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

**THROUGH:** Rebecca Grohall, AICP, Planning Director

**FROM:** Vennis Gilmore, Planning Analyst

**RE:** **Application for Variance**  
**BDG Edwards – A 7 feet variance to reduce the landscape buffer**  
**2496 Edwards Road**

**DATE:** November 27, 2018

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#### **STAFF REPORT**

**Owners:** Carroll Collins and Janet L. Piek-Collins  
2496 Edwards Road  
Fort Pierce, FL. 34982

**Applicant:** BDG Edwards, LLC  
6654 78<sup>th</sup> Avenue North  
Pinellas Park, FL. 33781

**Requested Action:** The applicant is requesting a 7 feet variance to reduce the landscape buffer along the northwest 95 feet from 10 feet to 3 feet. The 7-foot variance is being requested in order to meet the geometric requirements by the City and FDOT for a left turn into the property from S. 25<sup>th</sup> Street for southbound traffic.

**Location:** 2496 Edwards Road

**Parcel ID(s):** 2421-333-0001-000-9, 2421-333-0003-000-3

**Current Zoning:** C-3, General Commercial Zone

**Future Land Use:** GC, General Commercial

**Total Acreage:** approx. 2.31 acres

## **Staff Analysis:**

### **Variance Request**

In accordance with Article VIII of Section 22 of the City Code, the applicant is requesting a 7 foot variance to reduce the landscape buffer along the north 95 feet of the northwest boundary of the property from 10 feet to 3 feet. The 7 foot variance is being requested in order to meet the geometric requirements by the City and FDOT for a left turn into the property from S. 25<sup>th</sup> Street for southbound traffic.

### **Existing Conditions**

The subject 2.31 acre site located on Edwards Road; just northeast of the Edwards Road and S. 25<sup>th</sup> Street intersection. The subject site is currently home to a one story commercial building. The 2,460 square foot commercial building was constructed in 1972 and currently operates as a pawn shop. On April 2, 2007, the City Commission adopted Ordinance K-478 for the purpose of annexing the subject property at 2496 Edwards Road. On March 9, 2017, the City Commission adopted Ordinance 17-006 for the purpose of annexing the adjacent vacant parcel.

### **Proposal**

The property owner is requesting the Board of Adjustment approve a variance to deviate from Section 22-187 in order to construct a proposed 3,000 sq. ft. convenience store with gas.

The applicant is requesting a 7 foot variance to reduce the landscape buffer along the north 95 feet of the northwest boundary of the property from 10 feet to 3 feet. The 7 foot variance is being requested in order to meet the geometric requirements by the City and FDOT for a left turn into the property from S. 25<sup>th</sup> Street for southbound traffic.

### **Variance Criteria**

The following criteria are specified in Section 22-108 of the City Code, which 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 provisions 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; and

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.

The applicant; in the attached application and supporting documents have provided a response to the criteria.

The applicant maintains that the variance is not detrimental to the neighbors.

**Property Owner Response**

A total of twenty-four (24) notifications were mailed to abutting property owners. As of the preparation of this memorandum, no responses have been received. An updated recording of responses will be provided to the Board at the hearing.

**Staff Recommendation**

The recommendation of Staff is to grant approval of the requested variance for the proposed 7 feet variance to reduce the landscape buffer along the north 95 feet of the northwest boundary of the property from 10 feet to 3 feet; based upon the justification presented by the applicant with respect to the criteria for granting a Variance specified in Section 22-108.