



City of Pensacola

Zoning Board of Adjustments

Agenda - Final

Wednesday, June 21, 2023, 3:00 PM

Hagler/Mason Conference Room,
2nd Floor

QUORUM / CALL TO ORDER

APPROVAL OF MINUTES

1. [23-00488](#) ZONING BOARD OF ADJUSTMENTS MEETING MINUTES FROM
APRIL 19, 2023

Attachments: [ZBA Minute April 19, 2023](#)

REQUESTS

2. [23-00489](#) ZBA 2023-010
4590 CHRISTY DRIVE
R-1AAA

Attachments: [Complete Package ZBA 2023-010](#)

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 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 435-1606 (or TDD 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.



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 23-00488

Zoning Board of Adjustments

6/21/2023

TO: Zoning Board of Adjustments Members

FROM: Amy Hargett, Planner

DATE: 6/14/2023

SUBJECT:

Zoning Board of Adjustments Meeting Minutes from April 19, 2023



Zoning Board of Adjustment

MINUTES OF THE ZONING BOARD OF ADJUSTMENT

April 19, 2023

MEMBERS PRESENT: Chairperson White, Vice Chairperson Weeks, Board Member Jacquay, Board Member Sebold, Board Member Shelley, Board Member Dittmar, Board Member Williams, Board Member Stepherson

MEMBERS ABSENT: Board Member Taylor

STAFF PRESENT: Planner Hargett, Development Services Coordinator Statler, Assistant Planning & Zoning Division Manager Harding, Network Engineer Johnston, Network Engineer Russo

STAFF VIRTUAL: Development Services Director Morris, Planning and Zoning Division Manager, Assistant City Attorney Lindsay

OTHERS PRESENT: Art Nadolske

1) CALL TO ORDER/QUORUM PRESENT

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

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

2) APPROVAL OF MINUTES

The ZBA March 15, 2023 minutes were approved without objection by the Board.

3) ZBA 2023-008

2020 E Lakeview Avenue

R-1AAA

Mr. Art Nadolske is requesting a variance to reduce the rear yard setback from 10 FT to 2.5 FT to accommodate an addition. The addition will connect the existing home with the existing garage, which currently sits 2.5 FT from the rear property line.

Chairperson White asks the applicant Mr. Nadolske to state his request for the Board.

Mr. Nadolske explained that he and his wife wanted to add additional space to the house, and they have lived there for the last 10 years. He also stated in-between the existing garage and house there is a patio area with a pergola and that is the area they want to enclose. Mr. Nadolske further explained the lot of record indicated a 10 FT rear setback so the option would be to tear down the garage and then add to the home and rebuild the garage.

He felt, however, it would be easier to just combine the house and garage. Mr. Nadolske also stated that several of his neighbors verbally supported the request.

Chairperson White asks if the Board Members had any questions for the applicant; any questions for staff. There were none.

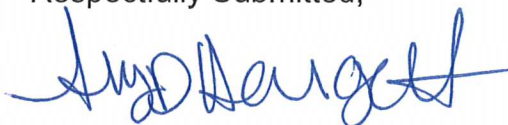
Chairperson White calls for a motion. Board Member Jacquay motions to approve, Seconded by Board Member Dittmar. The motion carried 8-0. The variance was approved unanimously.

DISCUSSION – Board Member Dittmar commented since the structures were already existing, he did not have an issue with the request.

ADJOURNMENT –

There being no further business, the meeting adjourned at 3:06 p.m.

Respectfully Submitted,



Planner Amy Hargett
Secretary to the Board



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 23-00489

Zoning Board of Adjustments

6/21/2023

TO: Zoning Board of Adjustments Members

FROM: Amy Hargett, Planner

DATE: 6/14/2023

SUBJECT:

ZBA 2023-010
4590 Christy Drive
R-1AAA

BACKGROUND:

Mr. Tim DuFrain on behalf of the property owner is requesting variances to reduce (1) the front yard setback from 30 FT to 10 FT to accommodate the construction of a new single-family dwelling and (2) the secondary front yard setback from 15 FT to 5 FT to accommodate an accessory dwelling unit (ADU).

This parcel was under review for heritage tree evaluations performed by the City of Pensacola's arborist, Kris Stultz. Mr. Stultz found the 2 Heritage Sand Live Oaks to be in good health and good condition. He determined no removal or cutting of the 2 trees except for vine removal to measure and assess the trees.

The 2 trees are within the area of the proposed new single-family dwelling and the ADU. Mr. DuFrain is requesting the variances to preserve the trees.



City of
Pensacola
*America's First Settlement
And Most Historic City*

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

2023-010
ZBA

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) 12-3-3, Table 12-3-1 Zoning B100A

(To be Completed by Applicant)

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

Property Address:

4590 Christy Pensacola FL 32504

Current use of property:

vacant lot

1. Describe the requested variance(s):

Required 30' Front Yard; Required 15' Side
and prune trees. request moving ADU back from Oriole 10' to clear tree #2
Front.

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:

heritage trees are in area of new home and ADU

Planning Services

222 W. Main Street * Pensacola, Florida 32502

(850) 435-1670

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

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:
create new home to replace previously demolished home . of like size.

4. Explain why the requested variance(s) is/are not detrimental to the general welfare or to property rights of others in the vicinity:
right of way on both sides have a larger than normal right of way,

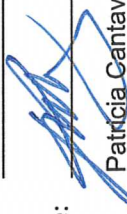
5. Explain what other condition(s) may justify the proposed variance(s):
tree size and condition would make it difficult to build any home of comparable size to existing homes in area

Application Date: 06/02/2023

Applicant: Timothy DuFrain

Applicant's Address: 6295 Winona Dr Pensacola FL 32054

Email: dufraincon@cox.net Phone: 850-336-7845

Applicant's Signature: 
Patricia Cantavaspri

Property Owner's Address: 207 W Romana St Pensacola FL 32502

Email: patti.cantavaspri@icloud.com Phone: 850-572-7269

Property Owner's Signature: 

The City of Pensacola adheres to the Americans with Disabilities Act and will make reasonable modifications for access to City Services, programs, and activities. Please call 435-1600 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.

