



CITY OF FORT PIERCE

PLANNING DEPARTMENT

REBECCA GROHALL, AICP, PLANNING MANAGER
COMPREHENSIVE PLANNING ♦ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ♦ URBAN DESIGN ♦ URBAN FORESTRY ♦ ZONING

TO: Members of the City of Fort Pierce Board of Adjustment

THROUGH: Rebecca Grohall, AICP, Planning Manager

FROM: Clarissa Davis, Planner

SUBJECT: Application for Variance
1998 North U.S. Hwy 1

DATE: April 14, 2014

STAFF REPORT

Owner: Monica Investment Group
402 High Point Drive, Suite 101
Cocoa, FL 32923-6602

Applicant: Mark France, Director of Development for PSL Donuts, LLC
2550 SE Willoughby Blvd.
Stuart, Florida 34994

Representative: Greg Ripple, PE; Bowman Consulting
501 SE Port St. Lucie Blvd, Suite 101
Port St Lucie, FL 34984

Requested Action: Approval of a Variance to deviate from City Code Section 22-187(6) reducing the landscape strip variably from 10' to 0' for approximately 40' of the south property line. Also, a request to deviate from Section 22-61(b)3. reducing the required one-way driveway width from 14' to 12' to install drive-thru area for proposed Dunkin Donuts.

Location: 1998 N US Hwy 1

Current Zoning: C-3, General Commercial

Staff Analysis:

In accordance with Chapter 22, Article VIII of the City Code, the applicant is requesting that the Board of Adjustment approve a Variance to deviate from Section 22-187(6) reducing the landscape strip variably from 10' to 0' for approximately 40' of the southern property line. Also, a request to deviate from Section 22-61(b)(3) reducing the required one-way driveway width from 14' to 12' to install drive-thru area for proposed Dunkin Donuts.

Currently, this site encompasses a Shell gas station which previously housed a Subway eating establishment. The applicant is looking to utilize that space to incorporate a Dunkin Donuts. The applicant would also like to construct a 12' wide drive-thru area to extend their services to patrons on the go. In the absence of a defined "drive-thru" code regulations, staff is required to enforce code Section 22-61(b)3. *Driveway Widths* calling for a minimum of 14' for a one-way drive-way, which is primarily a design standard for the ingress/egress of commercial sites.

To create this drive-thru area, the dumpster will be relocated further west on site surrounded by a masonry enclosure with a stucco finish and screening consisting of shrubs and two (2) Sabal Palms. Also, a section of the required landscape strip must be encroached, reducing it variably from 10' to 0' for approximately 40' along the south property line which is a total of 230.9 feet in length. The parcel immediately south of this project is undeveloped. If, in the future, the property owner of that parcel develops the commercial site, they would, at this time, be obligated to provide a 10' landscaping strip to serve as a buffer.

Landscape redevelopment will also occur onsite. A total of seven (7) poor conditioned Queen Palms will be replaced with Sabal Palms throughout as well as other vegetation placed along the drive-thru area and beyond. A sidewalk will be incorporated from the US Hwy 1 right-of-way to the structure to ensure safe and easy pedestrian accessibility. Two (2) short term bicycle parking spaces will also be an addition to this site.

The following five (5) criteria, as specified in Section 22-108 of the City Code, must be satisfied in order for a variance to be granted:

1. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district;
2. The special conditions and circumstances do not result from the actions of the applicant;
3. The literal interpretation of the provision of the zoning ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the ordinance and would result in unnecessary and undue hardship on the applicant;
4. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;
5. The granting of the variance will be in harmony with the general intent and purpose of the ordinance and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Staff Recommendation:

As the criteria specified in Section 22-108 of the City Code appears to have been met, Staff recommends **approval** of the requested Variance with the condition that the newly created dumpster enclosure is constructed to 6 feet in height.

