



2016 AUG 2 PM 3 53
LETTER OF TRANSMITTAL

TO: Abra Horne, Interim Planner
City of Groveland
Community Development
156 S. Lake Ave
Groveland, Florida 34736

PROJECT #: 16-106

PROJECT: Groveland Taco Bell
Eagles Crossing
Groveland Shoppes, Lot 1
Groveland, FL 34736

FROM: Peter M. Maastricht, P.E.

DATE: July 27, 2016

WE ARE SENDING YOU THE FOLLOWING ITEMS:

- Attached Via FED-EX Under Separate Cover Via _____
- Plans/Prints Shop Drawings Specifications Contract Disc
- Permit Applications Other

NO. OF COPIES	DESCRIPTION
1	Check in the amount of \$800.00 for Variance App - Administration Fee, payable to The City of Groveland
1	Check in the amount of \$300.00 for Variance App - Consultants Fee, payable to The City of Groveland
1	Letter of Intent
1	Completed Planning & Zoning Application
1	Copy of Recorded Deed for the Property
1	Property Owner & Agent Affidavit, Signed and Notarized
1	Copy of Property Record Card
1	Completed Variance Application
1	Variance Request Exhibit A
1	Variance Request Exhibit B
1	Variance Request Exhibit C
1	Variance Request Exhibit D
1	Variance Request Exhibit E
1	Variance Request Exhibit F

THIS DATA IS TRANSMITTED AS CHECKED BELOW:

- as requested for approval for signature for review & comment
- for your use/files/information for your distribution to be returned

REMARKS:



2016 AUG 2 PM 3 53

July 27, 2016

Abra Horne, Interim Planner
City of Groveland - Community Development
165 S Lake Ave
Groveland, Florida 34736

PROJECT: TACO BELL GROVELAND
PARCEL NUMBER # 20-2225-00000000100 ALTERNATE KEY: 3875700
SUBJECT: **REQUEST FOR VARIANCE**
1. REDUCTION IN SIDE BUFFER REQUIREMENT FROM 15 FT TO 7.5 FT.
2. REQUIREMENT FOR A 6FT HIGH WALL IN A TYPE C BUFFER ALONG SR 50.

Dear Ms. Horne:

It is the intent of the property owner, GROVELAND SHOPPES, LLC to request a Variance approval and permit for LOT 1 in the above referenced commercial subdivision. The total site consists of ±2.46 acres. It is the intension, as has always been, of the Owner to split LOT 1 into 2 separate parcels. We are requesting a reduction in the side buffer requirement of 15FT to allow for a 7.5 FT wide buffer with the required buffer plantings. In addition, we are requesting a Variance from the requirement of a 6 FT high wall in a 15' Type C buffer along SR 50, with the required buffer plantings. The site and all adjacent parcels are zoned C-1 (Commercial) and have a Future Land Use designation of Office/Commercial (COMM).

A site sketch detailing the proposed variance request is included in this submittal along with exhibits and other documents required as noted on the application.

Please call if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter M. Maastricht", written in a cursive style.

Peter M. Maastricht, P.E.
President



**City of Groveland
Planning and Zoning Application**

The applicant shall be responsible for any advertising fees and all required recording fees assessed by the Lake County Clerk of Court. Invoice will be mailed, payment due on receipt.

Date: July 27, 2016

Application # _____

Applicant Name: Maastricht Engineering, Inc. Applicant Phone# 239-362-1605
 Address: 7370 College Parkway, Suite 211 Applicant Fax # N/A
Fort Myers, FL 33907 Email Address: petem@maastricht-eng.com

Applicant is: () Owner (x) Agent () Purchaser () Lessee () Optionee

Owners Name: Groveland Shoppes, LLC. Owner's Phone # 407-352-5858
 Address: 5555 S. Kirkman Road, Suite 201 Owner's Fax # 407-352-5843
Orlando, FL 32819 Email Address: dseliga@boyddev.com

Application Type:

- () Annexation () Rezoning () Comprehensive Plan Amendment
- () Lot Split () Lot Line Deviation () Variance-Residential
- () Site Plan Approval () Preliminary Plat (x) Variance-Commercial/Industrial
- () Concurrence Review () Construction Plan Review () Re-Review
- () Special Exception Use () Conditional Use Permit () Residential Design Review
- () Road/Easement Vacation () Final Plat () Planned Unit Development
- () DRI Development () Proportionate Fair Share () DRI Regional Development
- () Other: _____

Reason for Request: Request for variance from the landscaping code for a reduction in the side buffer requirement from 15 ft. to 7.5 ft. and the requirement for a 6' high wall on SR 50.