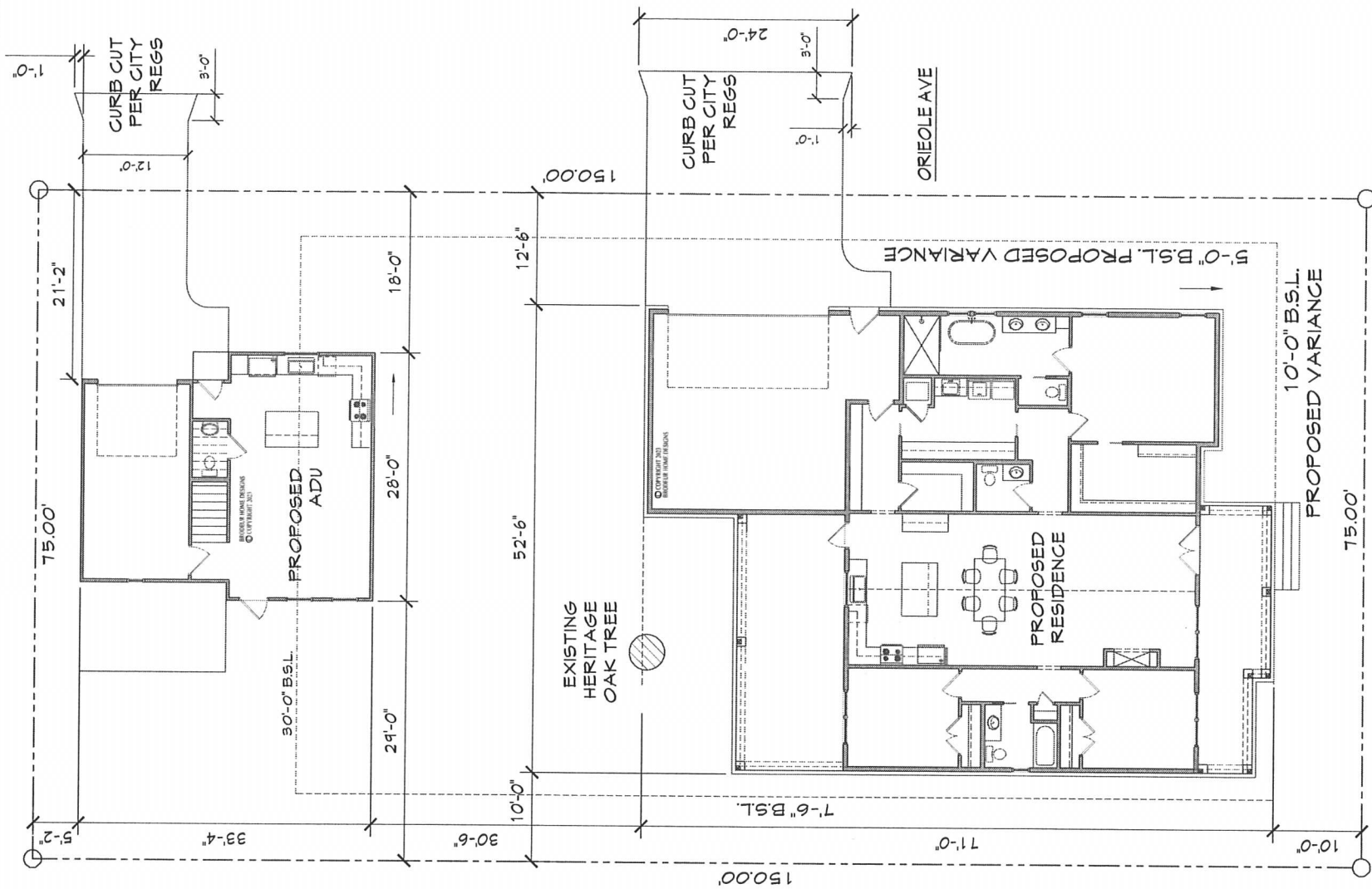
Planning Services
222 W. Main Street * Pensacola, Florida 32502
(850) 435-1670
Mail to: P.O. Box 12910 * Pensacola, Florida 32521

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



SITE PLAN
SCALE: 3/16" = 1'-0"

BRODEUR
HOME DESIGNS
PH: (850) 371-4612 EMAIL: jesse@brodeurhomedesigns.com

DRAWN BY: JB
CHECKED BY: JB
DATE: _____
SCALE: AS SHOWN
JOB NO: _____

SHEET
SITE

CUSTOMER INFORMATION
NAME: PATTI GANT-VESPRE
ADDRESS: 4590 CHRISTY DRIVE
BUILDER / CONTRACTOR: _____

BUILDER/CONTRACTOR'S NOTE
BUILDER/CONTRACTOR TO VERIFY ALL DIMENSIONS AND SETBACKS PRIOR TO ANY PHASE OF CONSTRUCTION.
THE PLANS SHALL NOT BE CONSIDERED A CONTRACT UNLESS EXPRESSED IN THE PERMITS FROM BRODEUR HOME DESIGNS.

REVISIONS	BY

**City of Pensacola Building Inspections Dept.
Plan Review Correction List**

PHONE: (850) 436-5600
FAX: (850) 595-1464

DATE: 5/10/2023

REVIEWED BY: Kristopher Stultz

JOB ADDRESS: 4590 CHRISTY DR, PENSACOLA, FL 32504

PERMIT # 23-05-3159

To Whom It May Concern:

DATE SUBMITTED FOR REVIEW:

Corrections listed below are to be made on plans and resubmitted before a permit can be issued. The submittal of revisions does not guarantee approval, as further information may be required based on the resubmitted information. The approval of plans and specifications does not permit the violation of any section of the current editions of the Florida Building Codes, National Electrical Code, Life Safety Code, City of Pensacola Land Development Code and Ordinances, or State Law. Contact the Plans Examiner(s) whose name appears above at 436-5600, if you have any questions.

Engineering Division Review

The following comments have been provided by Kristopher Stultz. Should you have any questions or require additional information regarding any of these comments, please contact Kristopher Stultz at by telephone at (850) 490-4033 or by email at kstultz@cityofpensacola.com.

Denied.

