

Variance from Sec. 123-37(6)a General Landscaping Requirements to allow the northern landscape buffer to be reduced from 10 ft to 6 ft.

Describe those conditions peculiar to the specific property and not applicable to other lands, structures, or buildings in the same zoning district.

The site dimensions for the subject site do not allow for a greater landscape buffer. The site is surrounded by commercial uses on all sides. The existing landscape buffer between the subject site and the property to the north ranges from approximately 4 ft to 6 ft wide today and includes both trees and shrubs. We are proposing to maintain this buffer and meet the planting requirements within the buffer, which meets the intent of the code to provide a landscape strip between adjacent properties.

Do special conditions or circumstances result from actions other than that of yours? Please explain.

FDOT will be forcing us to close our existing driveway connection to US Hwy 1, which results in vehicles being required to fully circle the building in order to use the drive-thru. The additional width of the drive-thru lane around the building prohibits us from meeting the required landscape buffer.

Identify any undue hardships or deprivation of commonly enjoyed property rights that would result in the literal interpretation of the code for the zoning district.

The subject site is surrounded by commercial uses with similar landscape buffers on all sides. We are proposing to maintain the existing landscape buffers and meet the planting requirements within the buffers, which meets the intent of the code to provide a landscape strip between adjacent properties.

What is the minimum variance that would give the reasonable use of the land, building, or structure?

The minimum variance is to reduce the northern landscape buffer from 10 ft wide to 6 ft wide.

Explain how the variance request would not impair the intent of the zoning ordinance or be detrimental to the general public welfare.

The intent of the zoning designations is to provide a variety of retail uses and services to serve the community's general needs. Constructing a Dutch Bros Coffee is in harmony with the intent and purpose of the zoning ordinance.