Project Title (Site Plans, future/existing subdivisions only): Groveland Taco Bell
 Property Address: Groveland Shoppes, Lot 1 Property Size: 2.46 AC
 Alternate Key #s: 3875700
 Property Tax I.D. #s 20-22-25-100000000100



City of Groveland Planning and Zoning Application

Proposed Use of Property: Commercial
Existing Zoning: C-1 Existing Land Use: Vacant Commercial
Would like to change Zoning to: N/A
Would like to change Land Use to: N/A
Current number of structures on the property: None

What utilities currently exist on the site?

Water Reclaim Water Sewer Well Septic None

What utilities are proposed to be used?

Water Reclaim Water Sewer

Have any previous applications been filed within the last year in connection with this property?

Yes No

If yes, please describe:

Submittal Requirements

General Attachments for all Applications:

- Completed Planning & Zoning Application
- Copy of the Recorded Deed(s) for the property
- Owner's / Agent's Affidavit
- Copy of Property Record Card(s)
- Fee

Specific Attachments:

- Annexation / Rezoning / Comp Plan Amendment: *See separate sheet*
- Concurrency Review: Concurrency Application
- Site Plan Approval: *See separate sheet*
- Preliminary Plat Application: *See separate sheet*
- Construction Plan Approval: *See separate sheet*
- Final Plat Application: *See separate sheet*
- Architectural Design Review: *See separate sheet*
- Lot Split:
 - 1. Typed legal description of the parent parcel and of the new parcel(s)
 - 2. Copy of the original survey before the proposed lot split.
 - 3. Signed and sealed survey after the proposed lot split. New lots should be clearly marked.
- Lot Line Deviation:
 - 1. Boundary survey showing the intended lot line deviation prepared by a professional land surveyor registered in Florida, to include:
 - the overall legal description of the original parcel or parcels affected
 - the legal description of each parcel created
 - the legal descriptions of all existing easements
 - all existing structures
 - jurisdictional wetland line and/or environmental conservation easements
 - roadway centerline data and location
- Road / Lot / Utility Easement Vacation:
 - 1. Typed legal description of the road / lot / utility easement to be vacated
 - 2. Copy of the boundary survey indicating the appropriate road / lot / utility easement to be vacated.
- Special Exception / Conditional Use Permit: Materials as required in Appendix A – Zoning, Sec 10.02. *See separate sheets*
- Variance: Variance Application and supporting information as applicable

EXHIBIT A
FEE SCHEDULE

PLANNING AND ZONING REVIEW FEES

The fees listed below include both direct fees for the City of Groveland administration (Administrative Fee) and prepaid fees for City Engineer, City Surveyor and City Attorney (Consultants Fee). Consultants Fees that are not incurred will be refunded to the applicant; however, Consultants Fees incurred above the prepaid amount will be assessed to the applicant and payment must be remitted to the City prior to the issuance of a final approval, development order, signing of the recorded plat, or issuance of a clearance. In addition, the applicant must pay the advertising and recording costs prior to issuance of a final approval, development order, signing of the recorded plat, or issuance of a clearance.

