 North, Range 30 West, Escambia County, Florida, containing an area of 1.00 acre, more or less, as shown on the map.



NOT TO SCALE
FOR INFORMATION
PROPERTY IS NOT TO BE
CONSIDERED AS A BASIS FOR
ANY OTHER PURPOSE



GENERAL NOTES:
1. THIS SURVEY WAS MADE FROM A POINT OF BEGINNING LOCATED AT THE CORNER OF THE LOT ADJACENT TO THE LOT OF 1.00 ACRES, MORE OR LESS, AS SHOWN ON THE MAP.
2. THE DISTANCE FROM THE POINT OF BEGINNING TO THE CORNER OF THE LOT ADJACENT TO THE LOT OF 1.00 ACRES, MORE OR LESS, AS SHOWN ON THE MAP, IS 100' 00".
3. THE DISTANCE FROM THE POINT OF BEGINNING TO THE CORNER OF THE LOT ADJACENT TO THE LOT OF 1.00 ACRES, MORE OR LESS, AS SHOWN ON THE MAP, IS 100' 00".
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LEGEND:
1. 100' 00" TO THE CORNER OF THE LOT ADJACENT TO THE LOT OF 1.00 ACRES, MORE OR LESS, AS SHOWN ON THE MAP.
2. 100' 00" TO THE CORNER OF THE LOT ADJACENT TO THE LOT OF 1.00 ACRES, MORE OR LESS, AS SHOWN ON THE MAP.
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Butler & Associates of Pensacola, Inc.

