

APPLICATION FOR SPECIAL EXCEPTION

Reference: City of Edgewood Code of Ordinances, Section 134-121
REQUIRED FEE: \$750.00 + Applicable Pass-Through Fees (Ordinance 2013-01)
(Please note this fee is non-refundable)

PLANNING AND ZONING MEETING DATE:	7/11/2022
CITY COUNCIL MEETING DATE:	8/16/2022

IMPORTANT: A COMPLETE application with all required attachments must be submitted to the City Clerk 30 days before the next Planning & Zoning meetings. No application shall be deemed accepted unless it is complete and paid for.

Notarized letter of authorization from Owner MUST be submitted if application is filed by anyone other than property owner.

Please type or print. Complete carefully, answering each question and attaching all necessary documentation and additional pages as necessary.

New Special Exception Request

Amendment to Special Exception. Date special exception granted 09/29/2016

Applicant's Name:	William R. Johns, Mary Jess, LLC	Owner's Name:	William R. Johns, Mary Jess, LLC
Address:	44700 N. Groesbeck Hwy, Clinton Township, MI 48036-1105	Address:	44700 N. Groesbeck Hwy, Clinton Township, MI 48036-1105
Phone Number:	586-469-3404	Phone Number:	586-469-3404
Fax:	586-469-2084	Fax:	586-469-2084
Email:	marylyn@wrjco.com	Email:	marylyn@wrjco.com
Legal Description:	See attached legal description		
Zoned:	Wholesale Commercial District (C-3)		
Location:	101 Mary Jess Road, Orlando, FL 32839		
Tract Size:	412,063 S.F. (+/-)		
City section of the Zoning Code from which Special Exception is requested:	Prior Special Exception approval dated 09-29-2016 condition (11) hours of operation shall be limited to 6 a.m. to 6 p.m. Monday through Saturday.		
Request:	change operation hours to 5:00 AM to 8:00 PM Monday thru Saturday		
Existing on Site:	Existing warehouse on-site with related site infrastructure		



The applicant hereby states that the above request for Special Exception does not violate any deed restrictions on the property. **Application must be signed by the legal owner, not agent, unless copy of power of attorney is attached.**

Applicant's Signature	<i>William R. Johns</i>	Date:	<i>4-22-22</i>
Applicant's Printed Name	William R. Johns	Date:	
Owner's Signature	<i>William R. Johns</i>		
Owner's Printed Name	William R. Johns		

Office Use Only:	
Received Date:	6/3/2022
Received By:	Brett Sollazzo
Forwarded To:	City Planner Ellen Hardgrove
Notes:	Amendment to original Special Exception

Please submit your completed application to City Hall via email to info@edgewood-fl.gov, via facsimile to 407-851-7361, or hand deliver to City Hall located at 405 Bagshaw Way. For additional questions, please contact City Hall at 407-851-2920.

SPECIAL EXCEPTION APPLICATION

1. Provide the legal description (include street address) .

101 Mary Jess Road, Orlando, FL 32893, Please see attached Legal Description.

2. If you are not the owner of the subject property, provide written acknowledgement and authorization from property owner that they do not object to the use requested in the Special Exception Application, and give their authorization for the use if approved.

Please see attached Letter of Authorization form.

3. SURROUNDING ZONING DESIGNATIONS:

DIRECTION	ZONING
NORTH	R-1A
SOUTH	R-1AA, C-3, I-3
EAST	ECD
WEST	C-3

4. Describe the proposed use you; including conditions on the use, hours of operation, required parking and loading spaces, and number of employees. If proposed use is a training/vocational school, provide the number of anticipated students/clients.

5. If applicable, please provide:

- Dimensions of the property (see attached example)
- Existing and proposed location of structure(s) on the property
- Vehicular access ways, driveways, circulation areas (include widths)
- Off-street parking and loading areas
- Refuse and service areas
- Required setbacks; landscape or buffer areas; and other open spaces
- Existing and proposed adjacent rights-of-way, showing widths and centerlines
- Distances between buildings
- Interior and terminal landscape islands
- All existing and proposed sidewalks.
- Landscape plan

Revised 2/8/2022



Agent Authorization Form

FOR PROJECTS LOCATED IN THE CITY OF EDGEWOOD

Please type or print in **BLACK INK**. Complete carefully, answering each question and attaching all necessary documentation and additional pages as necessary.