	Administration Fee	Consultants Fee	Code Ref.
<i>Annexation only; w/o simultaneous land use amendment and/or zoning</i>	\$500.00	\$500.00	
<i>Annexation with zoning and land use change (10 acres or less)</i>	\$900.00	\$500.00	
<i>Annexation with zoning and land use change (over 10 acres)</i>	\$1700.00	\$1000.00	
<i>Special Exception Use</i>	\$500.00	\$300.00	Sec. 153-184(a)
<i>Rezoning</i>	\$700.00	\$300.00	Sec. 153-5(c)
<i>Variance – Residential</i>	\$400.00	\$300.00	Sec. 153-60
<i>Variance Commercial/Industrial</i>	\$800.00	\$300.00	Sec. 153-60
<i>Lot Split</i>	\$450.00	\$300.00	Sec. 145-7
<i>Planned Unit Development (PUD)</i>	\$1000.00 plus \$10.00 per acre	\$500.00	Sec. 153-5(c)
<i>Amend Planned Unit Development</i>	\$1000.00 plus \$5.00 per acre	\$800.00	Sec. 153-5(c)
<i>Vacation of Street or Lot</i>	\$500.00	\$300.00	Sec. 145-9
<i>Small Scale Comprehensive Plan Amendment (10 acres or less)</i>	\$800.00	\$300.00	
<i>Large Scale Comprehensive Plan Amendment (10 acres or more)</i>	\$1500.00	\$800.00	
<i>Site Development Plan 1 acre or less</i>	\$425.00	\$200.00	Sec. 153-35(b)(11)
<i>Site Development Plan over 1 acre</i>	\$425.00 plus \$100.00 per acre	\$400.00	Sec. 153-35(b)(11)

CFN 2004053749
Bk 02554 Pgs 1050 - 1053; (4pgs)
DATE: 04/26/2004 11:03:04 AM
JAMES C. WATKINS, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 17.00
TRUST FUND 2.50
DEED DOC 4,200.00

THIS DOCUMENT PREPARED BY
AND AFTER RECORDING RETURN TO

MO

SCOTT WILT, ESQUIRE
Holland & Knight, LLP
200 South Orange Avenue, Suite 2600
Orlando, Florida 32801
407-425-8500

[SPACE ABOVE THIS LINE FOR RECORDING DATA]

WARRANTY DEED

THIS WARRANTY DEED, made and entered into on April 21, 2004, by CLARENCE CORNELL AND MARY ANN CORNELL, husband and wife, whose address is 9400 Laws Road, Clermont, Florida 34711 (hereinafter referred to as "Grantors"), to GROVELAND SHOPPES, LLC, a Florida limited liability company, whose address is 5728 Major Boulevard, Suite 601, Orlando, Florida 32819, (hereinafter referred to as "Grantee"),

W I T N E S S E T H:

THAT, for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable considerations, the receipt and sufficiency of which is acknowledged by Grantor, Grantor hereby grants, bargains, sells, conveys and confirms unto Grantee all that certain real property together with the improvements thereon (hereinafter collectively referred to as the "Real Property") in Lake County, Florida, more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

TOGETHER WITH all the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining.

TO HAVE AND TO HOLD the same unto Grantee in fee simple, forever.

AND Grantors hereby covenant with Grantee: (1) that Grantors are lawfully seised of the Real Property in fee simple; (2) that Grantors have good right and lawful authority to sell and convey the Real Property; (3) that Grantors hereby fully warrant the title to the Real Property and will defend the same against the lawful claims of all persons whomsoever; and (4) that the Real Property is free of all encumbrances except the Permitted Exceptions set forth in Exhibit B, attached.

Wherever used herein, the terms "Grantor" and "Grantee" shall be deemed to include the parties to this Warranty Deed and their successors and assigns. The singular shall be deemed to include the plural, and vice versa, where the context so permits.

Homestead Disclaimer. Each Grantor confirms that the Real Property is not the homestead of said Grantor under the laws and constitution of the State of Florida and neither said Grantor nor any members of the household of said Grantor reside thereon.

IN WITNESS WHEREOF, Grantors have caused this Warranty Deed to be executed on the date stated above.

Signed, sealed and delivered in the presence of:

"GRANTORS"

Mary Beth Asma
Signature

Print Name: Mary Beth Asma

Elizabeth Millan
Signature

Print Name: Elizabeth Millan

Clarence Cornell
Signature

Print Name: Clarence Cornell

Mary Ann Cornell
Signature

Print Name: Mary Ann Cornell

ACKNOWLEDGMENTS

STATE OF FLORIDA)
COUNTY OF LAKE)

The foregoing instrument was acknowledged before me on April 21, 2004, by CLARENCE CORNELL who [] is personally known to me or [] has produced _____ as identification and who did not take an oath.

