



STAFF REPORT

CITY OF GREEN COVE SPRINGS, FLORIDA

TO: Planning & Zoning Board **MEETING DATE:** October 27, 2020
FROM: Michael Daniels, AICP, Planning & Zoning Director
SUBJECT: Review of Variance for the Master Site Development Plan for the Narducci Storage Office at 409 N Palmetto Avenue, 017639-001-00

PROPERTY DESCRIPTION

APPLICANT: Matthew Phillips, ShayCore LLC **OWNER:** Fusilli Investments LLC

PROPERTY LOCATION: 409 N Palmetto Avenue

PARCEL NUMBER: 017639-001-00

FILE NUMBER: 202000732

CURRENT ZONING: Gateway Corridor Neighborhood (GCN)

FUTURE LAND USE DESIGNATION: Commercial Medium Intensity (CMI)

SURROUNDING LAND USE

NORTH: **FLU:** Commercial Medium Intensity **SOUTH:** **FLU:** Commercial Medium Intensity
Z: Gateway Corridor Neighborhood **Z:** Gateway Corridor Neighborhood
Use: Undeveloped **Use:** Jesse's Auto Service

EAST: **FLU:** Commercial High Intensity (CHI) **WEST:** **FLU:** Residential Professional Office
Z: Gateway Corridor Commercial (GCC) **Z:** C-1, Neighborhood Commercial
Use: Wells Fargo **Use:** Undeveloped

BACKGROUND

DEVELOPMENT DESCRIPTION:

The applicant has submitted a major Site Development Plan Application for the development of an Office/Storage Building on .14 acres, located at 409 Palmetto Avenue.

The property is fairly level with a gentle slope of about 1 and ½ feet of fall, sloping from west to east. The site is sparsely wooded including a 12" palm tree and a 40" camphor tree in the rear of the site and the remainder of the site consists of vegetated underbrush.

PROPOSED

PLAN

The plan includes a 2,100 square foot office storage building and parking area.

Parking

The plan shows 1 parking spaces plus 1 handicapped parking space in addition to a garage door for loading and unloading provided onsite. Per code they are required to have 1 space per 5,000 square feet of storage area.

Drainage Retention

Due to the size of the proposed the applicant received a waiver from the Water Management District. That said, they still shall comply with City requirements. Roof drains have been provided to take the roof runoff which will be connected to the City's stormwater system.

Traffic and Access

Access will be provided off Palmetto Avenue. There will be minimal traffic to this location.

Landscape, Buffer and Lighting Plan

The plan is showing the planting of 9 trees on the site and 69 hedge plantings pursuant to City Code. They are providing a treed landscape buffer with a 6' fence along the rear of the property. There will be no li Avenue. The existing oak trees and magnolia will be removed. In order to provide a buffer up against the adjacent residential properties to the east, they are providing a 6' privacy fence on the property with three elm trees as a landscape buffer. The lighting plan shows lighting on the front of the building only.

The site will be served by the city water, sewer, and electric services. No dumpster will be provided onsite.

REASON FOR VARIANCE REQUEST

Code Section 117-656. - Design guidelines.

- (1) Orient nonresidential uses to face the street with parking behind or to the sides of buildings.

Code Section 117-542(3)(e)

- e. Minimum required side yard: 10 feet

As shown on the site plan on the site plan (sheet C200), the site plan is showing the parking located in the front of the building between the building and US 17 and a 5' side yard setback. As a result, the applicant is requesting a variance from this code requirements.

Variances are to be considered as part of the site plan review. The variance shall be granted or denied in conjunction with the approval for site plan review. The applicant shall state fully what grounds of hardship the request is made. The planning and zoning board may grant a variance varying terms of this subpart, providing such conditions and circumstances are:

- a. Peculiar to the specific land, structure or building;
- b. Do not apply generally to neighboring properties;
- c. That the strict application of the provisions of this subpart would deprive the applicant of the reasonable use of such land, structure or building;
- d. The peculiar conditions and circumstances are not the result of the actions of the applicant.

Any variance granted will be the minimum variance that will make possible the reasonable use of such land, structure or building.

The planning and zoning board shall first determine whether the need for the proposed variance arises out of the physical surroundings, shape, topographical condition, or other physical or environmental conditions that are unique to the specific property involved. If so, the planning and zoning board may grant the variance, based on the required findings, for that site alone. If, however, the condition is common to numerous sites so that requests for similar variances are likely to be received, the planning and zoning board shall make the required findings, based on the cumulative effect of granting the variance, to all who may apply.

The planning and zoning board shall not grant the variance varying the requirements of any provision of this subpart unless it makes a positive finding, based on substantial competent evidence, on each of the following:

- a. There are no reasonable uses of the property because of the practical or economic difficulties in carrying out the strict letter of the regulation and the hardship is not the result of the applicant's own actions.
Without the variance, the applicant would not reasonably to be able to develop the majority of permitted uses in the Gateway Corridor Commercial Zoning District.
- b. If the applicant complies strictly with the provisions of this subpart, he is deprived of any rights that others in the district are allowed.
Without the variance the applicant would not be able to reasonably develop their property based on the lot size, setbacks, and site planning requirements with City Code.
- c. The hardship is suffered only by the applicant rather than by neighbors or the general public.
The hardship/practical difficulty for this property is the narrowness of the lot width, which is measured at 45'. This lot width makes it very difficult, particularly for commercial development, to comply with all of the City regulations and still have room for a reasonably sized building and parking. The majority of properties along this corridor have additional lot width which allows code compliance. The most recent development along this corridor is the Stuart Electric site at 545 Palmetto which is similar to this site, in that it has narrow frontage and the Bearden Law Office at 415 Palmetto which is retrofitting an existing single-family home to an Office use. In both instances, applicants for the property had to apply and were approved for a variance or waiver from code requirements.
- d. The hardship relates to the land, rather than personal circumstances.
The hardship relates to the narrow lot width, which limits the flexibility to move the building to the front of the site to be able to operate a business with parking Gateway Corridor Neighborhood Zoning District.
- e. The variance requested is the minimum variance that will make reasonable use of the land, building or structure and will not result in the creation or extension of a nonconforming use or structure.
The variance requested is the minimum variance to reasonably operate a business and provide a parking lot with adequate turning movement space for traffic circulation.
- f. The proposed variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.
The requested variance will not increase congestion or create any hazards to the public.
- g. The proposed variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.

The requested variance is not detrimental to adjacent lands. The project will comply with all other applicable Gateway Corridor Neighborhood Zoning District Development Standards.

(3) *Imposition of conditions.* In granting the variance, the planning and zoning board shall prescribe any conditions and safeguards it deems necessary or desirable, and violation of such variance, when made a part of the terms under which a variance is granted, shall be deemed a violation of this subpart.

STAFF RECOMMENDATION

Staff recommends approval of 202000732, to permit a variance from code section 117-656(1) to allow the placement of parking between Palmetto Avenue and the proposed building and reducing the side yard setback from 10' to 5' at 409 Palmetto Avenue.

1. The grading and drainage plan shall be modified to capture the stormwater runoff from parking lot and channel it into the City's stormwater system.

Motion: To approve application 202000732, to permit a variance from code section 117-656(1) to allow the placement of parking between Palmetto Avenue and the proposed building and code section 117-542(3)(e) to allow the side yard setback to be reduced from 10' to 5' at 409 N Palmetto Avenue subject to the following condition:

1. The grading and drainage plan shall be modified to capture the stormwater runoff from parking lot and channel it into the City's stormwater system.