I/WE, (PRINT PROPERTY OWNER NAME) William R. Johns, MBR, Mary Jess LLC, AS THE OWNER(S) OF THE REAL PROPERTY DESCRIBED AS FOLLOWS, _____

101 Mary Jess Road, Orlando, FL 32893, DO HEREBY AUTHORIZE TO ACT AS MY/OUR AGENT (PRINT AGENT'S NAME) Sam J. Sebaal, President Florida Engineering Group, Inc., TO EXECUTE ANY PETITIONS OR

OTHER DOCUMENTS NECESSARY TO AFFECT THE APPLICATION APPROVAL REQUESTED AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS AND TO APPEAR ON MY /OUR BEHALF BEFORE ANY ADMINISTRATIVE OR LEGISLATIVE BODY IN THE COUNTY CONSIDERING THIS APPLICATION AND TO ACT IN ALL RESPECTS AS OUR AGENT IN MATTERS PERTAINING TO THE APPLICATION. BY SIGNING THIS AUTHORIZATION, THE OWNER AGREES TO BE BOUND BY THE ACTIONS OF THE AUTHORIZED AGENT AND THE PROVISIONS OF CHAPTER 101, ARTICLE I, ENTITLED "PASS-THROUGH FEES" AND ACKNOWLEDGE AND AGREES THAT A LIEN MAY BE PLACED ON THE PROPERTY FOR NON-PAYMENT OF PASS-THROUGH FEES AS PROVIDED IN THE CITY CODE.

Date: 4-22-22 William R. Johns Signature of Property Owner William R. Johns Print Name Property Owner

Date: _____ Signature of Property Owner _____ Print Name Property Owner

STATE OF ~~FLORIDA~~ Michigan COUNTY OF Macomb

I certify that the foregoing instrument was acknowledged before me this 22 day of April, 2022 by William R. Johns. He/she is personally known to me or has produced _____ as identification and did/did not take an oath.

Witness my hand and official seal in the county and state stated above on the 22 day of April in the year 2022.

Mary Lyn Girodat
Signature of Notary Public

- MARY LYN GIRODAT
- Notary Public, Macomb County, MI
- My Commission Expires May 5, 2028
- Acting in Macomb County, MI

Notary Public for the State of ~~Florida~~ Michigan
My Commission Expires: 05/05/2028

Legal Description(s) or Parcel Identification Number(s) are required:
PARCEL ID#: <u>13-23-29-0000-00-009 &</u>
<u>13-23-29-0000-00-005</u>
LEGAL DESCRIPTION:
<u>See Attached</u>

RECEIVED

6/3/2022

CITY OF EDGEWOOD

SPECIAL EXCEPTION AMENDMENT NARRATIVE
SE-2016-03, SE 2016-04, and SE 2016-05
SUNCOAST BUILDING MATERIALS
101 MARY JESS ROAD, EDGEWOOD
Parcel "A" I.D. No.: 13-23-29-0000-00-009
Parcel "B" I.D. No.: 13-23-29-0000-00-005

MAY 31, 2022

This narrative is submitted in connection with a Special Exception amendment request for the subject site. The site is currently used by Suncoast Building Materials development for their storage and wholesale distribution business.

The Applicant is requesting that Condition 11 of the Special Exception approval, which requires the hours of operation to be limited from 6 A.M. to 6 P.M. Monday through Saturday be changed to allow the hours of operation to be limited from 5 A.M. to 8 P.M. Monday through Saturday.

The following provides a description of the project site and a brief justification of the request.

Project Location: The project site is located at 101 Mary Jess Road within the City of Edgewood. There are two (2) parcels which are included in the overall development as follows: Parcel "A" ID No. is 13-23-29-0000-00-009 and Parcel "B" ID No. is 13-23-29-0000-00-005. The two parcels are separated by a third parcel, Parcel ID No. 13-23-29-0000-00-024, which is not part of the ownership. Parcel "B", which is 4.97 Acres, has been developed and currently contains an existing 24,000 S.F. building, which houses the Suncoast Building Materials business. Parcel "A" is currently used for material storage and is planned for future development, which has been delayed due to an access dispute. The third parcel located in between Parcel "A" and Parcel "B" contains an existing railroad spur.

Existing and Surrounding Zoning: The existing site is Zoned C-3 (Wholesale Commercial District) in the City of Edgewood and contains the first phase of the Suncoast Building Materials development on Parcel "B". The surrounding Zoning includes R-1A to the north, ECD to the east, C-3 to the west, and R-1AA, C-3 and I-3 to the southwest, south, and southeast respectively.

Justification for Request: The applicant is requesting relief from the City's prior approved Special Exception Condition No.11 based on the following justifications:

- As part of the Special Exception approval in 2016, it was the applicant's understanding that the hours of operation meant the hours when their business is open to the public (i.e., when the doors are open to customers). The applicant agreed to the Condition limiting the hours based on that understanding; however, this condition has severely limited their ability to operate their business as City staff is interpreting it to limit any work on the site during these hours including work by employees inside the buildings. The applicant needs time each day before their "doors are open" to prepare for conducting their business, stage materials, load trucks, and other related functions. In addition, in the afternoon after the applicant's delivery trucks return from various jobsites, the applicant needs time to load the trucks for the next day's deliveries. Given traffic constraints and the nature of the construction business, the delivery trucks frequently do not return to the site until after 6 P.M.