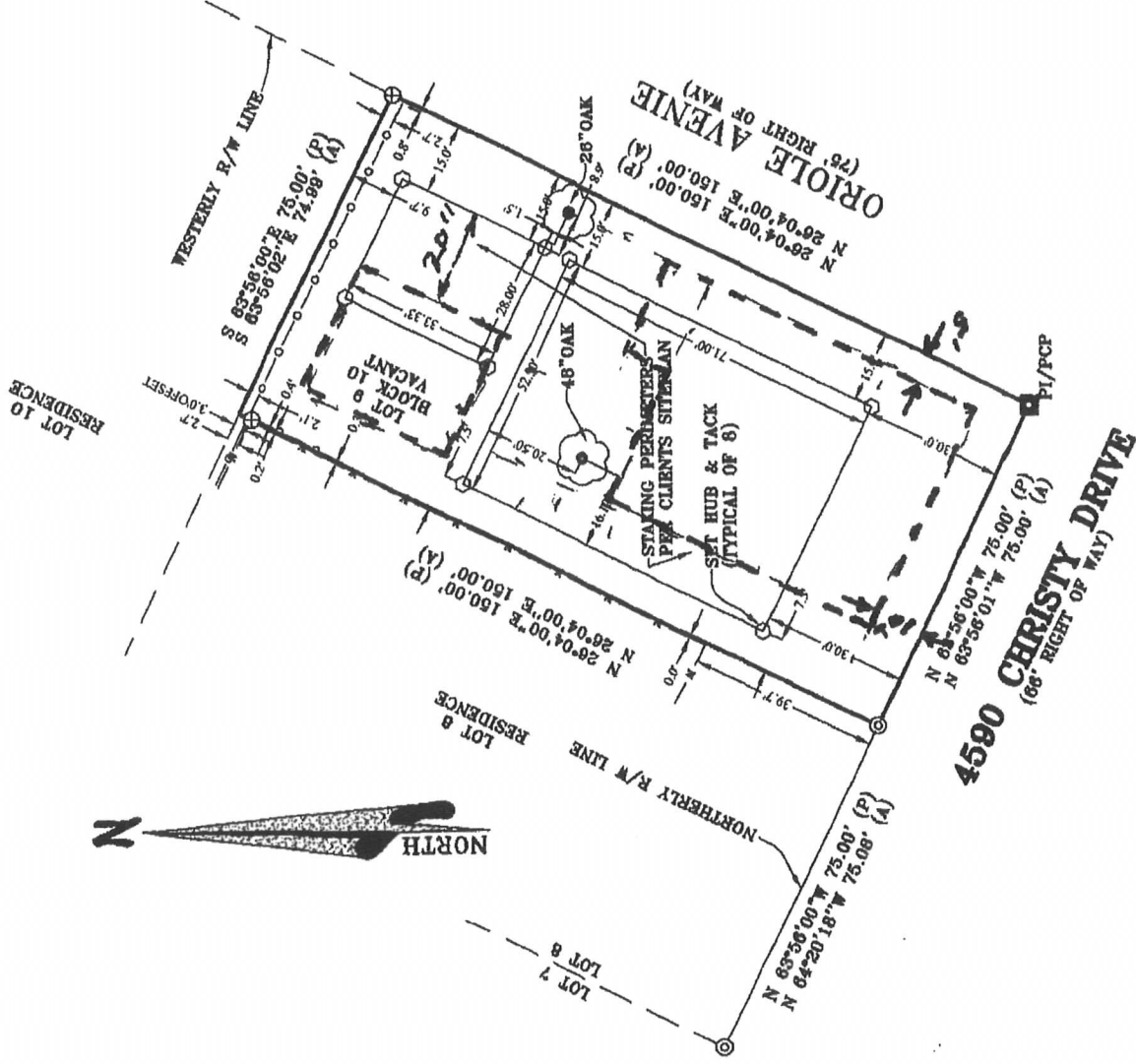
There are 2-Heritage *Quercus geminata*, Sand Live oak, (40 & 28.5-inch DBH), on site and should be considered in good health and good condition. **Sec 12-6-4** ...No site work or building permitting shall be issued until a Tree Protection Plan has been submitted. No Removal or cutting except for vine removal to measure and assess trees, shall be permitted or allowed. Site Development will require a Heritage Tree Retention Plan with a Tree Protection Plan for compete site development from land clearance to building completion.

Any alteration of the City of Pensacola's 50-inch DBH Heritage *Quercus virginiana*, Live oak, located at the corner of Christy Dr & Oriole Ave without a heritage tree pruning permit will result in violation of city ordinance.

Kristopher Stultz
Engineering

(850) 433-8545
FAX (850) 433-8282
LANDSEENDSURVEYING.COM

Field Date: 5-18-2023	Survey Type: BOUNDARY & IMPROVEMENTS	Survey Number: 1004-20280
Field Book/Page: 381/59 DATA	Revisions: (EVALUATE & TRACK LOCATIONS, 4/25/16 DATA, 5-18-2023) (VISUALLY CHECK LOCATIONS, 5-18-2023, DATA)	Scale: 1" = 30'



PAGE 1 OF 2

NOTES ON CONTRIBUTORS

[illegible]

Bearing Reference: H
Closure Information:

**NOT VALID WITHOUT
THE ORIGINAL RAISED SEAL
OF A FLORIDA LICENSED
SUSPECTOR AND MASTER.**

SEE PAGE 2 FOR
SIGNATURES AND
EMPOWERED SEAL

WILLIAM LARRY STRICKLAND

Source of Information:

ANY 1/4 LIME OF CRUDE AVERAGE PER PLAT

SECRET

LEGEND

°	Degree
'	Foot or Minutes
"	Second or Seconds
N	North
E	East
S	South
W	West
PCP	Permanent Control Point
PCC	Point of Compound Curve
PT	Point of Tangency
PI	Point of Intersection
PCC	Point of Compound Curve
PT	Point of Tangency
PI	Point of Intersection
PCC	Point of Compound Curve
PT	Point of Tangency
PI	Point of Intersection

Radium Potent.

 Mail & call LI-8522
 Existing Concrete Monument
 Set Wooden Sh./T.M. Shubs
 Utility Pole
 Utility Pole
 Utility where overhead
 Chain link fence
 Wooden fence
 Metal fence
 Plastic fence
 Concrete or Precast
 Wood Deck or Deck
 Gravel area
 (paved, carpet, etc.)


8192 Six Pence Dr.
Pensacola, FL 32514



Telephone (850) 433-8545
Fax (850) 433-8282

THE UNDERSIGNED CLIENT(S) ACKNOWLEDGE RECEIPT AND ACCEPTANCE OF THIS SURVEY:

Patti Cantavespre

THE PURPOSE OF THIS SURVEY IS FOR A TITLE TRANSACTION AND ITS ACCOMPANYING MORTGAGE, IF ANY. THIS MAP IS CERTIFIED AS MEETING THE FLORIDA STANDARDS OF PRACTICE TO THE FOLLOWING AND IS FOR THE BENEFIT OF ONLY THE FOLLOWING LISTED CLIENT(S), AGENT(S), AND COMPANIES:

Patti Cantavespre;

;
;
;
;

Legal Description:

Lot 9, Block 10, Scenic Hills, a Subdivision of a portion of Section 9, Township 1 South, Range 29 West, Escambia County, Florida, according to Plat recorded in Plat Book 3, at Page 30 of the Public Records of said County.

Use of this Survey by any other Party not listed above is not authorized. This Survey Drawing will be void for any such unauthorized use. Updates of this Survey are available by calling Lands End Surveying, Inc. Payment in full acknowledges receipt and acceptance of this Survey by all Clients, Agents, and Companies.

© Copyright 2020 by Lands End Surveying, Inc.

This Map-Drawing is protected from unauthorized use by State and Federal Copyright Acts. This Map is not to be copied or reproduced, either in whole or part, or to be used for any other purpose or transaction. This drawing cannot be used for the benefit of any other person, company, or firm not listed above without the prior written consent of the copyright owner.

Page 2 of 2

Note: This Report not valid without Map on Page one of two on reverse side

Flood Statement:

Surveyor's Notes:

1. No Title Search of the Public Records has been performed, and lands shown hereon were not abstracted for ownership, easements, or right-of-ways by this firm. The parcel shown hereon may be subject to setbacks, easements, zoning, and restrictions that may be found in the Public Records of said County.
2. Measurements shown were made to United States standards. The accuracy of measurements shown meet the standard s required in the appropriate land area.
3. All bearings and/or angles and distances are Deed = (D); Actual unless otherwise noted: Deed = (D); Actual Field Measurement = (A); Plat = (P)
4. Underground portions of foundations, footings, or other underground structures and trees/shrubbery were not located unless otherwise noted or requested.
5. Fence locations as shown are exaggerated and are not to scale for clarity purposes. Building eaves/overhangs were not located unless otherwise noted on map.