Mary Beth Asma
Signature of Notary Public
Print Name: Mary Beth Asma
Notary Public - State of Florida
My Commission Expires: 8-27-04
Commission No: CC 956737

(NOTARY SEAL)

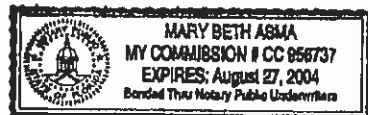


STATE OF FLORIDA)
COUNTY OF LAKE)

The foregoing instrument was acknowledged before me on April 21, 2004, by MARY ANN CORNELL who [] is personally known to me or [] has produced _____ as identification and who did not take an oath.

Mary Beth Asma
Signature of Notary Public
Print Name: Mary Beth Asma
Notary Public - State of Florida
My Commission Expires: 8-27-04
Commission No: CC 956737

(NOTARY SEAL)



PROPERTY APPRAISER'S
Parcel No.: 01-22-24-43000 25 00000

EXHIBIT "A" - LEGAL DESCRIPTION (Groveland)

ALL THOSE PARTS OF TRACTS 24, 25 AND 26 LYING SOUTH AND EAST OF THE SOUTHERLY RIGHT OF WAY LINE OF ATLANTIC COAST LINE RAILROAD RIGHT OF WAY, GROVELAND FARMS, AS RECORDED IN PLAT BOOK 2, PAGES 10 AND 11, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SECTION 20, TOWNSHIP 22 SOUTH, RANGE 25 EAST, LESS RIGHT OF WAY FOR STATE ROAD 565-A AND STATE ROAD 50, LAKE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NE 1/4 OF SAID SECTION 20; THENCE N0°41'20"E ALONG THE EAST LINE OF THE NE 1/4 OF SAID SECTION 20, A DISTANCE OF 6.90 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD 50 (VARIABLE RIGHT OF WAY), SAID POINT BEING THE POINT OF BEGINNING;

THENCE LEAVING THE EAST LINE OF THE NE 1/4 OF SAID SECTION 20. N89°43'59"W ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID STATE ROAD 50, A DISTANCE OF 434.43 FEET TO A POINT; THENCE CONTINUING ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID STATE ROAD 50, N0°16'01"E, A DISTANCE OF 5.00 FEET TO A POINT; THENCE CONTINUING ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID STATE ROAD 50, N89°43'59"W, A DISTANCE OF 600.00 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF COUNTY ROAD 565-A (VARIABLE RIGHT OF WAY, FORMERLY KNOWN AS STATE ROAD 565-A); THENCE LEAVING THE NORTHERLY RIGHT OF WAY LINE OF SAID STATE ROAD 50, N0°16'01"E, ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF SAID COUNTY ROAD 565-A, A DISTANCE OF 67.70 FEET TO A POINT; THENCE CONTINUING ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF SAID COUNTY ROAD 565-A, NORTHEASTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, AN ARC DISTANCE OF 528.44 FEET (SAID CURVE HAVING A RADIUS OF 1465.69 FEET, A DELTA ANGLE OF 20°39'27", AND A CHORD BEARING AND DISTANCE OF N55°38'05"E, 525.59 FEET) TO A POINT; THENCE CONTINUING ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF SAID COUNTY ROAD 565-A, N45°18'21"E, A DISTANCE OF 860.92 FEET TO A POINT ON THE EAST LINE OF THE NE 1/4 OF SAID SECTION 20; THENCE LEAVING THE SOUTHEASTERLY RIGHT OF WAY LINE OF SAID COUNTY ROAD 565-A, S0°41'20"W ALONG THE EAST LINE OF THE NE 1/4 OF SAID SECTION 20, A DISTANCE OF 979.78 FEET TO THE POINT OF BEGINNING.

