

City of Pensacola

Zoning Board of Adjustments

Agenda

Wednesday,	August [•]	19.	2020.	3:00	ΡM
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Hagler/Mason Conference Room, 2nd Floor

Quorum/Call to Order

Meeting Minutes

 1.
 20-00468
 ZBA MINUTES - JULY 15, 2020

 Attachments:
 ZBA minutes 7-15-20

Requests

2.	<u>20-00467</u>	ZBA-2020-004 5109 BAYOU BLVD C-1 ZONING DISTRICT
	Attachments:	ZBA 2020-004 Application Package
3.	<u>20-00469</u>	ZBA 2020-005 1000 E. JACKSON STREET R-1AA ZONING DISTRICT
	Attachments:	<u>1ZBA 2020-005 Application Packet</u>

Adjournment

ADDITIONAL INFORMATION:

SUBSEQUENT APPLICATION(S): If denied a variance by the Board, that request for a variance cannot be heard again for a period of one (1) year.

JUDICIAL REVIEW OF DECISION OF BOARD OF ADJUSTMENT:

Per section 12-12-2 (D) of the City of Pensacola Land Development Code, any person or persons, jointly or severally, aggrieved by any decision of the board, or the city, upon approval by the city council, may apply to the circuit court of the First Judicial Circuit of Florida within thirty {30) days after rendition of the decision by the board. Review in the circuit court shall be by petition for writ of certiorari or such other procedure as may be authorized by law.

If any person decides to appeal any decision made with respect to any matter considered at this meeting or public hearing, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and any evidence upon which the appeal is to be based.

If a Notice of Appeal has not been received within thirty-five {35) days of the date of the meeting the variance was denied, the petitioner shall be notified by the Building Official that they have ten {10) days to remove or correct the violation.

ADA Statement:

The City of Pensacola adheres to the Americans with Disabilities Act and will make reasonable accommodations for access to City services, programs and activities. Please call 850-435-1670 (or TDD 435-1666) for further information. Requests must be made at least 48 hours in advance of the event in order to allow the City time to provide the requested services. If any person decides to appeal any decision made with respect to any matter considered at such meeting, he will need a record of the proceedings, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The City of Pensacola adheres to the Americans with Disabilities Act and will make reasonable accommodations for access to City services, programs and activities. Please call 435-1606 (or TDD 435-1666) for further information. Request must be made at least 48 hours in advance of the event in order to allow the City time to provide the



Memorandum

File #: 20-00468	Zoning Board of Adjustme	ents 8/1	9/2020		
то:	Zoning Board of Adjustments Members				
FROM:	Leslie Statler, Senior City Planner				
DATE:	8/12/2020				
SUBJECT:					
ZBA Minutes - July	r 15, 2020				
BACKGROUND:	BACKGROUND:				
Click or tap here to	Click or tap here to enter text.				



Zoning Board of Adjustment

MINUTES OF THE ZONING BOARD OF ADJUSTMENT

July 15, 2020

MEMBERS PRESENT:	Chairperson White, Vice Chairperson Del Gallo, Board Member Wiggins		
MEMBERS VIRTUAL:	Board Member Lonergan, Board Member Stepherson, Board Member Williams		
MEMBERS ABSENT:	Board Member Sebold, Board Member Shelley, Board Member Taylor		
STAFF PRESENT:	Senior Planner Statler, Planning Technician Hargett, Assistant City Attorney Lindsay (virtual), Historic Preservation Planner Harding		
OTHERS PRESENT:	Sean Kelly (virtual)		

1) CALL TO ORDER/QUORUM PRESENT

The Zoning Board of Adjustment (ZBA) was called to order at 3:00 p.m. by Chairperson White with a quorum present. He then read the ZBA rules and instructions and explained the procedures of the virtual Board meeting.

2) APPROVAL OF MINUTES May 20, 2020

The ZBA May 20, 2020 minutes were unanimously approved by the Board.

3) ZBA 2020-003

R-1B

Sean Kelly of BiRite Enclosures is requesting a Variance to reduce the rear setback from 10.0 feet to 6.2 feet to accommodate a screen enclosure.

230 N Reus Street

Mr. Kelly presented to the Board and apologized for not following the appropriate procedures, but indicated he would accept whatever Variance the Board would allow. Chairperson White explained this was not a negotiation opportunity, but the Board would evaluate the 3'8" variance. Mr. Kelly stated the adjoining neighbors had no problem with the request. The property has a privacy fence, and the structure is not visible to the adjacent properties. The primary purpose of the structure was to screen in the owner's cats to keep them from wandering into the neighborhood. Without the variance, it would be an unusable space.

Chairperson White confirmed there was no building permit issued for this structure; Mr. Kelly stated the permit was applied for but not issued.

> 222 West Main Street Pensacola, Florida 32502 www.cityofpensacola.com

Zoning Board of Adjustment Meeting July 15, 2020 2

Board Member Wiggins asked if the patio area provided entry into the house, and it was determined there would be a doorway installed later. At this time, the cats gained entry through the window. Staff confirmed another permit would be needed to install the door. The way the structure was designed, it was attached to the house. If it was a detached structure, there would have been an issue with rear yard coverage and there would have to be a distance between the structures (4' between the principle dwelling). Board Member Lonergan confirmed there was no additional concrete to be poured, and the patio was existing; there were no known permitting issues associated with this company. Chairperson White noted three neighbors had no negative comments; however, one neighbor who lived further down the street had threatened to kill the cat. The neighbors were more agreeable with the current arrangement.

Robert Blastow, a neighbor who had not signed a letter of support, assumed he was the neighbor who had threatened the life of the cat; that statement was not true, but he had threatened to take the cat to the pound. He indicated the structure did not bother him, but it was not being used to house the cats. Chairperson White confirmed the builder had not given Mr. Blastow a letter to sign.

Board Member Del Gallo asked if these were rebuilds or existing houses which were remodeled, and Senior Planner Statler advised they were rebuilds and only around two years old, and this unit was in the CRA overlay, but additions were exempt. This zoning has a less restrictive setback than the Urban overlay would require.

Vice Chairperson Del Gallo made a motion to deny the request due to it being a self-inflicted addition; if it was a remodel, he would entertain the ability to add a rear or screened porch, but with it being a rebuild, it was either built by this individual or purchased realizing there was no screened porch on the back. Board Member Wiggins seconded the motion, and it carried unanimously.

DISCUSSION - None

ADJOURNMENT -

There being no further business, the meeting adjourned at 3:27 p.m.

Respectfully Submitted,

Senior Planner Statler Secretary to the Board



Memorandum

File #: 20-00467	Zoning Board of Adjustments	8/19/2020
то:	Zoning Board of Adjustments Members	
FROM:	Leslie Statler, Senior City Planner	
DATE:	8/12/2020	
SUBJECT:		

ZBA-2020-004 5109 Bayou Blvd C-1 Zoning District

BACKGROUND:

George Williams, Goodwyn Mills Cawood, is requesting a Variance to reduce the required landscape area from 25% to 17.9% to accommodate the construction of a hotel. The existing use of the site is a retail facility with 0.0% greenspace/landscaping. The City requires sites which are being completely redeveloped to come into compliance with all of the applicable regulations, including landscaping. The property is located within the C-1 zoning district and has a requirement for 25% of the site to be greenspace/landscaping. In general, this can be accomplished with parking lot islands and perimeter landscaping as well as ancillary greenspace around buildings and retention areas. Since this site is currently 100% impervious, stormwater requirements are minimal at best. Additionally, the site is surrounded by a retaining wall.

Sec. 12-6-3(A)



- *Zoning Board of Adjustment*
- □ Architectural Review Board
- □ Planning Board
- □ Gateway Review Board

VARIANCE APPLICATION

A COMPLETE APPLICATION SHALL INCLUDE THE FOLLOWING:

- A. One (1) copy of this completed application form. (*Please type or print in ink.*)
- B. Site plan and/or survey showing the following details:*
 - 1. Abutting street(s)
 - 2. Lot dimensions and yard requirements (setbacks)
 - 3. Location and dimensions of all existing structures
 - 4. Location and dimensions of all proposed structures and/or additions
 - 5. Dimension(s) of requested variance(s)
- C. Other supporting documentation (drawings, photographs, etc) to support request(s).*
- D. A non-refundable application fee of \$500.00.

* The Applicant must provide fourteen (14) copies of any documents larger than 8½ x 11 or in color. Maximum page size for all submitted material should be 11" x 17" to allow for processing and distribution.

	(To be Completed by Staff)
Provision(s) of Zoning	Ordinance from which the variance(s) is/are being requested:
Section(s)/ Tables(s) _	a-b-3(A) Zoning $C-b$
	(To be Completed by Applicant)
The Applicant request	s consideration of the following variance request(s):
Property Address:	509 BATAUBLV'D
Current use of propert	V: MILES FURNITURE
1. Describe the reque	ested variance(s):
	DEE ATTACHED
	TEATIN

2. Describe the special condition(s) existing on this property which create(s) the need for the variance(s), but which are not applicable to other properties in the same district and which are not the results of the applicant's actions:

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3. Explain why the requested variance(s) is/are necessary to permit the property owner to obtain the right commonly enjoyed by other property owners in the same district:

SEE ATTACHED 4. Explain why the requested variance(s) is/are not detrimental to the general welfare or to property rights of others in the vicinity: SEEATTACHED . 5. Explain what other condition(s) may justify the proposed variance(s): SEE ATTACHED Application Date: GEORGE WILLIAMS ATA Applicant: 720 BAYFRONT PARKWAYGUTT 200, PCALL 32502 Applicant's Address: Phone: 850.462-3038 Email: george, williams @ gugnetwo Applicant's Signature: Innvest Bayou LLC **Property Owner:** 8816 spider Lilly way Property Owner's Pensacola FL 32526 Address: J.Bhakta@northfloridahotels.com 850.225.8830 Email: Phone: **Property Owner's** Signature:

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Attachment to VARIANCE APPLICATION 5109 BAYOU BOULEVARD 29 July 2020 Page 1 of 3



1. Describe the requested variance:

The property is zoned C-1 (Local Commercial). As such per LDC Chapter 12-6, Section 12-6-3 (A) notes the following:

(A) Landscape area requirements. The Minimum percentage of the total developable site, which shall be devoted to landscaping, unless otherwise specified in this chapter shall be as follows:

C-1 Zoning District = 25 Percent Landscape

C-2 Zoning District = 25 Percent Landscape

The request, per the attached site plan is to grant a variance allowing the project to proceed with a landscape percentage of 17.9% in lieu of 25%.