Revisions:

Survey #1004-2020

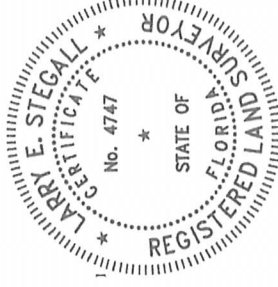
Surveyor's Certificate:

I hereby state that I have recently surveyed or that a survey of the above described property was made under my direct supervision and that the above-ground survey and subsequent map as shown are true, accurate, and correct to the best of my knowledge and belief and that this Survey and Map meet the Florida Standards of Practice as set forth by the Florida Board of Surveyors and Mappers, pursuant to Rule 5J-17.050 thru 17.052 and §472.027 of the Florida Statutes.

Larry E Stegall Digitally signed by Larry E Stegall
Date: 2023.05.23 12:03:39 -05'00'

Larry E. Stegall, PLS, FLA # 4747
May 18, 2023
Date

Florida Licensed Business #6832



TREE RISK ASSESSMENT

4590 Christy Drive, Pensacola, FL 32504

Backridge Tree Service Inc.

14 Robinwood Drive SW, Fort Walton Beach, FL 32548

Backridge17@gmail.com

(850) 699-2474

Prepared by:

Rob Calley

Board Certified Master Arborist #FL-6001B

Certified Treecare Safety Professional #1610

ISA Tree Risk Assessment Qualification (TRAQ)

Camille Schillizzi

ISA Certified Arborist #FL-9864A

ISA Tree Risk Assessment Qualification (TRAQ)

Assignment

Backridge Tree Service Inc. was contacted to perform a tree risk assessment for two large sand live oak (Quercus geminate) located at 4590 Christy Drive, Pensacola, FL 32504, hereafter referred to as the “Site” (**Attachment 1 - Tree Location Map**). After meeting with the builder on May 11, 2023, arborists were informed that there was previously a house located on the lot, clearing of said house has occurred in the past. This inspection was performed on May 18, 2023.

Introduction

The purpose of this report is to assess the potential for whole tree or tree part failure in normal weather conditions within the time frame of two years. All tree and site observations were made from the ground, by a Tree Risk Assessment Qualified Arborist. This evaluation does not preclude the possibility of failure, including failure in major weather events exceeding the normal conditions of a maximum 50mph wind gust in an afternoon thunderstorm.

Tree risk is a combination of tree defects, their relationship to targets, and the consequences to those targets. A defect is identified. The defect is evaluated and the likelihood of the failure of said defect within normal weather conditions is determined. In this case, normal weather conditions are defined as a maximum of a 50mph wind gust in an afternoon thunderstorm. Targets are identified. The likelihood of impacting targets is combined with the consequences in the Likelihood Matrix and the Risk Rating Matrix, producing a risk rating. Risk is rated on a scale: low, moderate, high, and extreme. A tree or tree part defect can never have a risk rating less than low. In the event there is not a target present, there is no ability to provide a risk rating for said tree.

Site History

There is limited historical information that was provided about the trees located at the site and the changes that have previously occurred on the site. The builder has indicated that the current site plans do not account for the preservation of the two sand live oak trees in question. They are concerned that building the home in the planned location will put the structure at risk. Two tree risk assessments, analyzing the current conditions of the Site and the two trees, were performed to assign an overall risk rating to each tree. *Please note that this site does not qualify for the Florida Statute 163.045 as the site is currently not actively used for single-family residential purposes.*

Methodology

A Level 2 Tree Risk Assessments was performed based on the ANSI A-300 (Part 9, 2017) Tree Risk Assessment standard¹, using the methodology defined in the International Society of Arboriculture’s (ISA) Best Management Practice for Tree Risk Assessment (2017)⁵. A timeframe of two years was used for this assessment. Arborists assessed current site uses and conditions to identify various potential targets including but not limited to people, vehicles, structures, and utilities. The tree was inspected visually, using binoculars, mallots, and probes to assess potential conditions of concern. Observations regarding the potential targets, protection factors, conditions of concern, overall tree health, site conditions, and site history were recorded and analyzed to determine the overall risk rating for the tree. Mitigation options were developed to reduce the risk rating of the tree or tree part and analyzed to determine the residual risk rating after implementation of mitigation options. Photo documentation of the tree and tree parts containing defects are provided in **Attachment 2 – Photo Documentation Log**.

Species Profile

Sand live oak (*Quercus geminata*): Trees of this species are closely related to the southern live oak (*Quercus virginiana*), with sand live oaks exhibiting increased drought tolerance and the ability to inhabit dry, sandy, alkaline soils⁴. This species is also known to be a tough tree, displaying a high resistance to wind, salt and storm damage^{3,4}. There are multiple forms of this species, depending on the frequency of fire/burns within the area. The shrub form occurs in areas with periodic fire/burns while the tree form occurs in areas with little to no fire/burn activity². Additionally, this species compartmentalizes decay well and can display vigorous growth within good soil and site conditions⁴.

Limitations

Inspections were conducted from the ground during a Level 2 Basic Assessment aided by mallets, a drill and probes to detect decay. The inspection was limited to defects that can be seen while standing on the ground; defects below ground or in the crown that were not visible may exist. Although not visible, these defects may result in the failure of a tree or tree part. **Attachment 1 - Tree Location Map** provides the location of the sand live oak trees inspected; other trees on this property were not inspected. Throughout this risk assessment, arborists have made assumptions, using observations, previous experience, and research to come to some of the statements included in this report.

This report is based on the findings and information of how the tree was standing on May 19, 2023, at 9:05 AM. The risk rating for the tree associated with each defect and target is a product of the Likelihood Matrix and the Risk Rating Matrix. Arborists recommend a reinspection interval of one year, barring modification of site conditions. If the conditions at the Site change, reinspection is recommended.

Definitions

Condition of Concern/Defect: an imperfection, weakness, or lack of something necessary consisting of injuries, growth patterns, decay or other conditions that reduce the tree's structural strength.

Consequences of Failure: personal injury, property damage, or disruption of activities due to the failure of a tree or tree part.

DBH: diameter at breast height (approximately 4.5 feet).

ISA Tree Risk Assessment Methodology: the categorization of tree risk based on the ISA's Best Management Practices categorization of likelihood of tree failure, the likelihood of impacting a defined asset, and the likely consequences of the failure and impact. The four categories of tree risk are low, moderate, high and extreme.

Level 2 Basic Assessment: a detailed 360° visual inspection of a tree and its surrounding site from the ground using basic tools including but not limited to a probe, mallet, binoculars, clinometer, etc.

Level 3 Advanced Assessment: a detailed inspection of a tree or tree part and its surrounding site using advanced tools including but not limited to a climber, compressed air tools, sonic tomography, resistograph, drone, etc.

Likelihood of Failure: the chance of a tree or tree part failure occurring within the specified time frame.

Likelihood of Impact: the chance of a tree failure impacting a target during the specified time frame.

Likelihood of Failure and Impact: the chance of a tree failure occurring and impacting a target within the specified time frame; calculated using the likelihood matrix.

Mitigation Options: alternatives for reducing risk.

Occupancy Rate: the amount of time a target is within a target zone.

Overall Residual Risk: the remaining risk rating if the highest-risk tree part is mitigated.