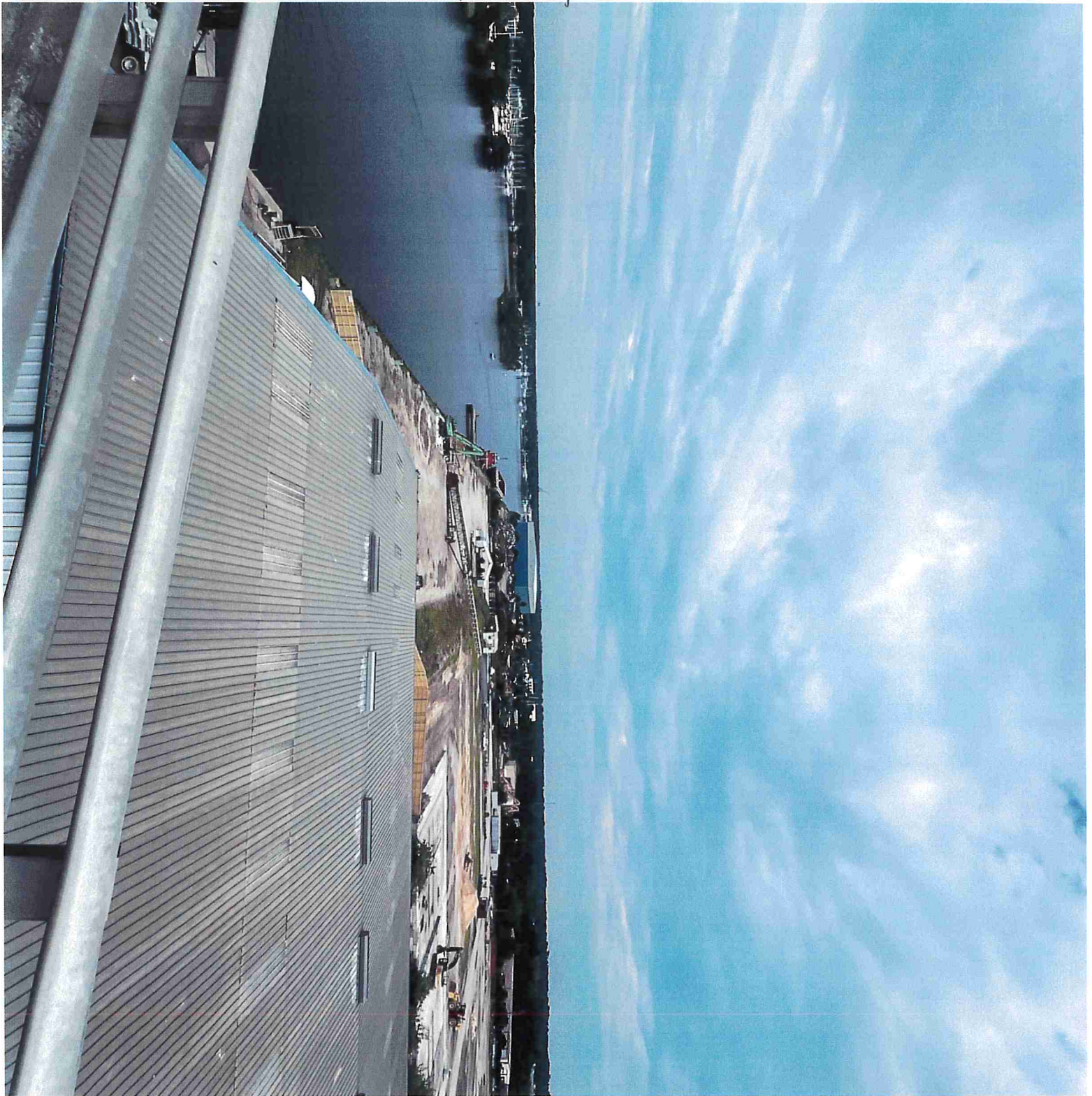
BOUNDARY / ASSESSMENT

SCALE: 1" = 400'
DATE: 01/17/20
BY: J. J. BUTLER
CHECKED: J. J. BUTLER
FIELD BOOK: 11/19

[Signature]



The Barn - view from bridge



The Barn - Zoomed in



[illegible]

Contractor to verify all dimensions etc.
Pertaining to the Work at the site before
proceeding With The Work