2. Describe the special condition(s) existing on this property which create(s) the need for the variance(s), but which are not applicable to other properties in the same district and which are not the results of the applicant's actions:

• This parcel is unique in that it sits as an elevated plateau amidst adjoining commercial developments. On grade access is available only on the north side abutting Bayou Boulevard. The east side borders a sloping grade to the rear of the Pottery/Publix Center. The South and West sides are 6'-12' vertical retaining walls adjoining the Cinema/Starbucks Development. The retaining walls were constructed by the Cinema/Starbucks developer.

3. Explain why the requested variance is necessary to permit the property owner to obtain the right commonly enjoyed by other property owners in the same district:

The following properties were recently developed and/or re-developed. We present each separately:

5170 North 9th Avenue: Chili's Grill & Bar: Zoned C-2

This 0.65 Acre site was previously home to Village Inn Restaurant. Per the attached Site Plan and Aerial
photo Village Inn provided approximately 8 % landscaping. The Village Inn was demolished complete and a
new Chili's Restaurant was constructed on the site. The new development provides 10± % landscaping (Less
than the LDC required 25%)

5108 North 9th Avenue: BJ's Restaurant & Brewhouse: Zoned C-2

This 1.21± acre site was previously an asphalt parking lot located on the Dillard's Parcel at Cordova Mall. A new BJ's Restaurant & Brewhouse was constructed on the site. Despite being constructed contiguous with 400+ mall parking spaces, the new development provides 16± % Landscaping (Less than the LDC required 25%).

5091 Bayou Boulevard: Panera Bread: Zoned C-1

 This 1.03± acre site was previously Applebee's Restaurant. Per the attached Site Plans and Aerial photo Applebee's underwent renovation and expansion in 2012 resulting in 13.3% Landscaping. Following Applebee's closing Panera Bread purchased the property and partially demolished and renovated the existing building along with moderate site modifications for a new drive through window and vehicle queuing lane. Per the attached site plan the Panera development removed landscaping and added landscaping resulting in a net 'no change', thus maintaining the 13.3% Landscaping (Less than the LDC required 25%). Attachment to VARIANCE APPLICATION 5109 BAYOU BOULEVARD 29 July 2020 Page 2 of 3



4. Explain why the requested variance is not detrimental to the general welfare or to property rights of others in the vicinity:

- As cited in the examples above the variance we seek is far less detrimental than the development permits (variances) previously granted to the similar properties in the immediate vicinity.
- Our proposed development with approximately 18% of site landscaped will be an enhancement not a
 Detriment, versus the existing totally impervious Furniture Store and site. Certainly, the general welfare of
 the vicinity will be 'enhanced' by the proposed development; particularly in comparison to another
 furniture store or similar business occupying the current 60,000 SF facility with no site improvements or
 modifications.

5. Explain what other conditions may justify the proposed variance.

- The existing property is currently operated as a furniture store. The existing 60,000 SF single story building and associated parking cover the entire parcel with impervious surface (i.e. 100%). There is currently ZERO landscaping on the site. The proposed hospitality development will create 18,643 SF of landscaped and irrigated area (+ additional areas noted below) and will be meticulously maintained to corporate Franchisor Standards thus creating a visually appealing improvement to the current barren and harsh streetscape.
- As noted in item #2 above, the southern property is bordered with a 6'-12' vertical retaining wall. The Cinema/Starbucks development constructed this retaining wall as part of their site development leaving a 12'-15' wide strip of land at the upper level plateau at the rear of the existing furniture store. Our site development plan includes landscaping and maintaining this 'strip' of land, yet we are not permitted to include this 2,400± SF of landscaping in our 'calculations'. This strip of land remains in an unkept and poorly maintained condition. See photos, attachments pages 7 & 8.
- The proposed site development will close the two existing vehicular entrance drives onto Bayou Boulevard and replace with one centrally located entrance drive. This net reduction of drive (impervious surface) along with existing Bayou Right of Way area results in a total of 1,960± SF of landscaping along Bayou Boulevard property frontage. Our site development plan includes landscaping, irrigating, and maintaining this frontage, yet we are not permitted to include this 1,960± SF of landscaping in our 'calculations'
- Like any similar commercial development project financial viability is a MUST. The Owner has carefully conducted economic proformas to determine a profitable Business/Development model addressing: Room Key Count; Land Cost: Development/Construction Cost; and Operating Cost. The result of this analysis is the 153 Room Key Count in a four-story building.
 - To reduce Parking and increase Landscape area, the Owner has engaged HSA Consulting to provide a traffic-parking use study. This Study resulted in the Owner and Hotel Franchisor agreeing to reduce the car parking count from 153 to 142 (NOTE: the LDC parking criteria is 1 car/room). The 11 space reduction results in 1,782 SF of additional landscaped area (included in the Variance Calculations herein).
 - The Owner is continuing discussions with City Planning Services Division to achieve an Administrative Variance for this parking reduction

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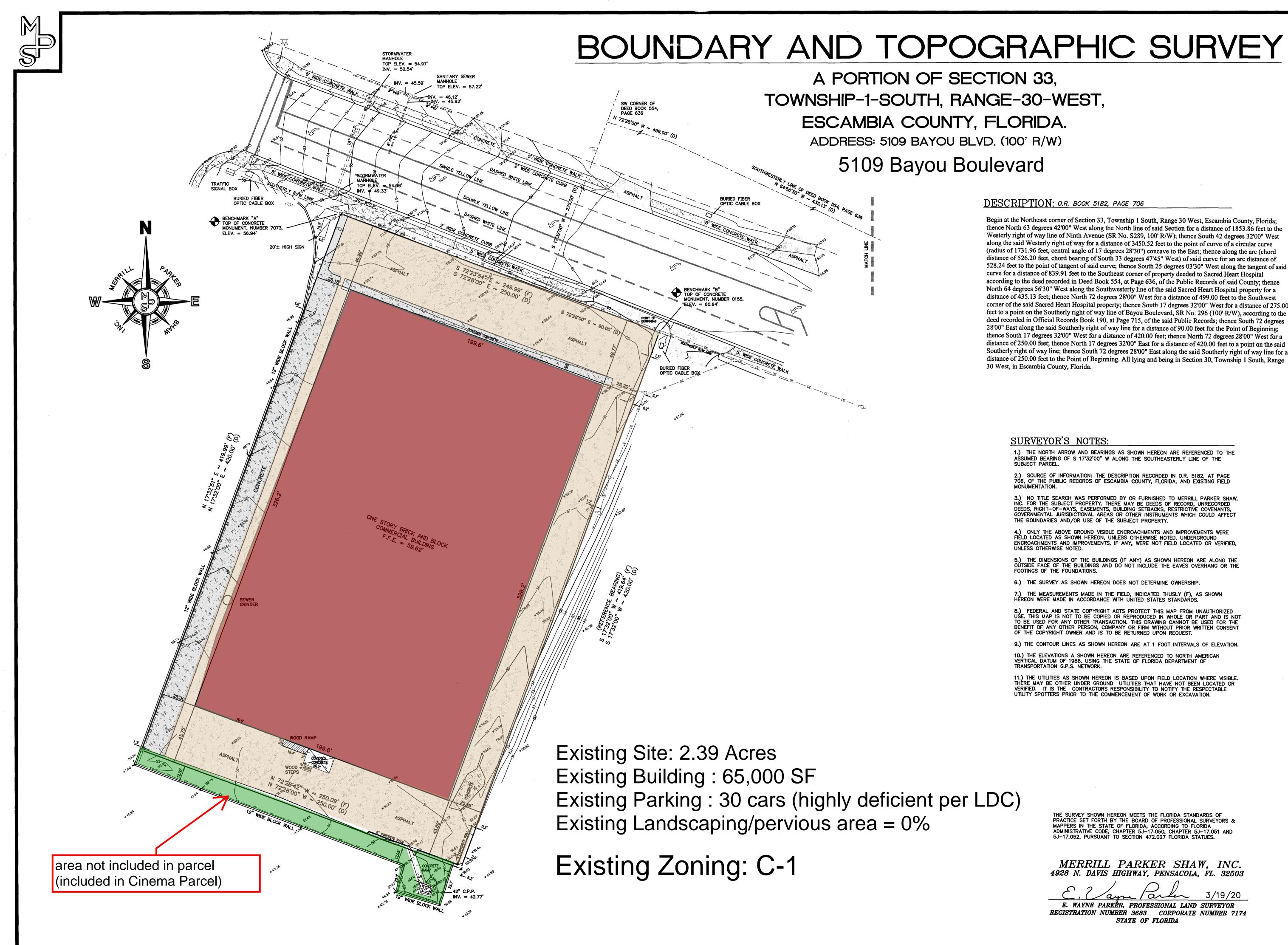
- 1. Aerial of Site
- 2. Birds eye view of site
- 3. Site Survey
- 4. Aerial of Site with Proposed Site Development
- 5. Street level view of site
- 6. Street level view of site
- 7. Ground level view, retaining wall at rear of site (taken from Cinema Parcel)
- 8 Ground level view at rear of site
- 9. Zoning Map of adjoining properties cited for reference
- 10. 5170 N. 9th Avenue: Chili's Bar & Grill (original Village Inn Aerial)
- 11. 5170 N. 9th Avenue: Chili's Bar & Grill current aerial
- 12. 5170 N. 9th Avenue: Chili's Bar & Grill schematic landscape plan
- 13. 5108 N. 9th Avenue: B.J.'s Restaurant & Brewhouse original site/Dillard's Parking
- 14. 5108 N. 9th Avenue: B.J.'s Restaurant & Brewhouse current aerial
- 15. 5108 N. 9th Avenue: B.J.'s Restaurant & Brewhouse schematic landscape plan
- 16. 5091 Bayou Boulevard: Panera Bread original Applebee's Aerial
- 17. 5091 Bayou Boulevard: Panera Bread current aerial
- 18. 5091 Bayou Boulevard: Panera Bread site plan with landscaped area modifications
- 19. PROPOSED SITE PLAN
- 20. PROPOSED LANDSCACPE PLAN
- 21. PROPSOED IRRIGATION PLAN