Overall Risk Rating: the highest determined risk rating for the tree and target of concern. If there is more than one part or target rating, the tree risk rating is the highest of the group.

Protection Factors: structures, trees, branches, or other factors that would prevent or reduce harm to targets in the event of a tree failure.

Residual Risk: the risk remaining after recommended mitigation is completed.

Risk: the combination of the likelihood of an event and the severity of the potential consequences. In the context of trees, risk is the likelihood of a conflict or tree failure occurring and affecting a target, and the severity of the associated consequences.

Risk Assessment: the process of risk identification, analysis and evaluation.

Risk Rating: the level of risk combining the likelihood of a tree failing and impacting a specified target, and severity of the associated consequences; calculated using the risk matrix.

Risk Tolerance: the degree of risk that is acceptable to the owner, manager, or controlling authority of said tree.

Target: people, property, or activities that could be injured, damaged, or disrupted by a tree failure.

Target Zone: the area where a tree or tree part is likely to land if it were to fail.

Time Frame: time period for which an assessment is defined.

Result Summary

The conditions for concern for Tree 1 were identified as dead branches, a large dead broken branch, a cavity associated with the previous leader failure, and a large wound on northeast side of trunk (from grade to 14ft above grade).

- The highest risk rating for the dead branches in the trunk is **low**; this risk can be mitigated through restricting access to the yard and/or the removal of dead branches from the crown, resulting in a residual risk rating of **low**.
- The highest risk rating for the large dead broken branch within the crown is **low**; mitigation options include restricting access and/or removing the large dead branch from the crown, resulting in a residual risk rating of **low**.
- The highest risk rating for the cavity associated with the previous leader failure is **moderate**; mitigation options include vine removal and end weight reduction pruning, resulting in a residual risk rating of **moderate**.
- The highest risk rating for the large wound on the northeast side of the trunk is **moderate**. Mitigation options include vine removal and end weight reduction pruning, resulting in a residual risk rating of **moderate**.

The overall risk rating for Tree 1 is **moderate**; the overall residual risk rating for Tree 1 is **moderate**.

The conditions of concern for Tree 2 were identified as dead branches, a minor trunk wound from equipment, cavity located on the northern leader, the southern leader failure with sprouting, and the northern leader failure with sprouting.

- The highest risk rating for the dead branches was **low**; this risk can be mitigated by the removal of dead branches from the crown, resulting in a residual risk rating of **low**.
- The highest risk rating for the minor trunk wound is **low**; mitigation options include end weight reduction pruning, resulting in a residual risk rating of **low**.
- The highest risk rating for the cavity on the northern leader is **low**; mitigation options for this scenario includes end weight reduction pruning and/or restricting access, resulting in a residual risk rating of **low**.
- The highest risk rating for the southern leader failure with sprouting is **low**; mitigation options for this scenario includes end weight reduction pruning and/or restricting access, resulting in a residual risk rating of **low**.
- The highest risk rating for the northern leader failure with sprouting is **low**; mitigation options for this scenario includes end weight reduction pruning and/or restricting access, resulting in a residual risk rating of **low**.

The *overall risk rating* for Tree 2 is **low** and the *overall residual risk rating* for Tree 2 is **low**.

We appreciate the opportunity to provide you with this Tree Risk Assessment Report. If you have any questions concerning this report, please contact Rob Calley at (850) 699-2474.

Sincerely,

Backridge Tree Service, Inc

Rob Calley

Rob Calley
Master Arborist

Camille Schillizzi

Camille Schillizzi
Certified Arborist

Attachments:

Attachment 1 – Tree Location Map

Attachment 2 – Photo Documentation Log

References

- ¹American National Standard Institute. (2017). *American National Standard for Tree, Shrub, and Other Woody Plant Management-Standard Practices (Tree Risk Assessment a. Tree Failure)* (A300, Part 9). Tree Care Industry Association, Inc., Manchester, NH.
- ²Florida Native Plant Society. (n.d.). *Quercus geminata*. Florida Native Plant Society.
<https://www.fnps.org/plant/quercus-geminata>
- ³Friedman, Melissa; Andreu, Michael; Quintana, Heather; McKenzie, Mary. (16 February, 2022). *Quercus geminata, Sand Live Oak*. University of Florida, IFAS Extension.
<https://edis.ifas.ufl.edu/publication/FR311>
- ⁴Gilman, Edward. (2015). *Quercus geminata, Sand Live Oak – Tree Selection – Landscape Plants*. University of Florida, IFAS Extension.
<https://hort.ifas.ufl.edu/woody/Pages/quegem/quegem.shtml>
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TREE 1

SAND LIVE OAK

Observations

DBH (in)	40.55"	Site Factors	Recently cleared house from lot
Estimated Height (ft)	53.1'	Tree Health	Reduced crown from previous leader failures, vines
Estimated Spread (ft)	42.4'	Tools Utilized	DBH tape, clinometer, binoculars, mallet, drill, probe

Potential Targets

Target	Target Zone	Occupancy Rate	Protection Factors
People (4590)	Dripline	Rare	No
People (4570)	Dripline	Occasional	No
People in house (4570)	Dripline	Frequent	Yes
House (4570)	1x Height	Constant	No
Shed (4570)	1x Height	Constant	No
People in shed (4570)	1x Height	Rare	Yes

Conditions of Concern/Defects

Condition/Defect	Part Size/Fall Distance	Load on Defect	Likelihood of Failure
Dead branches	2 to 4 inches, 30 feet	Minor	Imminent
Large dead broken branch	14 inches, 25 feet	Significant	Possible
Cavity associated with previous leader failure	21 inches, 53.1 feet	Significant	Possible
Large wound on the northeast side of trunk (from grade to 14ft above grade)	40.55 inches, 53.1 feet	Significant	Possible

Risk Rating Calculations

Condition of Concern: Dead branches in crown

The likelihood of failure for the dead branches within the crown is **imminent**.

- The likelihood of impact for the people in the yard of 4590 is **very low**, resulting in a likelihood of failure and impact of **unlikely**. The consequences for this scenario are **severe**, resulting in a risk rating of **low**.

The risk rating for this condition of concern is **low**. Mitigation options for this scenario include removing dead branches from the crown and/or restricting access; mitigation options provided result in a residual risk rating of **low**.

Condition of Concern: Large dead broken branch in crown

The likelihood of failure for the large dead broken branch within the crown is **possible**.

- The likelihood of impact for the people in the yard of 4590 is **very low**, resulting in a likelihood of failure and impact of **unlikely**. The consequences for this scenario are **severe**, resulting in a risk rating of **low**.

The risk rating for this condition of concern is **low**. Mitigation options for this scenario include removing the large dead branch from the crown and/or restricting access; mitigation options provided result in a residual risk rating of **low**.

Condition of Concern: Cavity associated with the previous leader failure

The likelihood of failure at the cavity associated with the previous leader failure is **possible**.

