



THE COUNTY OF ESCAMBIA
PENSACOLA, FLORIDA

SITE PLAN DEVELOPMENT ORDER
with Concurrency Certification

Project: Whataburger-Fairfield Drive
Location: 1790 W Fairfield Dr.
Property Reference #: 09-2S-30-1100-000-197

Future Land Use: C
Zoning District: C-2
Development Review #: 06081659
Special Flood Hazard Area: X

PROJECT DESCRIPTION

Redevelopment of a 0.73-acre parcel as a 3080 sq.ft. fast food restaurant with a drive thru. The redevelopment will provide the primary paved access onto West Fairfield Drive and the secondary accesses into the existing and adjoining drive aisle. This redevelopment will provide a minimum of 22 paved parking spaces. No protected trees will be removed. Frontage trees and other required vegetation will be provided within site landscape areas. The redevelopment of the existing paved parking lot will result in a net decrease in impervious cover. Potable water and sanitary sewer will be provided through connections to ECUA systems.

STANDARD PROJECT CONDITIONS

1. This Development Order with concurrency certification shall be effective for a period of 18 months from the date of issuance. Site plan approval and concurrency shall expire and become null and void if a permit for the approved development has not been obtained from the Building Inspections Department (BID) within the effective period and no extension has been applied for. After issuance of such permit, site plan approval and concurrency shall only terminate upon permit expiration or revocation by the BID. The Board of Adjustment may grant one extension for a maximum of 12 months to the original effective period of the Development Order, but application for such extension must be submitted before termination of the initial 18-month period. If the Development Order expires or is revoked, allocated capacity will be withdrawn and made available to other applicants. If the applicant chooses to proceed with development of the project site, a new site plan application must be submitted for review, approval, and capacity allocations subject to Code provisions and Level of Service conditions at the time of the new application.
2. This Development Order alone does not authorize site development to commence. A valid Escambia County Building Permit must be obtained prior to any building construction. Site development as described on the approved site plan, including protected tree removal and grading, may occur under the authorization of the Building Permit. However, commencement of such activity prior to issuance of a Building Permit will require a separate **Pre-construction Site Work Permit**, or if no

Building Permit is applicable will require a separate **Parking Lot Permit**, obtained from the Building Inspections Department, with erosion control, tree protection, and all other provisions of the approved site plan fully applicable and enforced.


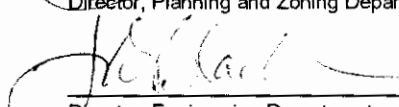

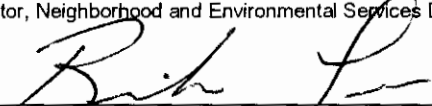
3. All specifications and requirements, expressed or implied by note or drawing, in the site development plans approved with this Development Order must be fulfilled.
4. All state and/or federal permits or proof of exemption must be obtained prior to the issuance of an Escambia County Building Permit, with a copy provided to the County; including, but not limited to, FDEP drainage and FDOT driveway connection permits.
5. Proof of application from the Emerald Coast Utilities Authority (ECUA) for connection to the sewage system, or from the Escambia County Health Department for an Onsite Sewage Treatment and Disposal System (OSTD), must be obtained prior to issuance of an Escambia County Building Permit.
6. After issuance of this Development Order, it shall be unlawful to modify, amend, or otherwise deviate from the terms and conditions without first obtaining written authorization through the Development Review Committee (DRC) departments. Approval of such modifications shall be requested in writing and obtained prior to initiating construction of any requested change. The applicable review process for the proposed modification shall be determined based on the applicant's written description of such modifications. Escambia County may require submittal of a new or revised plan and impose additional requirements and/or conditions depending upon the extent of any proposed modifications. The applicant has a continuing obligation to abide by the approved plan. Initiating construction of plan modifications without written County approval shall automatically terminate and render null and void this Development Order, and shall be subject to penalties and/or increased fees specified by the BCC.
7. A copy of this Development Order and the approved site development plans must be maintained and readily available on site once any construction activity has begun, including clearing and grading. The approved building construction plans must also be on site once any building construction has begun.

SPECIAL PROJECT CONDITIONS

1. Total site sign area, wall and freestanding, is limited to 240 sq.ft. (160.0 x 1.5). Total wall sign area is additionally limited to 10% of the area of wall surface facing Fairfield Drive and no one sign may exceed 200 sq.ft. Freestanding signage is additionally limited to one sign per street frontage, a maximum 200 sq.ft. in area, a maximum 35 feet in height, and a minimum 200 feet from any other such site sign. Each freestanding sign is limited to a minimum 10 feet setback from rights-of-way and must maintain visual clearance along rights-of-way and at driveways and intersections. A valid Escambia County Sign Permit must be obtained prior to erecting, constructing, altering, or relocating any site signage.

Development Review Committee (DRC) Final Determination

Having completed development review of the **Whataburger-Fairfield Drive** site plan application referenced herein, in accordance with requirements of applicable Escambia County regulations and ordinances, the DRC members make the following final determinations regarding the specific provisions they are individually charged with administering:

<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Denial	 _____ Director, Planning and Zoning Department	<u>1-10-07</u> Date
<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Denial	 _____ Director, Engineering Department	<u>1-10-07</u> Date
<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Denial	 _____ Director, Neighborhood and Environmental Services Department	<u>1-10-07</u> Date
<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Denial	 _____ Director, Building Inspections Department	<u>1-10-07</u> Date

In consideration of the individual determinations of the Development Review Committee members as recorded herein above, the final determination by the Committee for the site plan application referenced herein is:

- Approved** All DRC members approved the application. The applicant may proceed with the development subject to the project description and project conditions noted herein. Use other than that described, or conditions not satisfied, constitute a violation of this Development Order and render it void. Further, this approval does not constitute approval by any other agency.
- Denied** One or more of the DRC members denied the application. The applicant may appeal the members' decision within 15 days from the date above to the Board of Adjustment (BOA) under the provisions of Section 2.04.00 of the Escambia County Land Development Code, and/or submit a new or revised site plan application for review.