5109 Bayou Boulevard



DESCRIPTION: O.R. BOOK 5182, PAGE 706

Begin at the Northeast corner of Section 33, Township 1 South, Range 30 West, Escambia County, Florida; thence North 63 degrees 42'00" West along the North line of said Section for a distance of 1853.86 feet to the Westerly right of way line of Ninth Avenue (SR No. S289, 100' R/W); thence South 42 degrees 32'00" West along the said Westerly right of way for a distance of 3450.52 feet to the point of curve of a circular curve (radius of 1731.96 feet, central angle of 17 degrees 28'30") concave to the East; thence along the arc (chord distance of 526.20 feet, chord bearing of South 33 degrees 47'45" West) of said curve for an arc distance of 528.24 feet to the point of tangent of said curve; thence South 25 degrees 03'30" West along the tangent of said curve for a distance of 839.91 feet to the Southeast corner of property deeded to Sacred Heart Hospital according to the deed recorded in Deed Book 554, at Page 636, of the Public Records of said County: thence North 64 degrees 56'30" West along the Southwesterly line of the said Sacred Heart Hospital property for a distance of 435.13 feet; thence North 72 degrees 28'00" West for a distance of 499.00 feet to the Southwest corner of the said Sacred Heart Hospital property; thence South 17 degrees 32'00" West for a distance of 275.00 feet to a point on the Southerly right of way line of Bayou Boulevard, SR No. 296 (100' R/W), according to the deed recorded in Official Records Book 190, at Page 715, of the said Public Records; thence South 72 degrees 28'00" East along the said Southerly right of way line for a distance of 90.00 feet for the Point of Beginning; thence South 17 degrees 32'00" West for a distance of 420.00 feet; thence North 72 degrees 28'00" West for a distance of 250.00 feet; thence North 17 degrees 32'00" East for a distance of 420.00 feet to a point on the said Southerly right of way line; thence South 72 degrees 28'00" East along the said Southerly right of way line for a distance of 250.00 feet to the Point of Beginning. All lying and being in Section 30, Township 1 South, Range 30 West, in Escambia County, Florida.

SURVEYOR'S NOTES:

1.) THE NORTH ARROW AND BEARINGS AS SHOWN HEREON ARE REFERENCED TO THE ASSUMED BEARING OF S 17'32'00" W ALONG THE SOUTHEASTERLY LINE OF THE SUBJECT PARCEL.

2.) SOURCE OF INFORMATION: THE DESCRIPTION RECORDED IN O.R. 5182, AT PAGE 706, OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA, AND EXISTING FIELD MONUMENTATION

) MERRILL PARKER SHA NC. FOR THE SUBJECT PROPERTY. THERE MAY BE DEEDS OF RECORD. UNRECORDED DEEDS, RIGHT-OF-WAYS, EASEMENTS, BUILDING SETBACKS, RESTRICTIVE COVENANTS, GOVERNMENTAL JURISDICTIONAL AREAS OR OTHER INSTRUMENTS WHICH COULD AFFECT HE BOUNDARIES AND/OR USE OF THE SUBJECT PROPERTY

I.) ONLY THE ABOVE GROUND VISIBLE ENCROACHMENTS AND IMPROVEMENTS WERE FIELD LOCATED AS SHOWN HEREON, UNLESS OTHERWISE NOTED. UNDERGROUND ENCROACHMENTS AND IMPROVEMENTS, IF ANY, WERE NOT FIELD LOCATED OR VERIFIED, INLESS OTHERWISE NOTED.

5.) THE DIMENSIONS OF THE BUILDINGS (IF ANY) AS SHOWN HEREON ARE ALONG THE OUTSIDE FACE OF THE BUILDINGS AND DO NOT INCLUDE THE EAVES OVERHANG OR THE FOOTINGS OF THE FOUNDATIONS.

6.) THE SURVEY AS SHOWN HEREON DOES NOT DETERMINE OWNERSHIP

7.) THE MEASUREMENTS MADE IN THE FIELD, INDICATED THUSLY (F), AS SHOWN IEREON WERE MADE IN ACCORDANCE WITH UNITED STATES STANDARDS

8.) FEDERAL AND STATE COPYRIGHT ACTS PROTECT THIS MAP FROM UNAUTHORIZED USE. THIS MAP IS NOT TO BE COPIED OR REPRODUCED IN WHOLE OR PART AND IS NOT O BE USED FOR ANY OTHER TRANSACTION. THIS DRAWING CANNOT BE USED FOR THE BENEFIT OF ANY OTHER PERSON, COMPANY OR FIRM WITHOUT PRIOR WRITTEN CONSENT OF THE COPYRIGHT OWNER AND IS TO BE RETURNED UPON REQUEST.

9.) THE CONTOUR LINES AS SHOWN HEREON ARE AT 1 FOOT INTERVALS OF ELEVATION. 10.) THE ELEVATIONS A SHOWN HEREON ARE REFERENCED TO NORTH AMERICAN VERTICAL DATUM OF 1988, USING THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION G.P.S. NETWORK.

11.) THE UTILITIES AS SHOWN HEREON IS BASED UPON FIELD LOCATION WHERE VISIBLE. THERE MAY BE OTHER UNDER GROUND UTILITIES THAT HAVE NOT BEEN LOCATED OR VERIFIED. IT IS THE CONTRACTORS RESPONSIBILITY TO NOTIFY THE RESPECTABLE UTILITY SPOTTERS PRIOR TO THE COMMENCEMENT OF WORK OR EXCAVATION.

MERRILL PARKER SHAW, INC. 1928 N. DAVIS HIGHWAY, PENSACOLA, FL. 32503 3/19/20 E. WAYNE PARKER, PROFESSIONAL LAND SURVEYOR REGISTRATION NUMBER 3683 CORPORATE NUMBER 7174 STATE OF FLORIDA

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		28 N. DAVIS HWY	PH (860) 478-4923		NOT VALID WITHOUT THE SIGNATURE AND				
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	1100				AND MAPPER				
PREPARED FOR: JAY BHAKTA			EWP	3/19/20					
ATRICK	FIELD DATE:	3/16/20	FIELD BOOK: 438, PA	GE 43					
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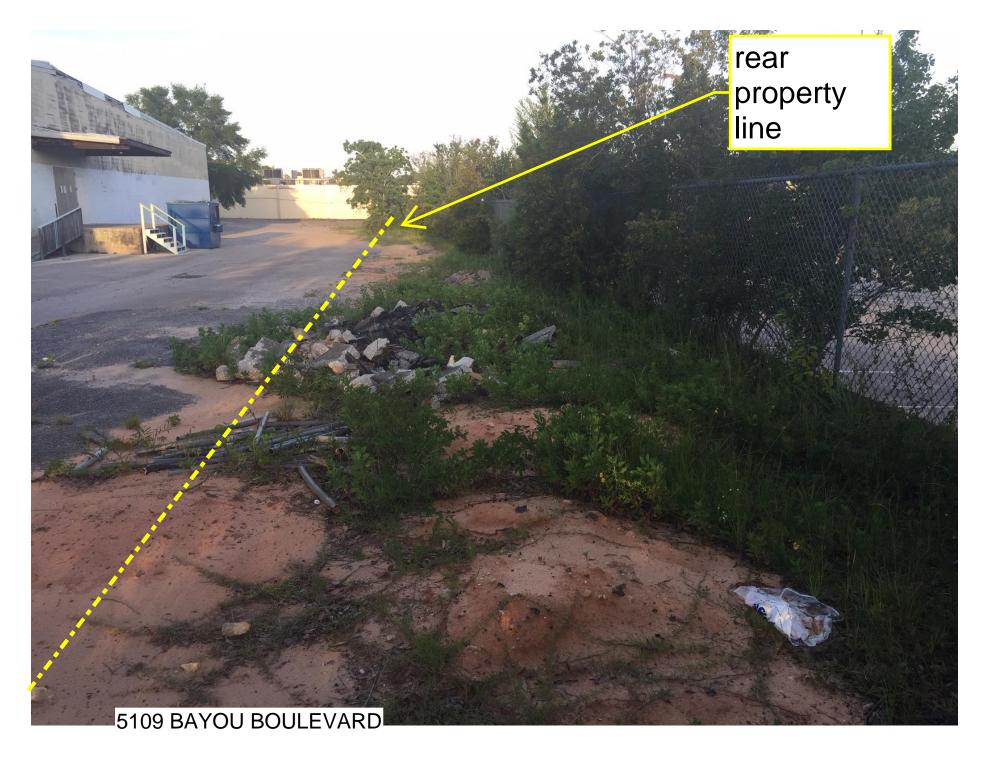
5109 BAYOU BOULEVARD NORTH EAST CORNER FROM BAYOU BOULEVARD