PROJ DIRECTOR	CHECKED BY
PROJ DESIGNER	APPROVED BY
PROJ ARCHITECT	CONST ISSUE DATE
JOB CAPT	SCALE

ELEVATIONS

FILE NAME: Pensacola Marine Center Project

ELEVATIONS

FILE NAME: Pensacola Marine Center Project

JOB NUMBER SHEET NUMBER 1 of 2

DATE _____

May 28, 2025

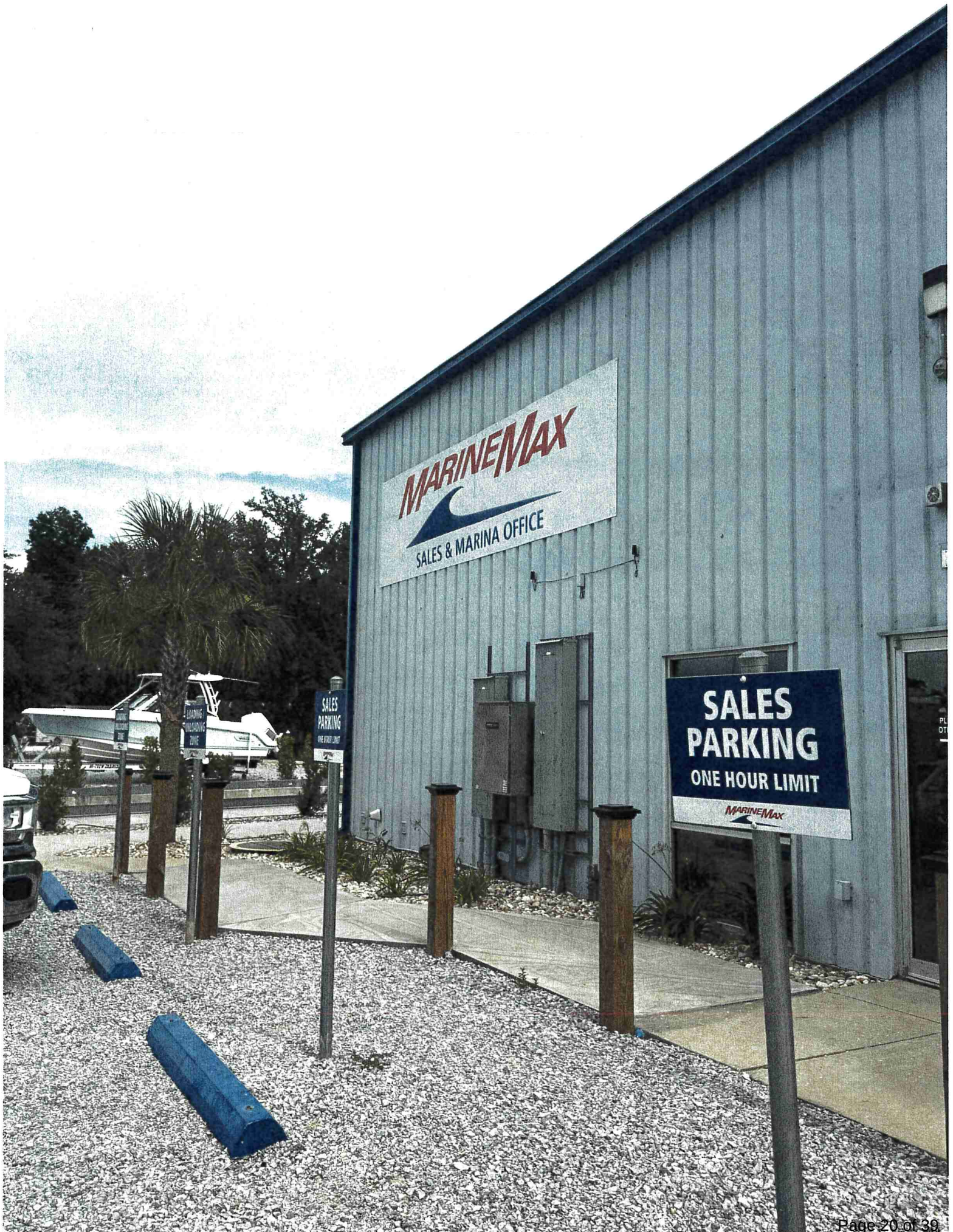
This architectural elevation drawing depicts a section of a stadium facade. The background is a sky with large, stylized white clouds. Two dark, vertical structural elements, possibly columns or masts, are positioned on the left side of the facade. The drawing includes several dimension lines and labels: a vertical dimension of 23'-6" on the far left, a horizontal dimension of 66'-4 13/16" spanning the width of the facade, and a horizontal dimension of 50'-0" below the main facade line. Two smaller horizontal dimensions of 2'-0" are located near the base of the vertical elements. In the bottom right corner, there is a small inset photograph showing a football game in progress, with players in red and white uniforms. The word "Ground" is written vertically on the right side of the drawing.

Graphic Details
Scale 1/8" = 1'-0"