- The likelihood of impact for the people in the yard of 4590 is **very low**, resulting in a likelihood of failure and impact of **unlikely**. The consequences for this scenario are **severe**, resulting in a risk rating of **low**.
- The likelihood of impact for the people in the yard of 4570 is **low**, resulting in a likelihood of failure and impact of **unlikely**. The consequences of this scenario are **severe**, resulting in a risk rating of **low**.
- The likelihood of impact for the people in the house (4570) is **medium**, resulting in a likelihood of failure and impact of **unlikely**. The consequences for this scenario are **severe**, resulting in a risk rating of **low**.
- The likelihood of impact for the house (4570) is **high**, resulting in a likelihood of failure and impact of **somewhat likely**. The consequences of this scenario are **significant**, resulting in a risk rating of **moderate**.
- The likelihood of impact for the shed (4570) is **high**, resulting in a likelihood of failure and impact of **somewhat likely**. The consequences of this scenario are **significant**, resulting in a risk rating of **moderate**.
- The likelihood of impact for the people in shed (4570) is **very low**, resulting in a likelihood of failure and impact of **unlikely**. The consequences of this scenario are **severe**, resulting in a risk rating of **low**.

The risk rating for this condition of concern is **moderate**. Mitigation options for this scenario include vine removal and end weight reduction pruning; mitigation options provided will result in a residual risk rating of **moderate**.

Condition of Concern: Large wound on northeast side of trunk (from grade to 14ft above grade)

The likelihood of failure for the whole tree at the large wound on the northeast side of the trunk (from grade to 14ft above grade) is **possible**.

- The likelihood of impact for the people in the yard of 4590 is **very low**, resulting in a likelihood of failure and impact of **unlikely**. The consequences for this scenario are **severe**, resulting in a risk rating of **low**.
- The likelihood of impact for the people in the yard of 4570 is **low**, resulting in a likelihood of failure and impact of **unlikely**. The consequences of this scenario are **severe**, resulting in a risk rating of **low**.
- The likelihood of impact for the people in the house (4570) is **medium**, resulting in a likelihood of failure and impact of **unlikely**. The consequences of this scenario are **severe**, resulting in a risk rating of **low**.
- The likelihood of impact for the house located at (4570) is **high**, resulting in a likelihood of failure and impact of **somewhat likely**. The consequences of this scenario are **severe**, resulting in a risk rating of **moderate**.
- The likelihood of impact for the shed (4570) is **high**, resulting in a likelihood of failure and impact of **somewhat likely**. The consequences of this scenario are **severe**, resulting in a risk rating of **moderate**.
- The likelihood of impact for the people in shed (4570) is **very low**, resulting in a likelihood of failure and impact of **unlikely**. The consequences of this scenario are **severe**, resulting in a risk rating of **low**.

The risk rating for this condition of concern is **moderate**. Mitigation options for this scenario include vine removal and end weight reduction pruning; mitigation options provided result in a residual risk rating of **moderate**.

The *overall risk rating* for Tree 1 is **moderate**.

The *overall residual risk* for Tree 1, without considering whole tree removal is **moderate**.

It is recommended that a Level 3 Advanced Assessment be performed on Tree 1 to further examine the extent of possible decay within the large wound on the northeast portion of the trunk and the cavity associated with the previous leader failure. Arborists performed drilling of the trunk to obtain information about the resistance of the wood around the wounded area at the base of the tree. Decay was encountered in 40% of drilling samples conducted. It is recommended that the technique sonic tomography be applied to this tree to view the characteristics and extent of the decay within the trunk.

TREE 2

SAND LIVE OAK

Observations

DBH (in)	28.4"	Site Factors	Recently cleared house from lot
Estimated Height (ft)	33.1'	Tree Health	Broken leaders with large sprouts
Estimated Spread (ft)	42'	Tools Utilized	DBH tape, clinometer, binoculars, mallet

Potential Targets

Target	Target Zone	Occupancy Rate	Protection Factors
People walking past	1x Height	Rare	No
Vehicles parked in road	1x Height	Rare	No
Vehicles moving in road	1x Height	Occasional	No
People in moving vehicle	1x Height	Occasional	Yes
People in parked vehicle	1x Height	Rare	Yes
People in yard (4590)	Dripline	Rare	No

Conditions of Concern/Defects

Condition/Defect	Part Size/Fall Distance	Load on Defect	Likelihood of Failure
Dead branches	3 inches, 25 feet	Minor	Imminent
Minor trunk wound from equipment	28.4 inches, 33.1 feet	Significant	Improbable
Cavity on northern limb	18 inches, 33.1 feet	Significant	Possible
Southern leader failure with sprouting	20 inches, 33.1 feet	Significant	Possible
Northern leader failure with sprouting	18 inches, 33.1 feet	Significant	Possible

Risk Rating Calculations

Condition of Concern: Dead branches

The likelihood of failure for the dead branches in the crown is **imminent**.

- The likelihood of impact for the people in the yard (4590) is **very low**, resulting in a likelihood of failure and impact of **unlikely**. The consequences for this scenario are **severe**, resulting in a risk rating of **low**.

The risk rating for this condition of concern is **low**. Mitigation options for this scenario include removal of dead branches within the crown; mitigation options provided result in a residual risk rating of **low**.

Condition of Concern: Minor trunk wound from equipment

The likelihood of failure from the minor trunk wound is **improbable**.

- The likelihood of impact for the people walking past is **very low**, resulting in a likelihood of failure and impact of **unlikely**. The consequences for this scenario are **severe**, resulting in a risk rating of **low**.

- The likelihood of impact for the vehicles parked in road is **very low**, resulting in a likelihood of failure and impact of **unlikely**. The consequences of this scenario are **significant**, resulting in a risk rating of **low**.
- The likelihood of impact for the vehicles moving in road is **low**, resulting in a likelihood of failure and impact of **unlikely**. The consequences of this scenario are **significant**, resulting in a risk rating of **low**.
- The likelihood of impact for the people in moving vehicle is **low**, resulting in a likelihood of failure and impact of **unlikely**. The consequences of this scenario are **severe**, resulting in a risk rating of **low**.
- The likelihood of impact for the people in parked vehicle is **very low**, resulting in a likelihood of failure and impact of **unlikely**. The consequences of this scenario are **severe**, resulting in a risk rating of **low**.
- The likelihood of impact for the people in the yard (4590) is **very low**, resulting in a likelihood of failure and impact of **unlikely**. The consequences of this scenario are **severe**, resulting in a risk rating of **low**.

The risk rating for this condition of concern is **low**. Mitigation options for this scenario include end weight reduction pruning; mitigation options provided result in a residual risk rating of **low**.

Condition of Concern: Southern leader failure with sprouting

The likelihood of failure at the cavity located at the southern leader failure with sprouting is **possible**.

- The likelihood of impact for the people in the yard (4590) is **very low**, resulting in a likelihood of failure and impact of **unlikely**. The consequences for this scenario are **severe**, resulting in a risk rating of **low**.

The risk rating for this condition of concern is **low**. Mitigation options for this scenario include end weight reduction pruning and/or restricting access to the area; mitigation options provided result in a residual risk rating of **low**.

Condition of Concern: Northern leader failure with sprouting

The likelihood of failure at the cavity located at the southern leader failure with sprouting is **possible**.

