



Legislation Text

File #: 17-184, Version: 1

TO: Mayor and Commissioners
FROM: Timothy Stillings, Planning, Zoning and Building Director
THROUGH: Chief Neal de Jesus, Interim City Manager
DATE: February 21, 2017

CONSIDERATION OF A WAIVER REQUEST FROM LDR SECTION 4.4.19(H)(3), TO ALLOW OVERHEAD DOORS TO FACE A PUBLIC RIGHT-OF-WAY FOR HOMETOWN PEST CONTROL, LOCATED AT 1201 GEORGIA STREET (QUASI-JUDICIAL HEARING)

Recommended Action:

Motion to Approve the waiver request to LDR Section 4.4.19(H)(3) to allow overhead doors to face a public right-of-way for the development proposal located at 1201 Georgia Street, based upon positive findings with LDR Section 2.4.7(B)(5).

Background:

At its meeting of January 25, 2017, the Site Plan Review and Appearance Board (SPRAB) approved (7-0) the Class V Site Plan, Landscape Plan and Architectural elevations and recommended approval (7-0) of the waiver request to LDR Section 4.4.19(H)(3) to allow overhead doors to face a public right-of-way. The site plan request is associated with the construction of a 10,712 square foot warehouse and office building consisting of 2,186 square feet of office floor area and 8,526 square feet of warehouse floor area and construction of a 20-space parking lot for Hometown Pest Control.

Waiver Analysis:

Pursuant to LDR Section 4.4.19(H)(3), overhead doors shall be prohibited from facing a public right-of-way. The development proposal includes the installation of four overhead doors along the south building elevation facing the Georgia Street right-of-way. The overhead doors are associated with the development's loading/unloading operations. The following is an analysis of that request:

Pursuant to LDR Section 2.4.7(B)(5), prior to granting a waiver, the approving body shall make a finding that the granting of the waiver:

- (a) Shall not adversely affect the neighboring area;
- (b) Shall not significantly diminish the provision of public facilities;
- (c) Shall not create an unsafe situation; or
- (d) Does not result in the grant of a special privilege in that the same waiver would be granted under similar circumstances on other property for another applicant or owner.

The applicant has provided the following justification for the waiver request:

"This property is surrounded on all sides by public right-of-ways. I have tried to screen the overhead doors with landscape material where possible, and none of the doors face the main

thoroughfare, Wallace Drive”.

The subject property is adjacent to two individual rights-of-way: Lime Lane to the east and Georgia Street to the south. The only property lines not abutting a right-of-way are the north property line and the west property line, which is also the smallest side of the property and the least conducive for loading/unloading facilities. Georgia Street will have the least amount of traffic of the two adjacent rights-of-way. Therefore, locating the overhead doors facing this right-of-way will generate the least amount of visual impact. In addition, the proposed overhead doors will be screened with Live Oak, East Palatka Holly, and Alexander Palm trees, and they will not face the main thoroughfare which is the Wallace Drive. Similar waivers have been approved for other projects within the Wallace Drive Industrial Area, including the House of Floors industrial development. The requested waiver will not adversely affect the neighboring area, diminish the provision of public facilities, or create an unsafe situation. Further, granting the requested waiver will not result in the grant of a special privilege as the same waiver could be granted elsewhere under similar circumstances.

City Attorney Review:

Approved as to form and legal sufficiency.

Finance Department Review:

N/A

Funding Source:

N/A

Timing of Request:

Approval of site plan is dependent on waiver approval.