Page 17 of 39







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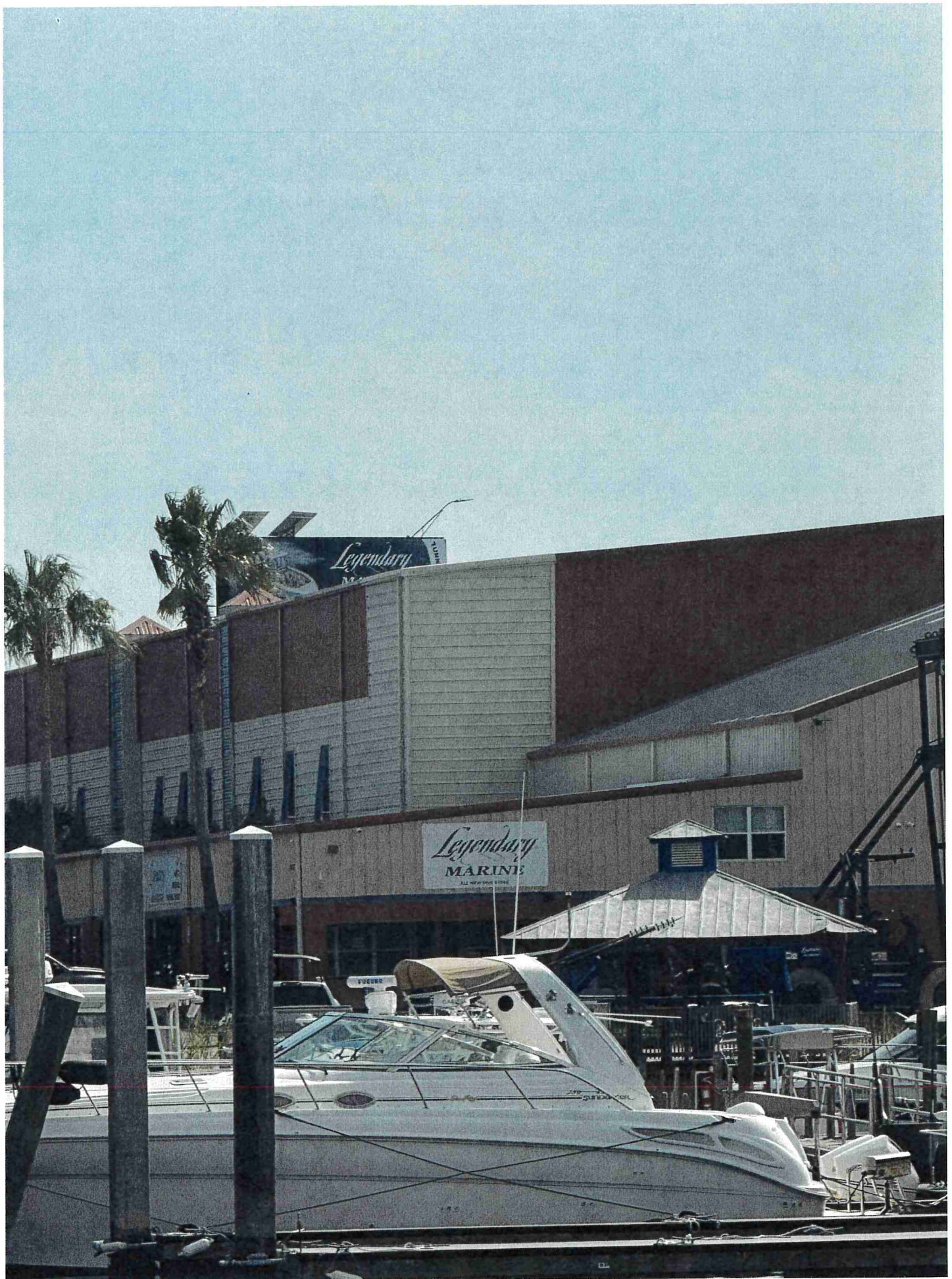
MAZDA | NISSAN | HYUNDAI | KIA | RAM | JEEP | CHRYSLER















GENERAL NOTES

NO	DATE	ITEM

Contractor to verify all dimensions etc.
Pertaining to the Work at the site before
Proceeding With The Work

SIGNATURE		
PROJ DIRECTOR		CHECKED BY
PROJ DESIGNER		APPROVED BY
PROJ ARCHITECT		CONST ISSUE DATE
JOB CAPT	DR BY	SCALE

SHEET TITLE

ELEVATIONS

FILE NAME: Pensacola Marine Center Project

JOB NUMBER	SHEET NUMBER 1 of 2
DATE May 28, 2025	Page 29 of 39



GENERAL NOTES

NO	DATE	ITEM

Contractor to verify all dimensions etc.
Pertaining to the Work at the site before
Proceeding With The Work