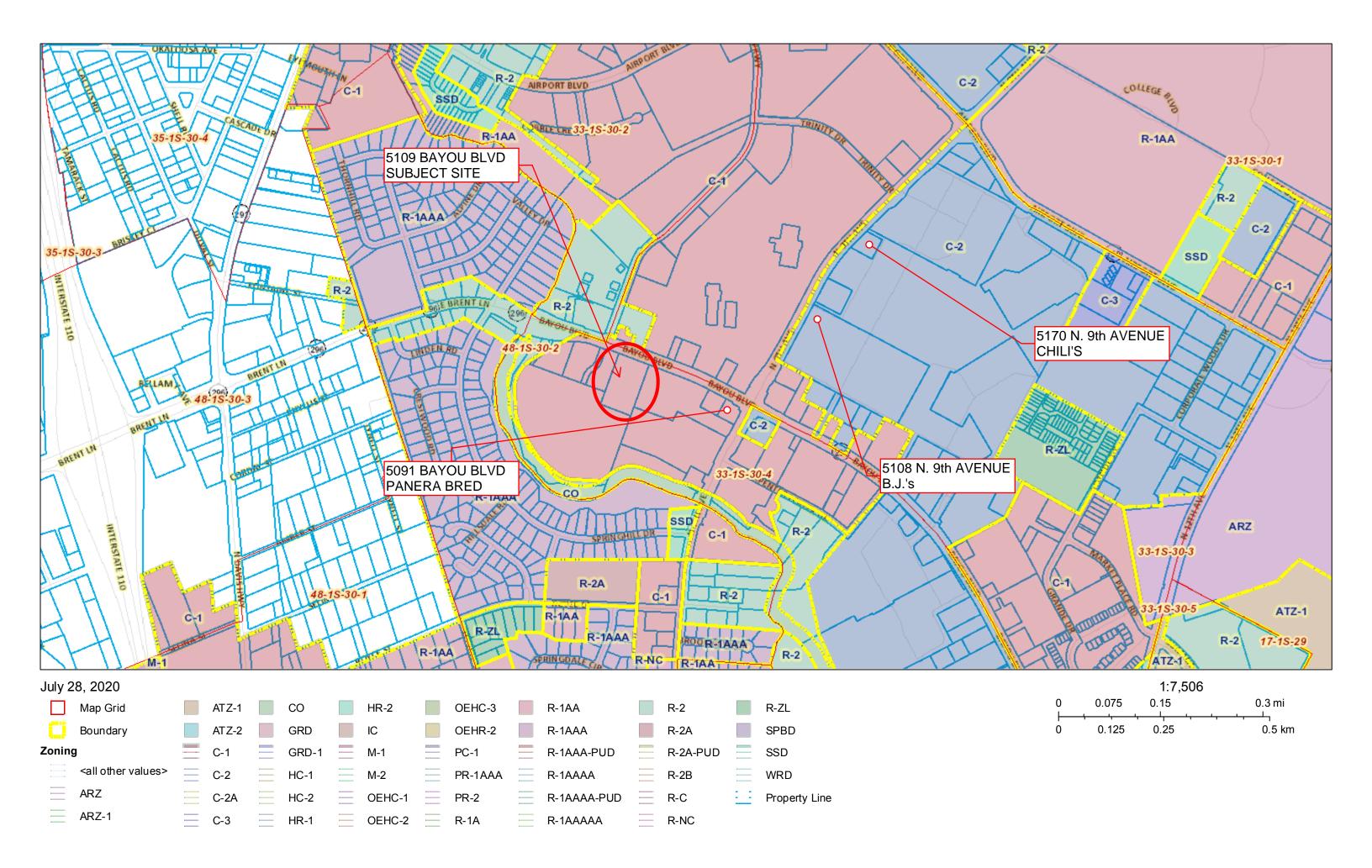
5109 BAYOU BOULEVARD NORTH WEST CORNER FROM BAYOU BOULEVARD

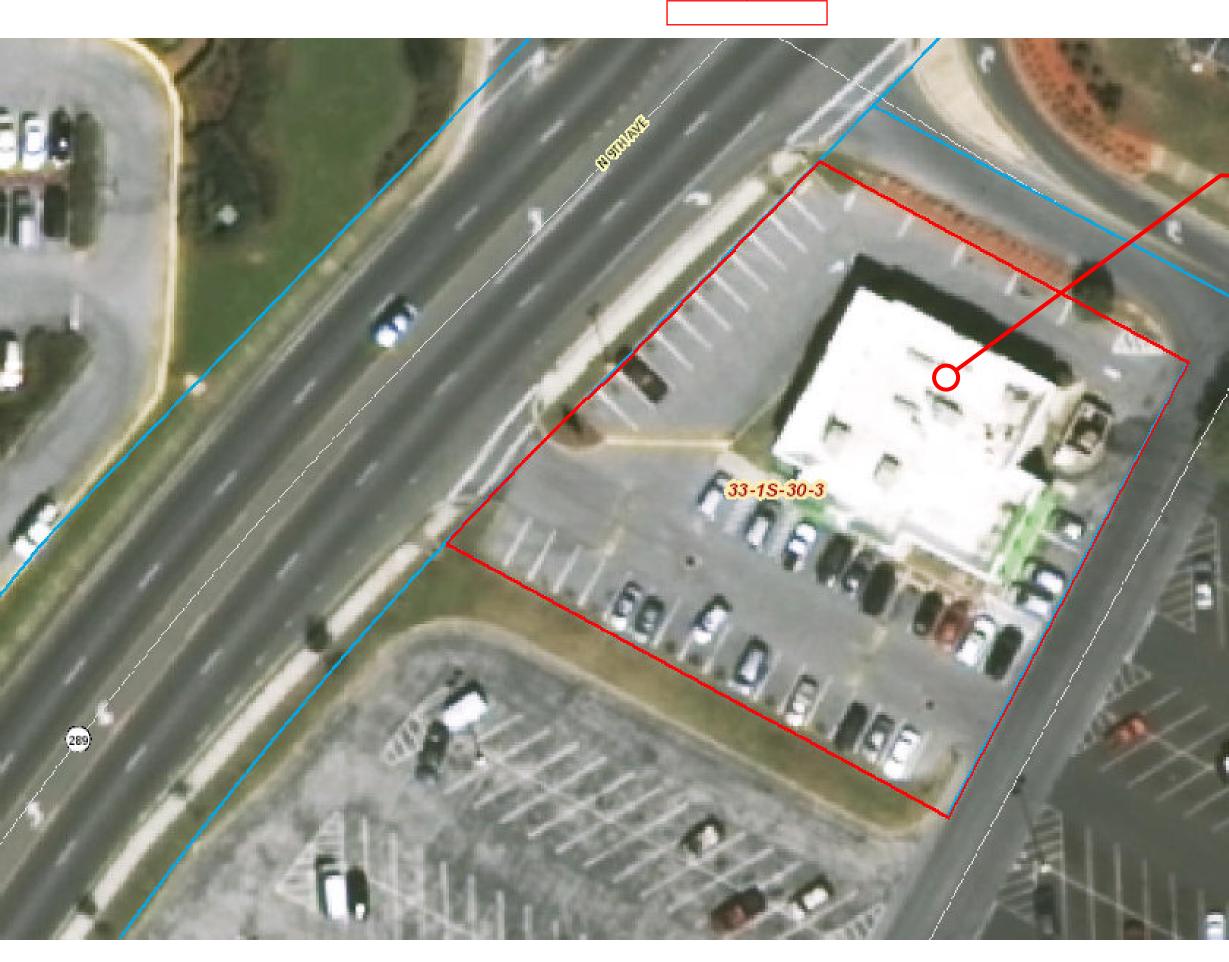


SOUTHWEST CORNER FROM CINEMA PARKING



SOUTHWEST CORNER (VIEW TO EAST)





