

April 16, 2014

Project # 010060-01-001

Planning Department

City of Fort Pierce

PO Box 1480

Fort Pierce, FL 34954

To whom it may concern,

We proudly submit the enclosed Variance Application for a proposed drive-thru facility at the existing convenience store/ gas station located at 1998 U.S 1, Fort Pierce, FL 34946. Our client, PSL Donuts, LLC, is considering leasing a portion of the existing structure to add a Dunkin Donuts facility.

For this site to be feasible to Dunkin Donuts, a drive-thru access will be required. As you can see on the attached plan, we are proposing a 12' drive-lane that traverses the side and rear of the building. It is the intent of the project to reduce all impacts to the site to the extent possible. Knowing that, we will need to encroach into the existing 10' landscape buffer by approximately 9', for a length of less than 50', to allow the proper width and turning radius for the patrons to access the menu board and drive-up window. Therefore, the variance request is to reduce the landscape buffer for a short length to allow for the drive-thru lane.

Additional variance criteria below:

- 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;
 - a. A special condition and circumstance exists on this property due to the placement of the existing building and its proximity to the property line. The current site layout is not conducive to a drive-thru lane without infringing upon the code enforced landscape buffer adjacent to the southern property. The southern property is zoned General Commercial, as our site is. Also, as you can see on a parcel map, the southern property is an odd shaped parcel which has only 80' of US 1 frontage that stretches back to a more open parcel adjacent to Old Dixie Highway. Knowing this and the setback requirements, it wouldn't seem feasible to place a structure on the portion of this property where the reduced landscape buffer would be located.
- 2) The special conditions and circumstances do not result from the actions of the applicant;

- a. The circumstance due to the existing building location, which is causing the special condition, is not the result of the current applicant, PSL Donuts, LLC.
- 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;
 - a. There are certain economic issues that must be addressed in order to re-develop this existing vacant commercial property. Without a drive-thru lane, the proposed use of this property is not economically viable. Also the intent is to utilize and renovate an existing vacant commercial building. Strict compliance with the Landscape Ordinance would require the necessary drive-thru lane to be relocated, thereby also requiring the relocation of the existing building. The economic impact of demolition of the existing building and construction of a new building makes the proposed project unfeasible.
- 4) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;
 - a. The variance which would be granted is the minimum variance that will make possible the reasonable use of the proposed 12' drive thru.
- 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.
 - a. 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. Additionally, such items as; new sidewalk from US 1, enhanced landscaping throughout site and around reduced buffer and bike racks, have been added per City of Fort Pierce staff requests.

We greatly appreciate your willingness to consider this application for variance. If you have any questions or concerns, please do not hesitate to contact myself or Howard Ehram at our Port St. Lucie office. We look forward to a successful project with you.

Sincerely,



Gregory R. Ripple, P.E.

Attachments: Site Plan, Landscape Plan, Survey