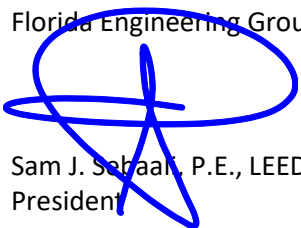
- Covid-19 has impacted the applicant's workforce and driver status, and they are having to operate with less employees (drivers) than they did prior to the pandemic. As such, they are doing more or the same work with less people to meet their customers' needs, which requires more operating time.
- There are times when their customers such as Disney World, Universal Studios and others require that the applicant delivers and unload the material then leave the site before their customer opens for business or in some instances make deliveries after their customer's workforce has left. Serving these customers is not feasible under the current hours of operation constraint.
- The applicant has a fuel service that fills up their delivery trucks each evening Monday thru Friday. The fuel service provider needs to be able to service all the delivery trucks after their return to the site. In some cases, the delivery trucks are not able to return to the site by 6 P.M. due to jobsite related delays or traffic delays, which creates uncertainty for the fuel service delivery and as such extending the hours until 8 P.M. would allow proper scheduling of fuel service.
- Supply chain issues have impacted the applicant's business to a large degree, which is also causing them to strive harder to meet the demands of the market with less equipment and less product availability. Thus, more time is needed to operate their business and meet these added demands.
- The current constraint on the hours of operation is restricting the applicant to properly conduct their business, and the City has not placed similar restriction on other similar businesses in the same C-3 Zoning District with similar conditions. Thus, the applicant is being limited in their ability to compete with other similar businesses due to the hour of operation constraint.

We are hopeful that the city can evaluate and approve this request.

Please do not hesitate to contact me should you have any questions or need additional clarification regarding this request. I can be reached by phone at 407-895-0324 or by email at SSebaali@feg-inc.us.

Sincerely,

Florida Engineering Group, Inc.


Sam J. Sebaali, P.E., LEED® AP
President

cc: Mr. Williams Johns, Suncoast Building Materials, Inc.
Mr. Kevin Graham, Suncoast Building Materials, Inc.



Engineering the Future

5127 S. Orange Avenue, Suite 200

Orlando, FL 32809

Phone: 407-895-0324 Fax: 407-895-0325

LETTER OF TRANSMITTAL

Date: June 3, 2022 Job No. 21-010

Attention Sandy Riffle

Re: Suncoast Building Materials
Special Exception Amendment Package

To: City of Edgewood - City Hall

405 Larue Avenue

Edgewood, Florida 32809

WE ARE SENDING YOU

- Attached Under separate cover via the following items:
Shop Drawings Prints Plans Samples Specifications
Copy of Letter Change Order Other

Table with 3 columns: COPIES, DATE, DESCRIPTION. Rows include Application Fee Check No. 2211, Special Exception Permit Application, Agent Authorization Form, Legal Description, Special Exception Amendment Narrative Request, and Site Geometry Plan.

THESE ARE TRANSMITTED as checked below:

- For approval Approved as submitted Resubmit Copies for approval
For your use Approved as noted Submit Copies for distribution
As requested Returned for corrections Return Corrected prints
For review and comment FOR BIDS DUE Prints Returned after Loan to us

COPY TO: File, Client SIGNED: Sam J. Sebaali, P.E.

IF ENCLOSED ARE NOT AS NOTED, KINDLY NOTIFY US AT ONCE

RECEIVED

6/3/2022

CITY OF EDGEWOOD

LEGAL DESCRIPTION

BEGINNING AT THE SOUTHWEST CORNER OF THE SW 1/4 OF THE SW 1/4 OF SECTION 13, TOWNSHIP 23 SOUTH, RANGE 29 EAST, AND RUNNING NORTHWARDLY ALONG THE WEST LINE OF THE SW 1/4 OF THE SW 1/4 OF SAID SECTION 13, A DISTANCE OF 632.15 FEET TO THENCE EASTWARDLY, PARALLEL WITH THE SOUTH LINE OF THE SW 1/4 OF SW 1/4 OF SAID SECTION 13, A DISTANCE OF 1069.40 FEET TO A POINT 24 FEET SOUTHWESTERLY, MEASURED AT RIGHT ANGLES FROM THE CENTER LINE OF THE ATLANTIC COAST LINE RAILROAD COMPANY'S MAIN TRACK; THENCE SOUTHEASTERLY, PARALLEL WITH SAID CENTER LINE, 652.2 FEET TO THE SOUTH LINE OF THE SW 1/4 OF THE SW 1/4 OF SAID SECTION 13 THENCE WESTWARDLY ALONG SAID SOUTH LINE 1218.38 FEET TO THE BEGINNING CORNER. LESS AND EXCEPT RIGHT OF WAY FOR MARY JESS ROAD.

AND LESS AND EXCEPT LANDS DESCRIBED IN AND CONVEYED BY WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 3716, PAGE 2022, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.