5170 NORTH 9th AVENUE: CHILI'S GRILL & BAR

VILLAGE INN RESTAURANT



5170 NORTH 9th AVENUE: CHILI'S GRILL & BAR





July 21, 2020

- Map Grid
- Property Line

5108 NORTH 9th AVENUE, B.J.'s RESTAURANT & BREWHOUSE

		1:627			
0	0.0075	0.015			0.03 mi
0	0.01	0.02	/`, '	0.04 km	



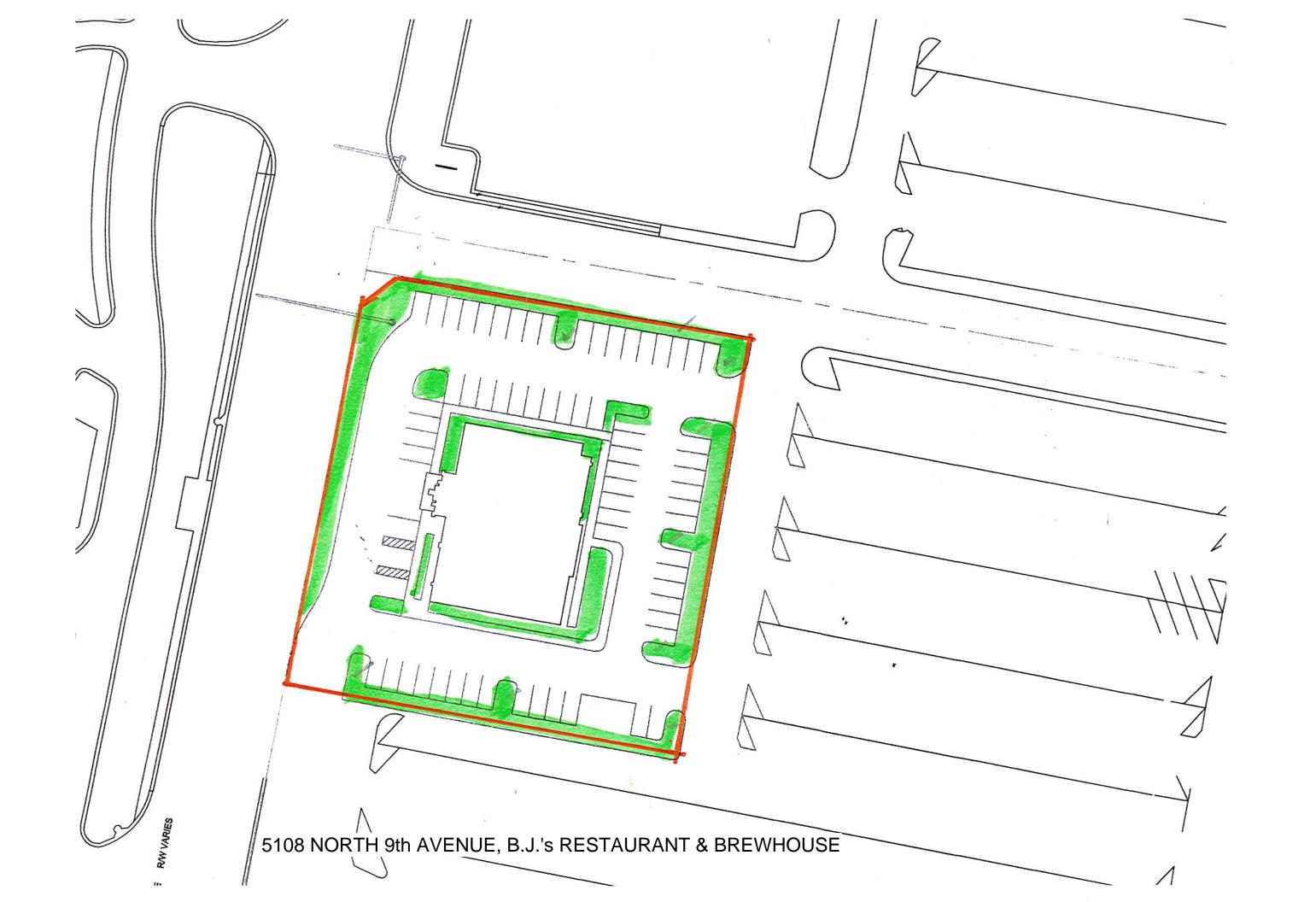
July 21, 2020

Map Grid

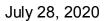
Property Line

5108 NORTH 9th AVENUE, B.J.'s RESTAURANT & BREWHOUSE

		1:627	
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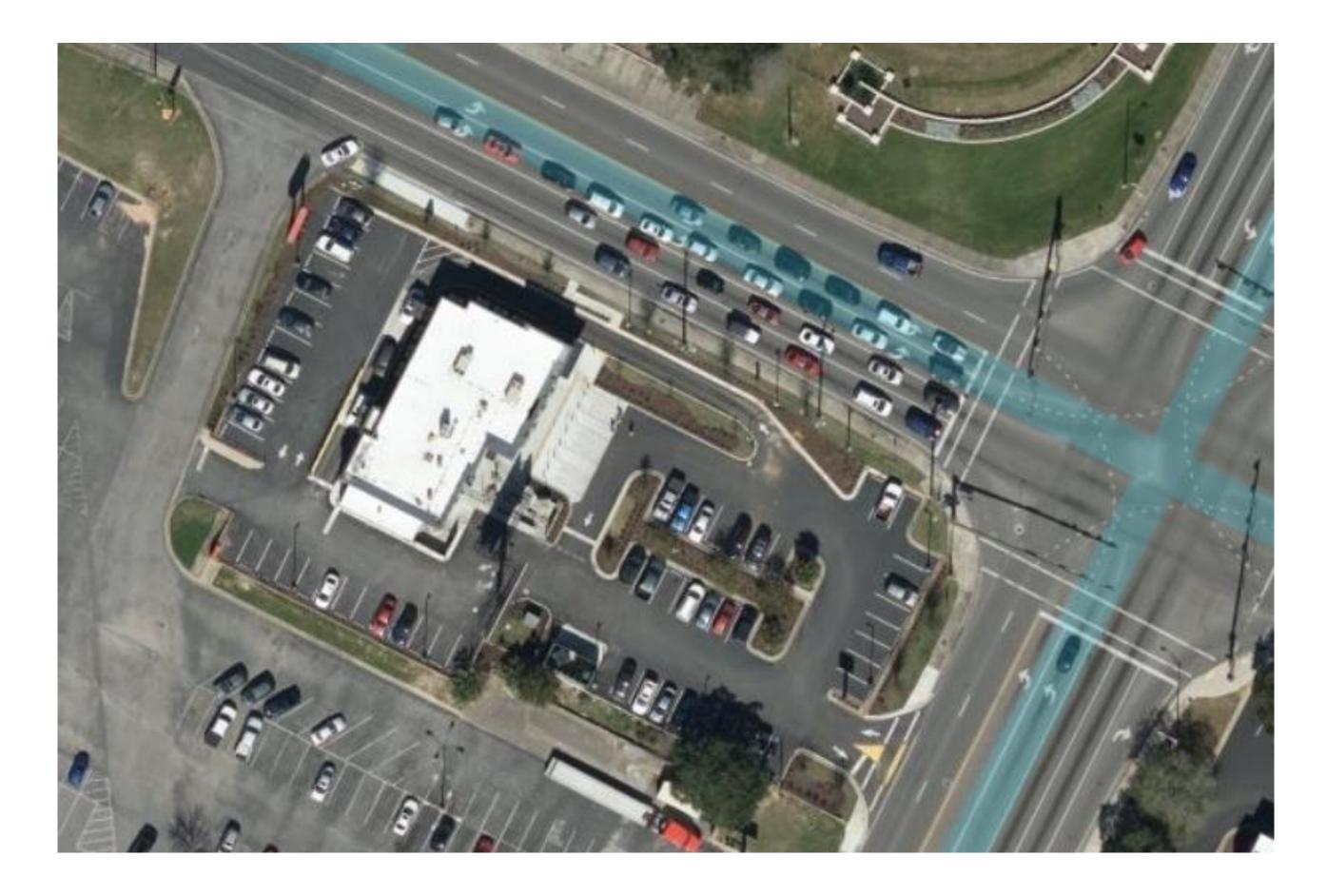