- The likelihood of impact for the people in the yard (4590) is **very low**, resulting in a likelihood of failure and impact of **unlikely**. The consequences for this scenario are **severe**, resulting in a risk rating of **low**.

The risk rating for this condition of concern is **low**. Mitigation options for this scenario include end weight reduction pruning and/or restricting access to the area; mitigation options provided result in a residual risk rating of **low**.

Condition of Concern: Cavity on the northern leader

The likelihood of failure at the cavity on the northern leader is **possible**.

- The likelihood of impact for the people in the yard (4590) is **very low**, resulting in a likelihood of failure and impact of **unlikely**. The consequences for this scenario are **severe**, resulting in a risk rating of **low**.

The risk rating for this condition of concern is **low**. Mitigation options for this scenario include end weight reduction pruning and/or restricting access to the area; mitigation options provided result in a residual risk rating of **low**.

The *overall risk rating* for Tree 2 is **low**.

The *overall residual risk* for Tree 2, without considering whole tree removal is **low**.

Attachment 1: Tree Location Map

Attachment 2: Photo Documentation Log

PHOTO DOCUMENTATION LOG



Photo 1

Overview of Tree 1, facing west. Note the dense vine cover present throughout the tree.

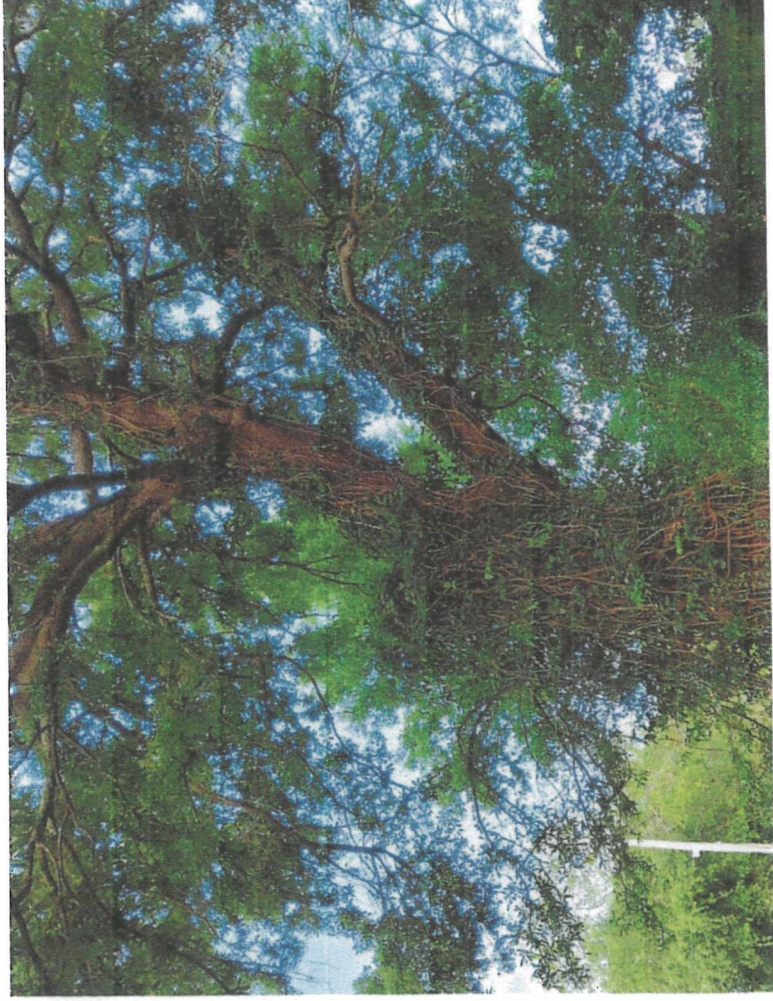


Photo 2

Overview of large dead branch on Tree 1, facing west.

PHOTO DOCUMENTATION LOG



Photo 3
View of dead tissue on the
tension side of the trunk,
facing west.



Photo 4
View of dead tissue at the
previous leader failure,
facing south.

PHOTO DOCUMENTATION LOG

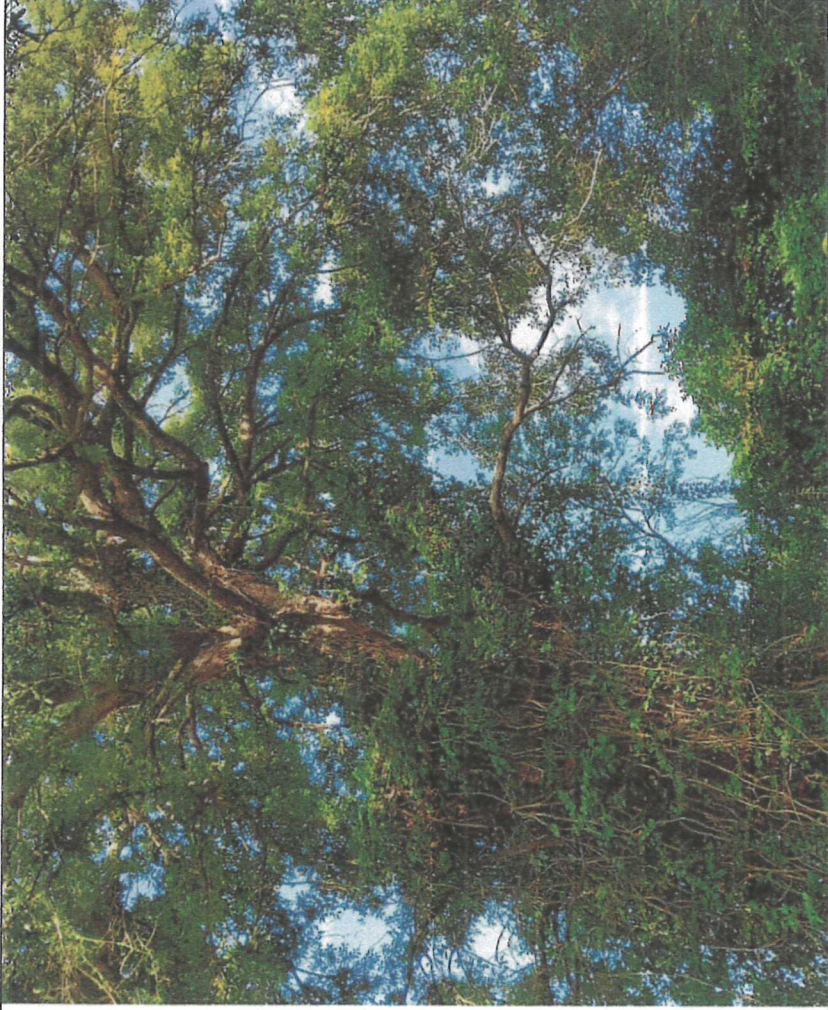


Photo 5
View of dead branches in
crown of Tree 1.



Photo 6
Overview of Tree 2, facing
north.

PHOTO DOCUMENTATION LOG



Photo 7

View of cavity below broken leader with a beauty berry inside of the cavity Tree 2.



Photo 8

View of trunk wound on Tree 2, facing east.

