
TO: Vennis Gilmore, Planning Analyst

FROM: Kori Benton, Senior Planner

DATE: November 15, 2018

SUBJECT: **Variance – BDG Edwards – 2496 & 2498 Edwards Road**
Technical Review Project# 12000006.

The St. Lucie County Planning & Development Services Department has completed a review of the November 2, 2018 distribution of Technical Review Project# 12000006.

Background

The request seeks 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. 25th Street for southbound traffic. The subject site is zoned (C-3), General Commercial Zone with a Future Land Use of (GC), General Commercial. Per City Code Sec. 22-110. – Application for a Variance; Appeals to the board of adjustment for a variance may be made by the property owner of the area involved or their designated representative by filing an application with the department of development and the board of adjustment. The subject site has a total of 2.31 acres.

Review Comments

1. Does the proposed driveway conform to City/FDOT corner clearance standards for a commercial driveway?
2. Will a decorative wall or appropriate species of vegetation be utilized to mitigate the reduction in landscape buffer width?
3. The St. Lucie County Board of Adjustment conditionally approved a variance in 2012 to reduce the driveway setback distance from the north property line from 25 ft. to 10 ft. The condition of approval pertained to preservation of oak trees on site. A copy of this approval will be provided to staff.
4. The site previously obtained a development permit for a vehicle sales facility, which encompassed a tree removal and tree preservation plan. A copy of this approval will be provided to staff.

Please contact me at 772-462-2518 if you have any questions or would like to discuss the presented comments.

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**BOARD OF ADJUSTMENT
RESOLUTION NO. 15-007**

File No.: BA 320154849

**A RESOLUTION APPROVING A VARIANCE FOR
CERTAIN PROPERTY LOCATED AT THE NORTHEAST
CORNER OF THE SOUTH 25TH STREET AND EDWARDS ROAD
INTERSECTION IN ST. LUCIE COUNTY, FLORIDA**

10 **WHEREAS**, the Board of Adjustment of St. Lucie County, Florida, based on the testimony and
11 evidence, including, but not limited to the staff report, has made the following determinations:
12

- 13 1. Petition of Carroll Collins for a Variance from the provisions of Section 7.05.06(C)(2)(c)
14 of the St. Lucie County Land Development Code to allow the installation of a driveway
15 which will encroach 15 feet into the minimum side setback distance of 25 feet from the
16 property line.
17
- 18 2. On June 24, 2015 this Board held a public hearing on the petition, after publishing a
19 notice of such hearing, installing a sign on property and notifying by mail all owners of
20 property within 500 feet of the subject property.
21
- 22 3. After consideration of the testimony presented during the public hearing, including staff
23 comments, exhibits, and the standards of review for granting variances set out in Section
24 10.01.02, St. Lucie County Land Development Code, the Board of Adjustment has made
25 the following determinations:
26

27 *The requested variance has met the standards of review as set forth in Section*
28 *10.01.02, St. Lucie County Land Development Code and is not in conflict with the goals,*
29 *objectives, and policies of the St. Lucie County Comprehensive Plan, because*
30

- 31 a) *The requested variance is located on a vacant parcel adjacent to a major intersection*
32 *and no objection was received from adjacent property owners.*
33
- 34 b) *The granting of the requested variance would not impair or otherwise injure other*
35 *property or improvements in the area in which the subject property is located.*
36
- 37 c) *The requested variance meets the general spirit and intent of the St. Lucie County*
38 *Land Development Code and the St. Lucie County Comprehensive Plan.*
39

40 **NOW, THEREFORE, BE IT RESOLVED** by the Board of Adjustment of St. Lucie County,
41 Florida:
42

- 43 A. Petition of Carroll Collins for a variance from the provisions of Section 7.05.06(C)(2)(c) of
44 the St. Lucie County Land Development Code to allow the installation of a driveway that
45 will encroach 15 feet into the minimum side setback of 25 feet required for nonresidential
46 driveways, for the property depicted on the attached map as Exhibit "A" and described
47 as follows:
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**JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT
SAINT LUCIE COUNTY**
FILE # 4090752 07/13/2015 at 03:04 PM
OR BOOK 3767 PAGE 597 - 600 Doc Type: RESO
RECORDING: \$35.50