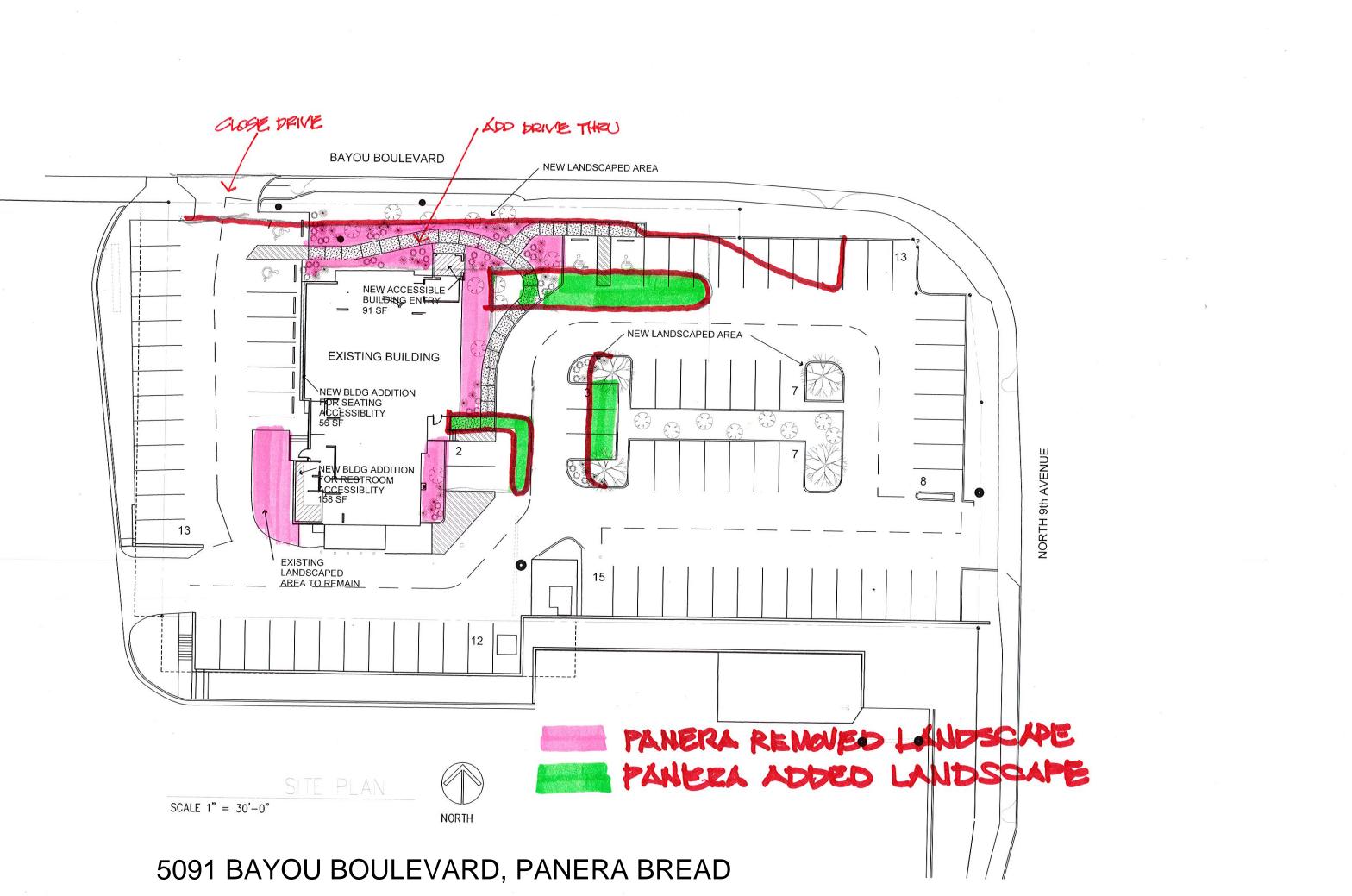
- Map Grid
- Property Line

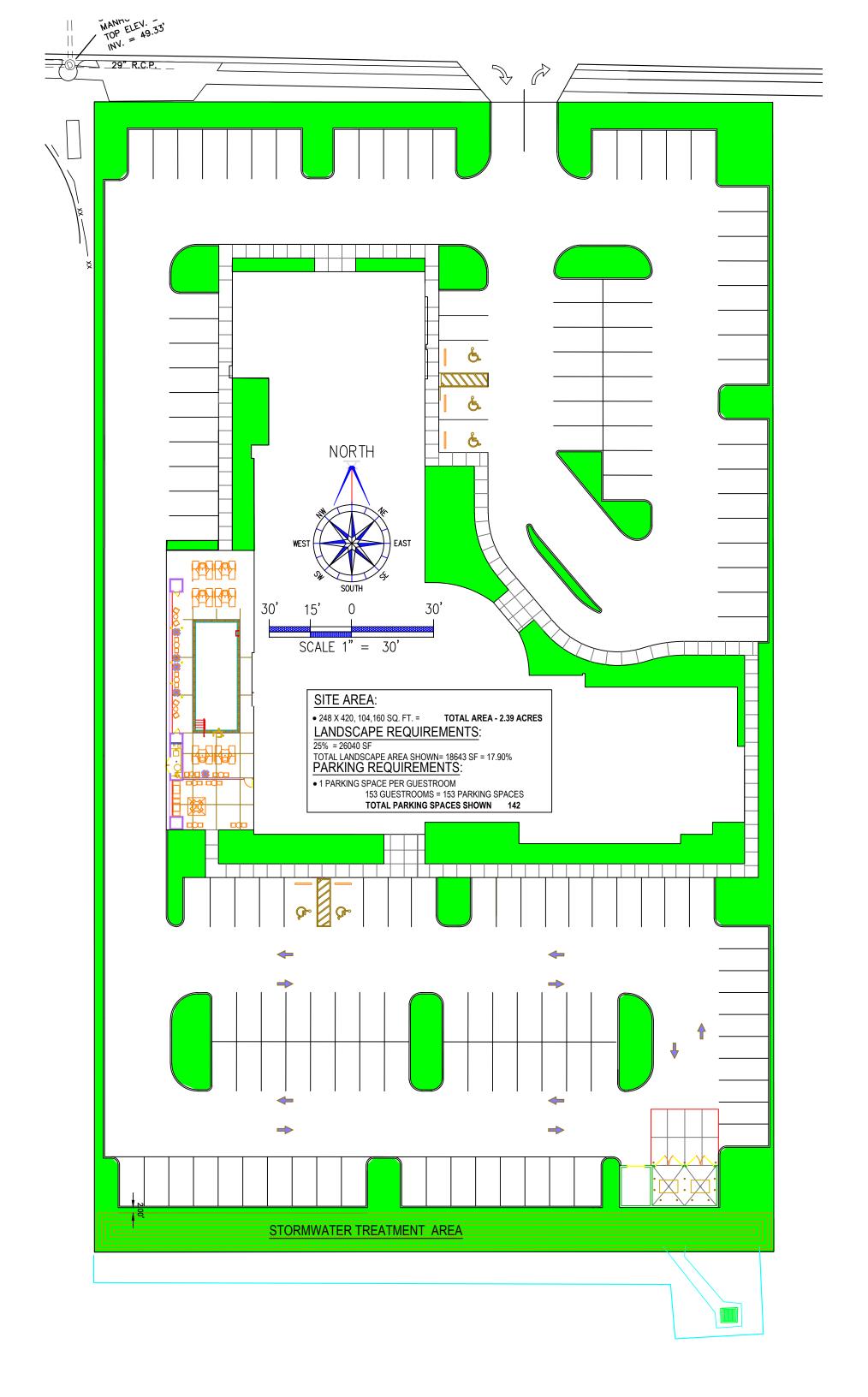
5091 BAYOU BOULEVARD, PANERA BREAD

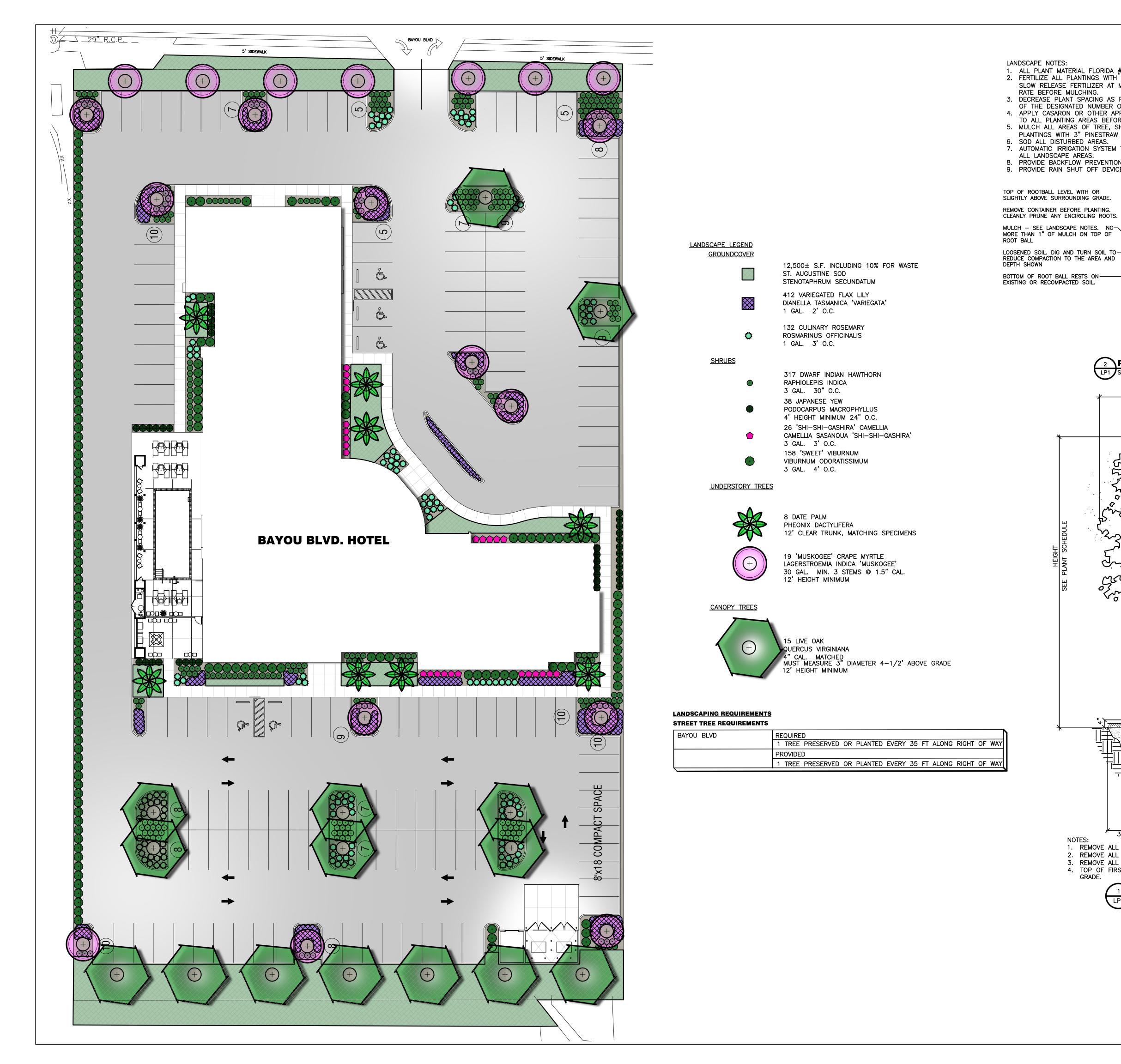
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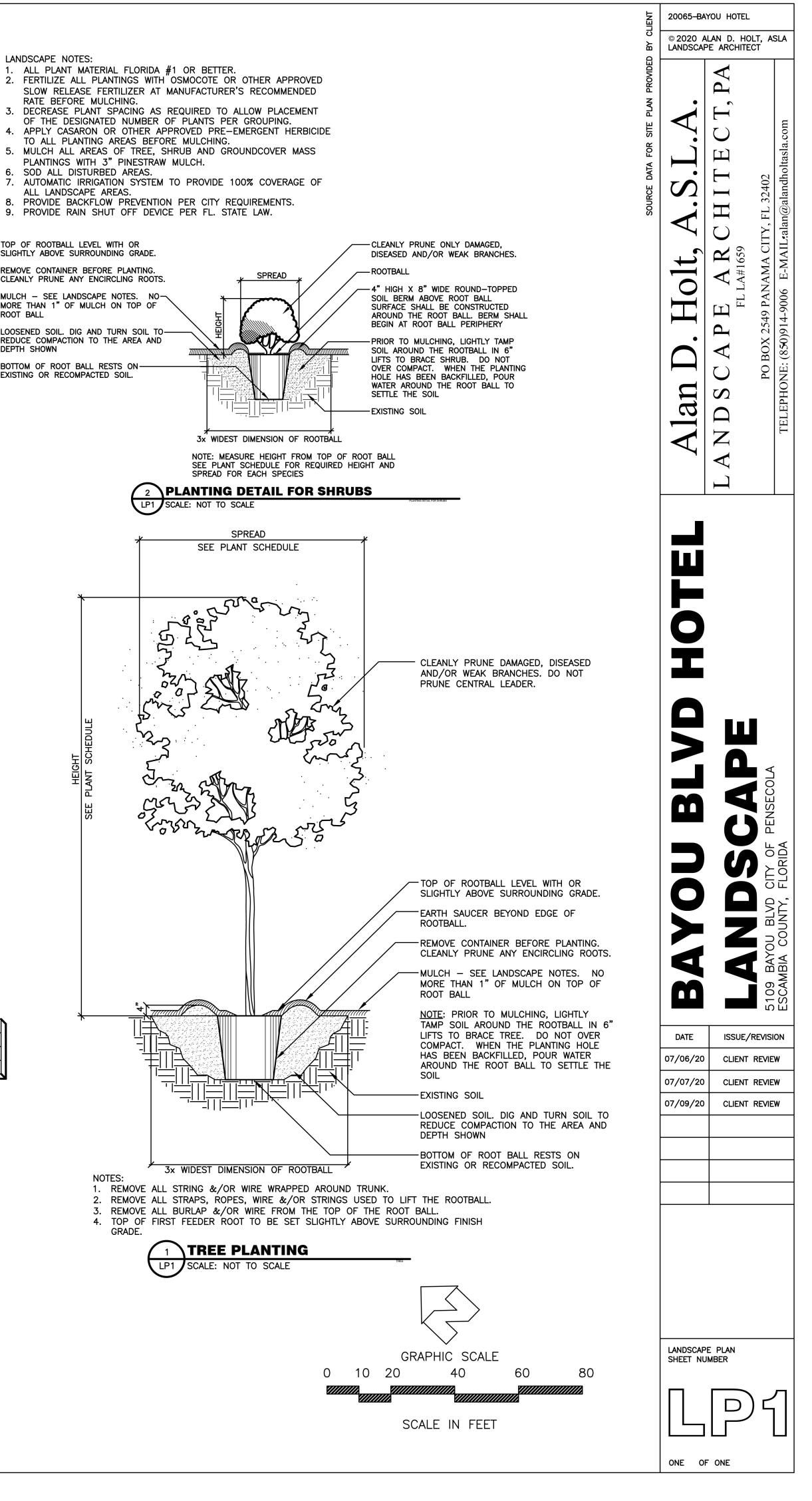
5091 BAYOU BOULEVARD, PANERA BREAD