SIGNATURE		
PROJ DIRECTOR		CHECKED BY
PROJ DESIGNER		APPROVED BY
PROJ ARCHITECT		CONST ISSUE DATE
JOB CAPT	DR BY	SCALE

SHEET TITLE

ELEVATIONS

FILE NAME: Pensacola Marine Center Project

JOB NUMBER	SHEET NUMBER 2 of 2
DATE May 28, 2025	Page 30 of 39



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 25-1094

Zoning Board of Adjustments

8/20/2025

ACTION ITEM

SUBJECT:

ZBA 2025-018
1575 E Texar Drive
R-1AAA

SUMMARY:

Applicants and homeowners Zachary & Melanie Magaha are requesting a variance to reduce the required corner side yard setback (N 16th Ave) from 15 feet to 6 feet.

Upon review of the permit, it was denied by staff for clarifications on the site plan. After further review staff notified applicants that the setback was not in compliance.

It should be noted the construction of the greenhouse began prior to a permit being issued. A permit has not been issued at this time.

Supporting documentation has been provided for your review.

ATTACHMENTS:

1. Magaha - Complete Variance Application

- ☒ **Zoning Board of Adjustment**
- ☐ **Architectural Review Board**
- ☐ **Planning Board**
- ☐ **Gateway Review Board**

VARIANCE APPLICATION

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Maximum page size for all submitted material should be 11" x 17" to allow for processing and distribution.*

(To be Completed by Staff)

Provision(s) of Zoning Ordinance from which the variance(s) is/are being requested: Section(s)/

Tables(s) Sec. 12-3-64 Yard Requirements. Table 12-3.1 Zoning R-1AAA Low Density Residential; East Hill

(To be Completed by Applicant)

The Applicant requests consideration of the following variance request(s):

Property Address: _____

Current use of property: _____

1. Describe the requested variance(s): _____

2. Describe the special condition(s) existing on this property which create(s) the need for the variance(s), but which are not applicable to other properties in the same district and which are not the results of the applicant's actions:

3. Explain why the requested variance(s) is/are necessary to permit the property owner to obtain the right commonly enjoyed by other property owners in the same district:

4. Explain why the requested variance(s) is/are not detrimental to the general welfare or to property rights of others in the vicinity:

5. Explain what other condition(s) may justify the proposed variance(s):

Application Date: _____

Applicant: _____

Applicant's Address: _____

Email: _____ Phone: _____

Applicant's Signature: Zachary Magaha Melanie Magaha

Property Owner: _____

Property Owner's Address: _____

Email: _____ Phone: _____

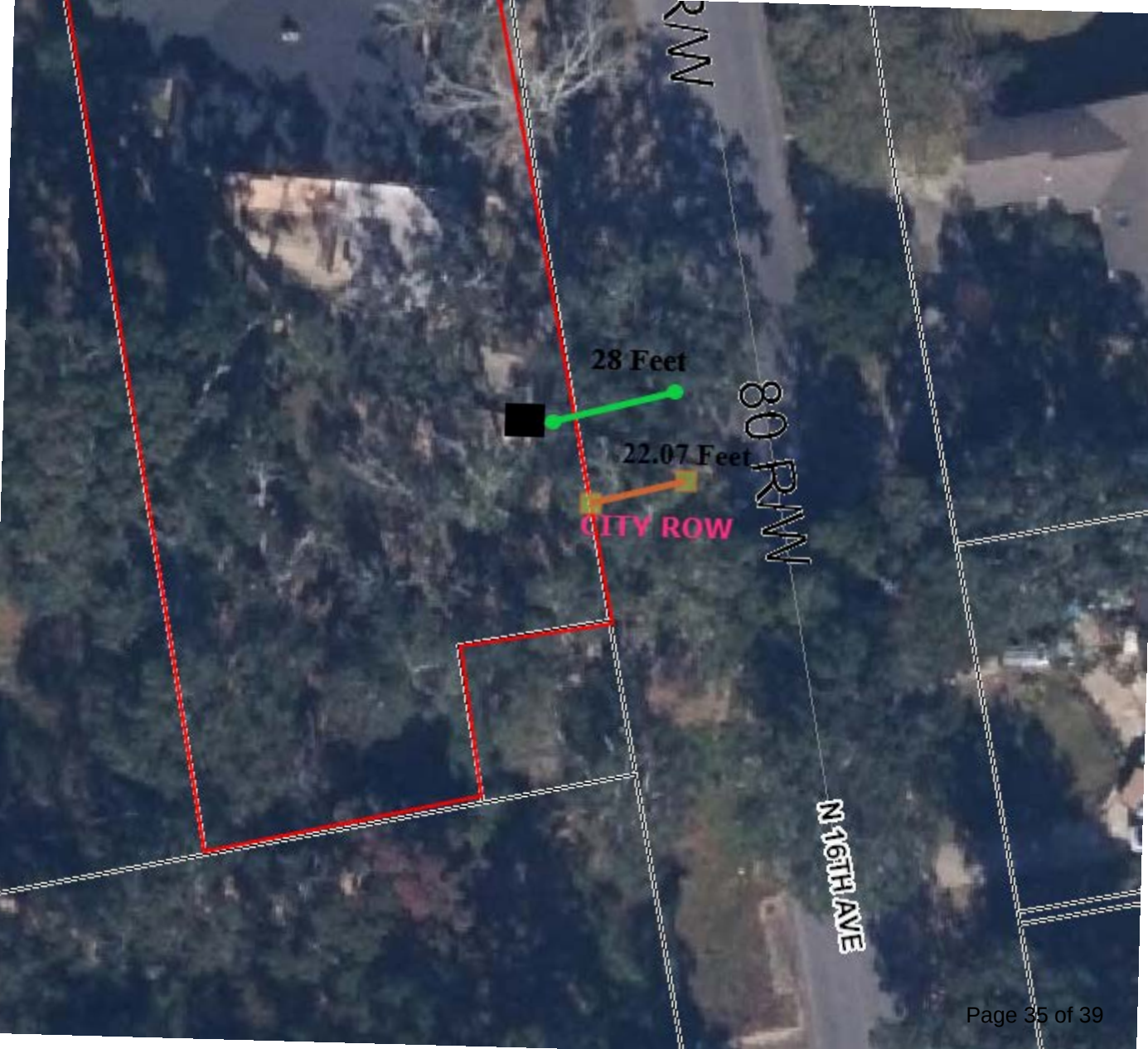
Property Owner's Signature: Zachary Magaha Melanie Magaha

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Variance Application

VARIANCE GRANTED BY THE BOARD OF ADJUSTMENT: The petitioner must secure a building permit and commence work within one hundred-eighty (180) days of the date of the granting of the variance, unless additional time is granted by the Board at that particular meeting.

JUDICIAL REVIEW OF DECISION OF THE BOARD OF ADJUSTMENT: If denied a variance by the Board, that request for a variance cannot be heard again for one year. The petitioner has thirty (30) days from the date of the meeting to appeal the decision according to Section 12-12-2 of the Land Development Code. Any person or persons, jointly or severally aggrieved by a decision of the Board may apply to the Circuit Court of the First Judicial Court of Florida. The Board, Building Inspector, or Attorney of the City of Pensacola must be notified of an appeal within five (5) days of the application being made to the Circuit Court. If a Notice of Appeal has not been received within thirty-five (35) days of the date of the meeting the variance was denied, the petitioner shall be notified by the Building Inspector that they have ten (10) days to remove or correct the violation.



28 Feet

22.07 Feet

CITY ROW

80 RM

N 16TH AVE



11 feet



Property Line

28'

22'

© 2024 Google

Hide imagery

NEIGHBORHOOD
SPEED
LIMIT
25

28 feet
22 feet

