

September 14, 2020

Variance Application: 5050 Conway Road (continued from August 25, 2020)

Applicant Request: PURSUANT TO BELLE ISLE CODE SEC. 42-64 THE BOARD SHALL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE FROM SEC. 50-72 (A) (1) TO ALLOW A VARIANCE FROM THE REQUIRED NUMBER OF PARKING SPACES, TAKE ACTION ON A REQUESTED VARIANCE FROM SEC. 50-73 (A) TO ALLOW A VARIANCE FROM THE REQUIRED BUILDING SETBACKS, AND TAKE ACTION ON A REQUESTED VARIANCE FROM SEC. 50-73 (D) (1), SEC. 50-76 (3) (B) (1) AND SEC. 50-76 (5) (B), TO ALLOW FOR A REDUCED SCREENING AND BUFFER, SUBMITTED BY APPLICANT HOSANNA BUILDING CONTRACTORS, LOCATED AT 5050 CONWAY ROAD, BELLE ISLE FL 32812, ALSO KNOWN AS PARCEL # 17-23-30-0000-00-008.

Zoning/ Existing Use: C-1 commercial/ vacant gas station with convenience store

Review Comments

Since the August 25, 2020 meeting, the applicant has revised their site plan to address some of the comments and recommendations discussed. This variance application seeks a variance as identified above. The property is currently developed with a gas station/convenience store that is no longer in operation. The applicant is seeking to redevelop the site as a medical office and pharmacy, adding additional square-footage to the existing building. The site plan application seeks to deviate from the code in the areas that are the subject of this variance application. These variances must be approved prior to consideration of the site plan application.

The applicant has provided supporting documentation addressing the variance criteria.

Staff Recommendation

Staff provides an evaluation based on the variance criteria for the application below.

1. Special Conditions and/ or Circumstances (Section 42-64 (1) d):

The existing buildings along the north property line are located five feet from the property line. The proposed addition is requesting to match this same building line. Parking is limited on the property and the applicant proposes to add spaces to mitigate impacts. The parking calculations have been updated and reflect that the required number of spaces are provided for, no longer requiring a variance from the parking standards.

2. Not Self- Created (Section 42-64 (1) e):

The request for a variance is not self-created as the application is seeking

entitlements that match the existing building design/placement. With a five-foot building setback established on the north property line, a 15-foot transitional buffer is not possible. The applicant has revised their site plan however, to provide additional buffering on the north side of the parking lot next to the residential property to the north, as well as additional green space surrounding the parking lot.

3. Minimum Possible Variance (Section 42-64 (1) f):

The requested variance is the minimum possible variance to make reasonable use of the land. The proposed addition matches the existing footprint and additional buffering/landscaping is provided.

4. Purpose and Intent (Section 42-64 (1) g):

The requested variances are in harmony with the general purpose and intent of the land development code and not injurious to the neighborhood given that the existing buildings along the north property line are setback five feet.

Staff provides a recommendation to approve the requested building setback and buffer variances based on the above information.

Additional Notes

Please note that the Board may approve the proposed variance application as it is presented to them, approve with specific conditions, continue the application if additional information is being requested for consideration, or deny the application, citing which variance criteria are not met.

A decision by the Board may be appealed by an aggrieved person to the City Council pursuant to Code Sec. 42-71.