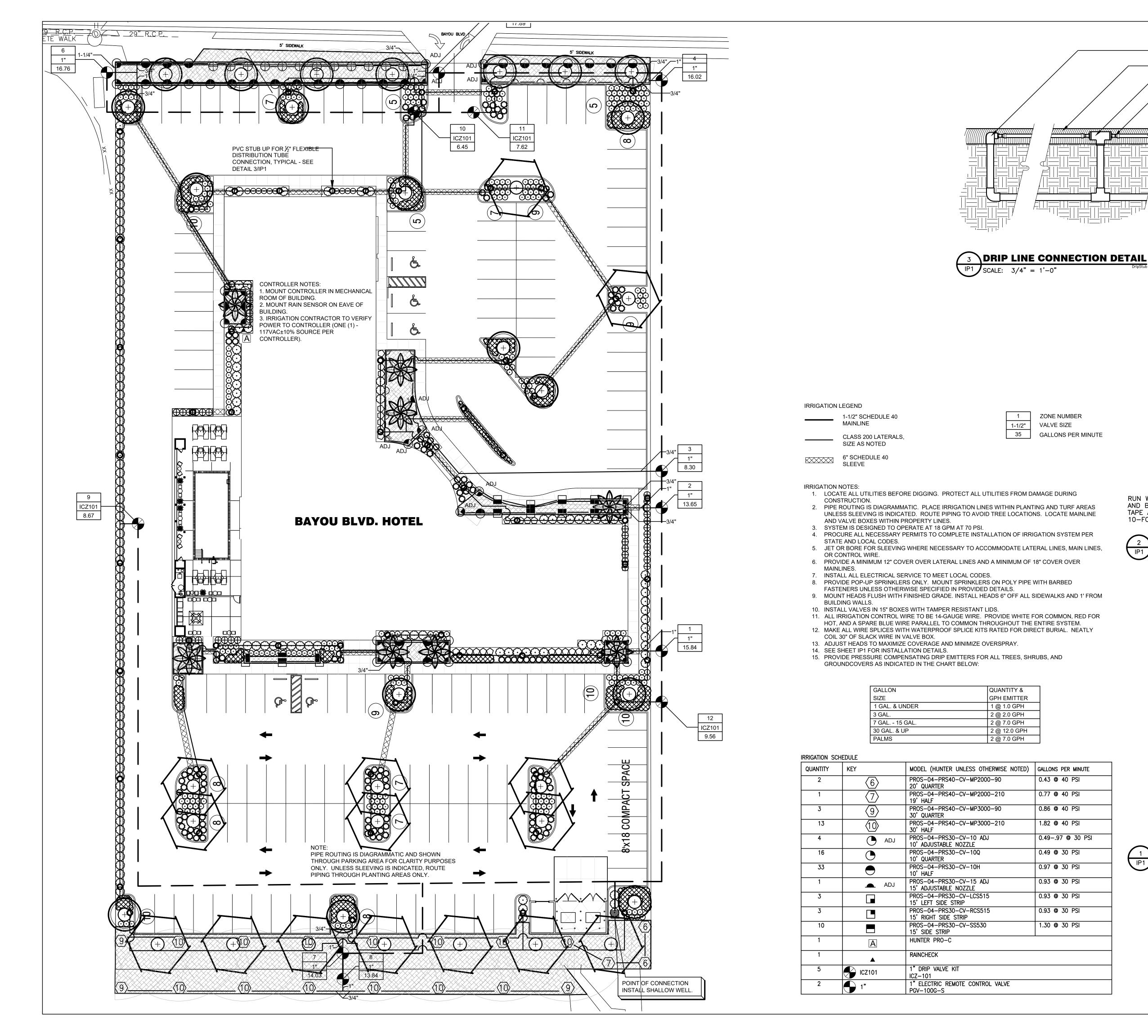


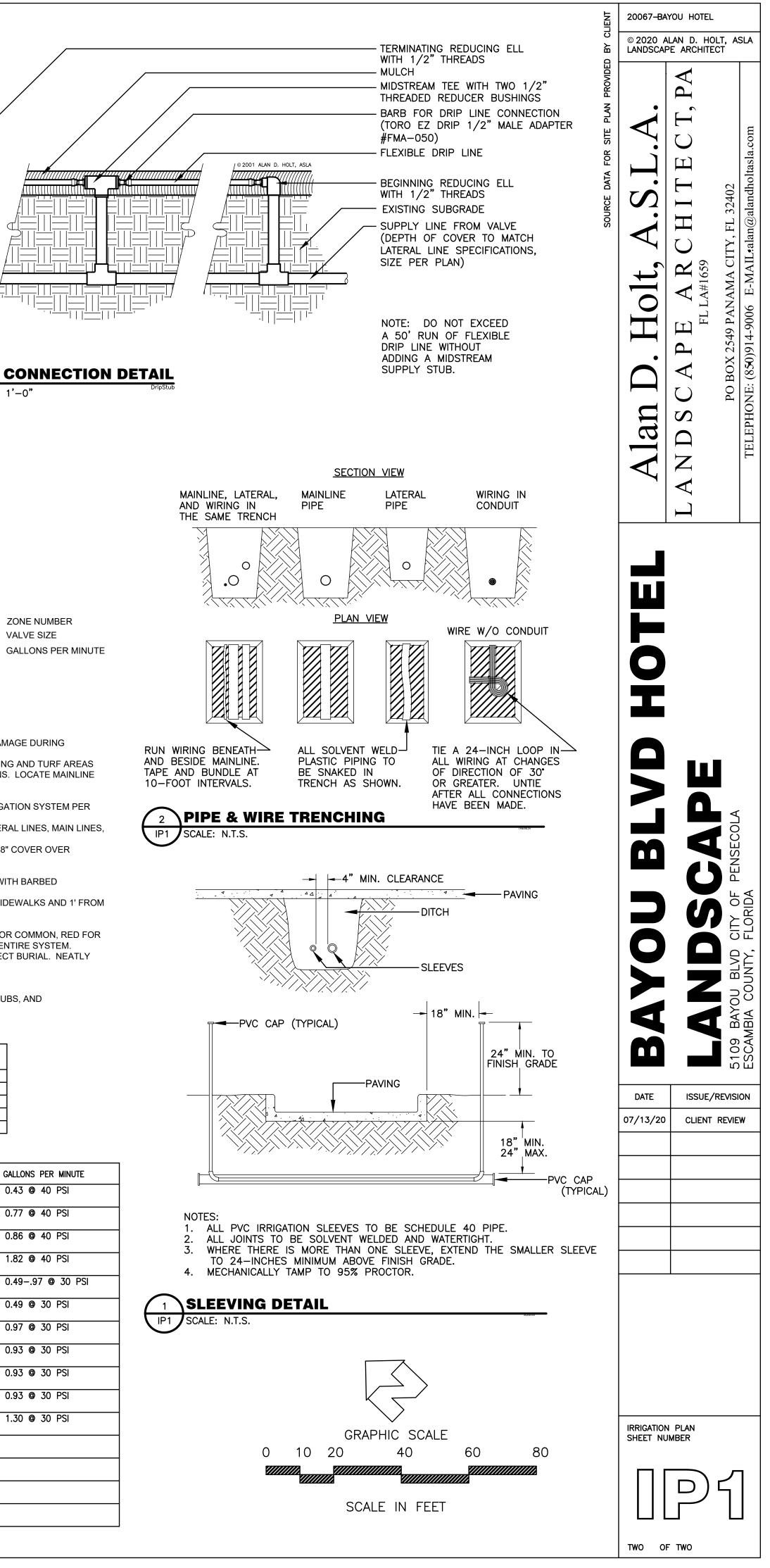




NOTES:









Memorandum

File #: 20-00469		Zoning Board of Adjustments	8/19/2020
то:	Zoning Board of Adjustn	nents Members	
FROM:	Leslie Statler, Senior Cit	ty Planner	
DATE:	8/12/2020		

ZBA 2020-005 1000 E. Jackson Street R-1AA Zoning District

BACKGROUND:

SUBJECT:

Steve Jernigan is requesting multiple variances to accommodate the construction of a detached garage. The applicant is seeking to reduce the required secondary frontage yard from 15.0 feet to 0.0 feet and to increase the maximum rear yard coverage from 25% to 38.8%. The applicant is proposing to construct a detached garage to align with the existing residence on the west side of the property. The applicant desires to preserve a large tree as opposed to shifting the building to the south into the buildable area.

The existing residence was originally a retail store constructed in 1914 with a residence adjacent to the east. At some point in the 1980s, the parcel was divided with a building on each new lot. As such, this does not meet the date certain for the "Lot of Record" setback reductions to apply.

Sec. 12-2-4(E), Table 12-2.2 Sec. 12-2-31(D)(a)2



- □ Zoning Board of Adjustment
- □ Architectural Review Board
- □ Planning Board
- □ Gateway Review Board

VARIANCE APPLICATION

A COMPLETE APPLICATION SHALL INCLUDE THE FOLLOWING:

- A. One (1) copy of this completed application form. (*Please type or print in ink.*)
- B. Site plan and/or survey showing the following details:*
 - 1. Abutting street(s)
 - 2. Lot dimensions and yard requirements (setbacks)
 - 3. Location and dimensions of all existing structures
 - 4. Location and dimensions of all proposed structures and/or additions
 - 5. Dimension(s) of requested variance(s)
- C. Other supporting documentation (drawings, photographs, etc) to support request(s).*
- D. A non-refundable application fee of **\$500.00**.

* The Applicant must provide fourteen (14) copies of any documents larger than 8½ x 11 or in color. **Maximum page size for all submitted material should be 11" x 17" to allow for processing and distribution.**

(To be Completed by Staff)

Provision(s) of Zoning Ordinance from which the variance(s) is/are being requested:

Section(s)/ Tables(s) _	12-2-4(E) T.12-2.2	Zoning B-1AA
	12-2-31 (P)(a) 2	
	(To be Completed by Applicant)	

The Applicant requests consideration of the following variance request(s):

Property Address:	1000 East Jackson Street
Current use of property:	Residential
 Describe the requested variants 25% of required rear yard. 	ance(s): Variance to the Minimum 30' rear yard requirement, and to the

2. Describe the special condition(s) existing on this property which create(s) the need for the variance(s), but which are not applicable to other properties in the same district and which are not the results of the applicant's actions:

R-1AA promotes "infill" development. Consistent with many older and newer homes, a side-street facing

Garage is consistent with the architecture of the neighborhood. The geometry of the lot (30' wide on

Jackson Street and 132.5' on 10th Avenue) dictates this is the only location available for a garage.