PHOTO DOCUMENTATION LOG



Photo 9
View of broken leaders with
sprouts in Tree 2.



Backridge Tree Service Inc.
14 Robinwood Drive SW
Fort Walton Beach, FL 32548

Tim Dufrain
4590 Christy Drive
Pensacola, FL 32504

Dear Mr. Tim Dufrain,

On May 11, 2023, Backridge Tree Service Inc. was contacted by Mr. Dufrain to provide a Tree Risk Assessment for the two heritage¹ sand live oak (*Quercus geminata*) trees located at 4590 Christy Drive, Pensacola, FL 32504, hereafter referred to as the “Site”.

After discussion with Mr. Dufrain, arborists were informed that the Site is currently in the planning process of development; however, current plans conflict with the location of the two heritage sand live oak trees. Mr. Dufrain informed arborists that he has received notification from the Pensacola City Arborist, denying the removal of the two heritage sand live oak trees.

Review of Risk Assessment

On May 18, 2023, arborists conducted a risk assessment for two sand live oak trees located at the Site. The *overall risk rating* for Tree 1 is **moderate**; the *overall residual risk rating* for Tree 1, after mitigation is implemented, is **moderate**. The *overall risk rating* for Tree 2 is **low**; the *overall residual risk rating* for Tree 2, after mitigation is implemented, is **low**.

The client has expressed concern about the building being in close proximity to the base of the tree, possibly creating a potential risk for the new house. Due to the scope of the tree risk assessment process, arborists can only assess a tree for current situations and standings. The site does not qualify for the Florida Statute 163.045 as the site is currently not actively used for single-family residential purposes. However, a risk assessment was performed for the current site conditions to assess the trees as they currently stand. Arborists concluded that Tree 1 poses an *overall risk rating* of **moderate** to the neighboring structures and occupants that cannot be mitigated below an *overall residual risk rating* of **moderate**. Two defects within Tree 1 cannot be mitigated

¹ The Pensacola Code of Ordinances defines a heritage tree as “a protected tree identified by species in Appendix A of this chapter which is four times the minimum diameter at breast height (DBH) or greater”. For a sand live oak tree, the protected size requirement listed in Appendix A of the Pensacola Code of Ordinances is 4 inches DBH; therefore, the heritage size requirement is 16 inches DBH.

below a *residual risk rating* of **moderate**: the cavity associated with the previous leader failure and the large wound on the northeast side of the trunk. The mitigation options for these defects include end weight reduction pruning throughout the crown. After mitigation options are implemented, the wind resistance and the load on the defects will be reduced; however, the position and constant occupancy of the neighbor's house and shed remains unaffected. Additionally, the likelihood of failure cannot be reduced from possible to improbable, as the full extent of decay within the cavity associated with the cavity at the previous leader failure and the large trunk wound on the northeast side of the trunk is not known. Arborists recommend a Level 3 Assessment to determine the extent of the decay within the two abovementioned defects. Tree 2 has an *overall risk rating* of **low** and an *overall residual risk rating* of **low**.

In the event the client proceeds with the plans as drawn, large root cutting and possible whole tree removal will be necessary on the southern side of Tree 1. Tree 2 will require large root cutting approximately 4 ft from the base of the trunk, and the removal of the 18 inch diameter northern leader to execute the plans as drawn. This course of action will negatively impact the health and structure of both Tree 1 and Tree 2, potentially creating a scenario where the two trees pose an increased risk to their surroundings. If the client would like to keep the plans the same, the client can present the plans to the Zoning Board of Adjustment to gain the heritage tree removal permit.

Review of Plans

Arborists compared the building plans provided by the client to the GPS location of the two heritage trees, obtained by arborists within decimeter accuracy (**Attachment 1: Plan Set with Trees**). The current set of plans shows the porch of the main house directly adjacent to the base of Tree 1. Additionally, the garage of the main house and the driveway of the auxiliary dwelling unit (ADU) house are currently in conflict with Tree 2. Due to the size and species of these trees, Pensacola code protects the trees as heritage trees; the city arborist has indicated that these trees must be preserved.

According to the Pensacola Code of Ordinances, Section 12-6-6: Retention of protected trees, states that “every effort must be made to protect and retain existing protected trees”, therefore, it is our opinion that the builder consider the modification of building plans in order to preserve the two heritage trees. The barrier zone² of a heritage tree is defined as outside of the dripline (Sec. 12-6-6), therefore, construction within and adjacent to this zone should be limited.

After analysis of the trees, the Site, and the current plans, arborists have provided multiple footprint options for the builder to consider trees (**Attachment 2: Potential Footprint Options**). These modifications maintain the square footage of the original building in addition to the heritage trees. Additionally, arborists suggest that the builder/client consider the implementation of pervious surfaces where appropriate, ie. decking, driveways, car ports. Through the implementation of pervious surfaces, building can occur over a larger area without root cutting close to the base of the trees and with less impact on the available root space.

² The Pensacola Code of Ordinances defines *barrier zone* as a barrier for tree protection, placed outside the drip line zone of heritage trees and at a minimum of two thirds the area of the dripline for other protected trees.

We appreciate the opportunity to provide you with this Site Plan Analysis for 4590 Christy, Pensacola, FL 32504. If you have any questions concerning this Analysis, please contact Rob Calley at (850) 699-2474.

Sincerely,

Backridge Tree Service, Inc

Rob Calley

Rob Calley

Master Arborist

Camille Schillizzi

Camille Schillizzi

Staff Scientist

Attachments:

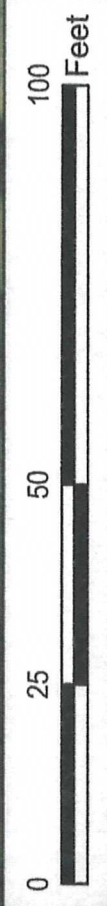
Attachment 1: Plan Set with Trees

Attachment 2: Potential Footprint Options

Attachment 1: Plan Set with Trees

Attachment 2: Potential Footprint Options

Please note that all porches in this option are designed as pervious surfaces. Switching these to impervious porches will cause conflict with the root zone of trees.



- Legend**
- ▬ Project Location
 - ▬ Buildable Area
 - - - Building
 - - - Porch
 - Tree Location

Potential Footprint: A
 4590 Christy Drive, Pensacola, FL 32504
 May 2023

Figure
2

Please note that all porches in this option are designed as pervious surfaces. Switching these to impervious porches will cause conflict with the root zone of trees.



Legend

- ▬ Project Location
- ▬ Building
- ▬ Porch
- ▬ Buildable Area
- ▬ Tree Location

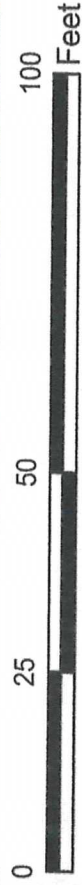
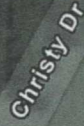
Potential Footprint: B

4590 Christy Drive, Pensacola, FL 32504

May 2023

Figure

3



Legend

- Project Location
- Building
- Porch
- Buildable Area
- Tree Location

4590 Christy Drive, Pensacola, FL 32504

Figure