June 24, 2015
File No. BA 320154849

BOA Resolution No. 15-007
Page 1

1 The South 395.97 feet of the West 219.98 feet of the West 1/2 of the West 1/2 of the
2 Southwest 1/4 of the Southwest 1/4 LESS the South 40 feet for road right-of-way and
3 LESS the West 40 feet, lying and being in Section 21, Township 35 South, Range 40
4 East, St. Lucie County, Florida.
5

6 LESS AND EXCEPT
7

8 The West 10 feet of the following described parcel: The South 395.97 feet of the West
9 219.98 feet of the West 1/2 of the West 1/2 of the Southwest 1/4 of the Southwest 1/4
10 LESS the South 40 feet for road right-of-way and LESS the West 40 feet, lying and
11 being in Section 21, Township 35 South, Range 40 East, St. Lucie County, Florida.
12

13 AND LESS
14

15 A parcel of land situated in Section 21, Township 35 South, Range 40 East, St. Lucie
16 County, Florida. Being more particularly described as follows:
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18 Commencing at the Southwest corner of said Section 21; thence North 89°57'23" East,
19 along the South line of said Section 21, a distance of 50.03 feet; thence North 02°10'51"
20 West, departing said South line, a distance of 40.03 feet to a point of the intersection of
21 the Easterly right of way line of South 25th Street and the Northerly right of way line of
22 Edwards Road, being the Point of Beginning.
23

24 Thence North 02°10'51" West, along said Easterly right of way line, a distance of 20.00
25 feet; thence South 46°06'44" East, departing said Easterly line, a distance of 28.81 feet
26 to the said Northerly right of way line of Edwards Road; thence South 89°57'23" West,
27 along said Northerly line, a distance of 20.00 feet to the Point of Beginning.
28

29 Location: Northeast corner of the South 25th Street and Edwards Road
30 intersection
31

32 Property Tax ID#: 2421-333-0001-0009
33

34 B. Based on the evidence presented, this variance request is approved, with the following
35 conditions:
36

- 37 1. Prior to the issuance a Vegetation Removal Permit, a Landscape Plan consistent
38 with Land Development Code Section 7.09.04 shall be approved by the
39 Environmental Resources Department.
40
- 41 2. Prior to the issuance of a Vegetation Removal Permit, a site inspection shall be
42 conducted by the Environmental Resources Department to verify that tree protection
43 measures, including but not limited to, root pruning, root barricades, and tree
44 protection barricades have been installed.
45
- 46 3. The driveway shall be constructed in a location and manner that avoids impacts to
47 the two (2) native live oak trees measuring 53 inches and 40 inches in diameter at
48 breast height, as shown on the submitted tree survey.
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4. The issuance of County development permit does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

5. All other applicable state or federal permits must be obtained before commencement of the development.

C. An appeal from the Board of Adjustment's action may be processed in accordance with Section 10.01.07, of the St. Lucie County Land Development Code.

D. This variance shall expire twelve months from the date of adoption unless a building permit is approved or an extension is granted in accordance with Section 10.01.06, of the St. Lucie County Land Development Code.

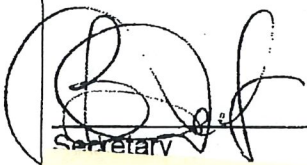
After motion and second, the vote on this resolution was as follows:

Chairman Richard Pancoast	AYE
Commissioner Ron Knaggs	AYE
Commissioner Buddy Emerson	ABSENT
Commissioner Bob Lowe	AYE
Commissioner Michael Jacquin	AYE

PASSED AND DULY ADOPTED This 24th day of June, 2015.

ATTEST:

BOARD OF ADJUSTMENT
ST. LUCIE COUNTY, FLORIDA


Secretary


Chairman

APPROVED AS TO FORM
AND CORRECTNESS:


Asst. County Attorney

If under County provisions hold native inches and removing half. If mitigation required by County 2 to 250.00 county of 101 inch