3. Explain why the requested variance(s) is/are necessary to permit the property owner to obtain the right commonly enjoyed by other property owners in the same district:

Garages are common in this East Hill neighborhood. Currently the right-of way along 10th Avenue is

exceptionally deep, appx. 39' from road to property line. The size of the house (1200 SF) cannot be reasonably expanded due to lot width and 2 large oak trees which are to be preserved.

4. Explain why the requested variance(s) is/are not detrimental to the general welfare or to property rights of others in the vicinity:

This additional structure would be in keeping with the architecture of the existing residential structure

and promotes the "infill" concept along 10th Avenue. The garage is still 12' from the property on the north. Instead of a fence, the side garage would enhance the curb appeal.

5. Explain what other condition(s) may justify the proposed variance(s):

The size of lot (30'x132.5) and the 2 large oaks to be preserved.

		Application Date:
Applicant:	Steve Jernigan	
Applicant's Address:	1000 East Jackson Street	
Email:	Steve.jernigan@gmcnetwork.com	Phone:
Applicant's Signature:	nos.	
Property Owner:	Gerald Steven and Patricia Jenkins Jern	igan
Property Owner's Address:	1000 East Jackson Street	
Email:	Steve.jernigan@gmcnetwork.com	Phone:
Property Owner's Signature:	Same as above	

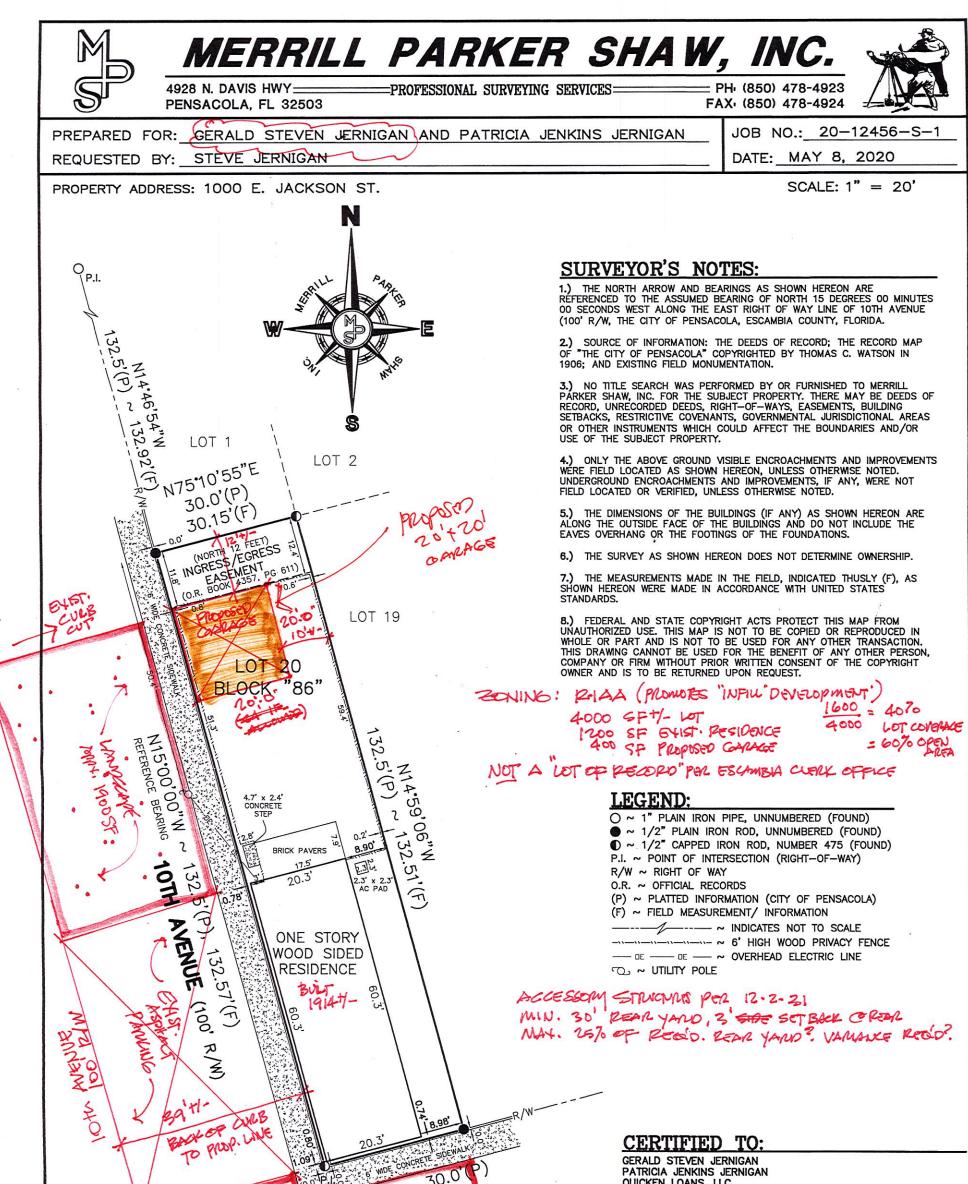
The City of Pensacola adheres to the Americans with Disabilities Act and will make reasonable modifications for access to City Services, programs, and activities. Please call 435-1600 for further information. Requests must be made at least 48 hours in advance of the event in order to allow the City time to provide the requested services.

Variance Application

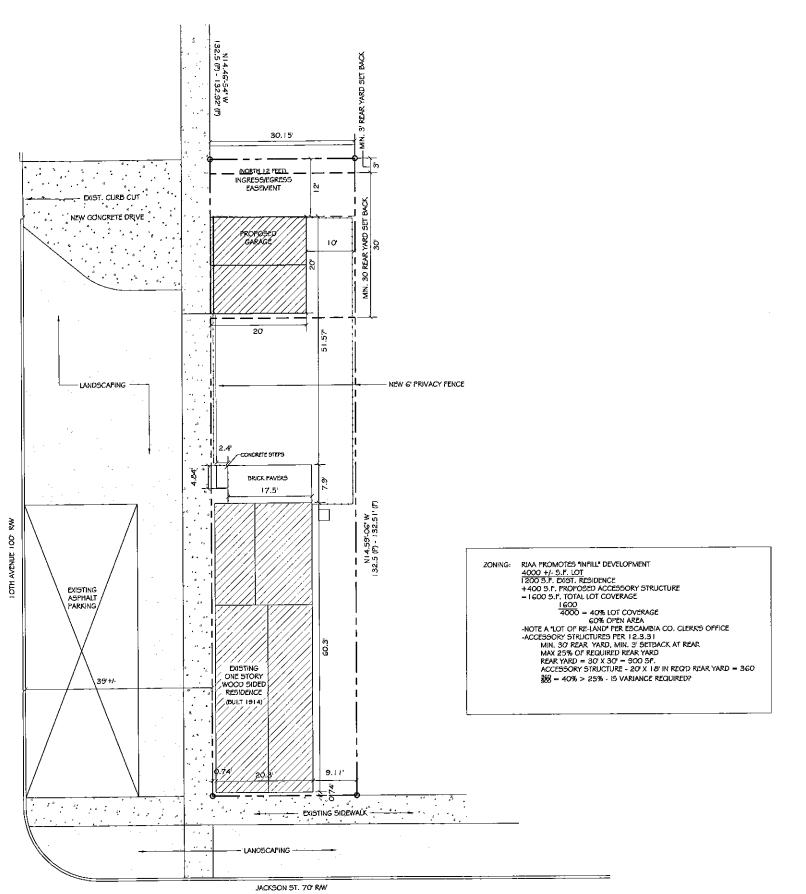


VARIANCE GRANTED BY THE BOARD OF ADJUSTMENT: The petitioner must secure a building permit and commence work within one hundred-eighty (180) days of the date of the granting of the variance, unless additional time is granted by the Board at that particular meeting.

JUDICIAL REVIEW OF DECISION OF THE BOARD OF ADJUSTMENT: If denied a variance by the Board, that request for a variance cannot be heard again for one year. The petitioner has thirty (30) days form the date of the meeting to appeal the decision according to Section 12-12-2 of the Land Development Code. Any person or persons, jointly or severally aggrieved by a decision of the Board may apply to the Circuit Court of the First Judicial Court of Florida. The Board, Building Inspector, or Attorney of the City of Pensacola must be notified of an appeal within five (5) days of the application being made to the Circuit Court. If a Notice of Appeal has not been received within thirty-five (35) days of the date of the meeting the variance was denied, the petitioner shall be notified by the Building Inspector that they have ten (10) days to remove or correct the violation.



MUNICIPAL STREET MARKSON STREET MACKSON STREET MORE JACKSON (70' R/W) MOUNDARY SUL		EON MEETS THE FLORIDA STANDARDS IE BOARD OF PROFESSIONAL STATE OF FLORIDA, ACCORDING TO CHAPTER 5J-17.051 AND 5J-17.052,
SHEET OF *MEASUREMENTS MADE TO UNITED S	STATES STANDARDS*	COPYRIGHT © 2020 BY MERRILL PARKER SHAW, INC. P.C.: AS DRAFTED: RDC TYPED: RDC CHECKED: EWP
DESCRIPTION: LOT 20, BLCOK 86, NEW CITY TRACT ACCORDING TO MAP OF "THE CITY OF PENSACOLA" COPYRIGHTED BY SECTION N/A , TOWNSHIP N/A , RANGE N/A , ESCAMBIA RECORDED O.R. BOOK 5767 , PAGE 1279 *THE ENC FIELD DATE: 5/7/20	COUNTY, STATE OF FLORIDA.	NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF
MERRILL PARKER SHAW, INC. CORPORATION NUMBER 7174 E. WAYNE PARKER PROFESSIONAL LAND SURVEYOR FLORIDA REGISTRATION NUMBER 3683 STATE OF FLORIDA	REVISIONS: (1) ADD EASEMENT 5/20/2020 (AES)	A FLORIDA PROFESSIONAL LAND SURVEYOR



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E PLAN	ISSUE DATE		
		720 Bayfront Parkway, Suite 200	
		Pensacola, FL 32502	
		T 850.432.0706	
		GMCNETWORK.COM	
		COA: AA26000557	
	CHECKED BY:	-	