EXHIBIT "B"
PERMITTED EXCEPTIONS

1. Ad valorem real property taxes and assessments for the year 2004 and thereafter.
2. Matters appearing on the Plat of Groveland Farms recorded in Plat Book , Pages , Public Records of Lake County, Florida.

1862730_v1

Property Owner & Agent Affidavit

Date: July 7, 2016

Before me, the undersigned authority personally appeared, Scott T. Boyd, Groveland Shoppes, LLC (property owner's name), who being by me duly sworn on oath, deposes and says:

- 1. That said authority is the fee-simple owner of the property legally described in this application.
2. That said authority desires to secure approval(s) from the City of Groveland requested in this Planning and Zoning application for a Commercial Variance from the landscaping code.
3. That said authority (property owner) has appointed Peter M. Maastricht, P.E. (agent's name) to act on his behalf to accomplish the above, and before me the undersigned authorized agent personally appeared and being by me duly sworn on oath, deposes and says:
A. That he/she affirms and certifies that he/she understands and will comply with all ordinances, regulations, and provisions of the City of Groveland, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his/her knowledge and belief, and further that this application and attachments shall become part of the Official Records of the City of Groveland, Florida, and are not returnable.
B. That the submittal requirements for the application have been completed and attached hereto as part of the application.
C. Fees are non-refundable unless the application is withdrawn in writing within five (5) business days of submittal.

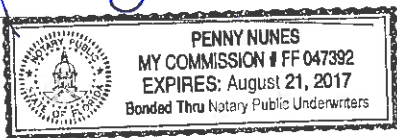
Property Owner's signature

[Handwritten signature of Scott T. Boyd]

STATE OF FLORIDA
COUNTY OF LAKE ORANGE
Subscribed and sworn to (or affirmed) before on 7/15/16 (date) by Scott T. Boyd (name) of affiant, deponent, or other signer. He/she is personally known to me or has presented

NA as identification.

[Handwritten signature of Penny Nunes]



Agent's signature

[Handwritten signature of Peter M. Maastricht]

STATE OF FLORIDA
COUNTY OF LAKE
Subscribed and sworn to (or affirmed) before me on 7/19/16 (date) Peter M Maastricht (name) of affiant, deponent, or other signer. He/she is personally known to me or has presented

FL DMV as identification.

PUBLIC NOTARY

[Handwritten signature of Cynthia S. Szabolcs]



My Commission Expires 04/16/2020
Commission No. FF 953645

Note: The Property Owner(s) must sign the Affidavit(s). When an Agent is representing the case, both the Agent and the Property Owner(s) must sign the Affidavit(s).

PROPERTY RECORD CARD

General Information

Owner Name:	GROVELAND SHOPPES LLC	Alternate Key:	3875700
Mailing Address:	5555 S KIRKMAN RD STE 201 ORLANDO, FL 32819 Update Mailing Address ⓘ	Parcel Number:	20-22-25-100000000100
Property Location:	EAGLES XING GROVELAND FL 34736 Update Property Location ⓘ	Millage Group and City:	00GR (GROVELAND)
Property Description:	GROVELAND, GROVELAND SHOPPES SUB LOT 1 PB 63 PG 99-100		
		Total Millage Rate:	20.43600
		Trash/Recycling/Water/Info:	My Public Services Map ⓘ
		Property Name:	Submit Property Name ⓘ
		School Locator:	School and Bus Map ⓘ

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Land Value
1	VACANT COMMERCIAL (1000)	0	0		107249.22 SF		\$0.00	\$750,745.00

Miscellaneous Improvements

There is no improvement information to display.

Sales History

There is no sales history information to display.

[Click here to search for mortgages, liens, and other legal documents.](#) ⓘ

Values and Estimated Ad Valorem Taxes ⓘ

Tax Authority	Market Value	Assessed Value	Taxable Value	Millage	Estimated Taxes
LAKE COUNTY BCC GENERAL FUND	\$750,745	\$750,745	\$750,745	5.30510	\$3,982.78
LAKE COUNTY MSTU AMBULANCE	\$750,745	\$750,745	\$750,745	0.46290	\$347.52
SCHOOL BOARD STATE	\$750,745	\$750,745	\$750,745	5.69700	\$4,276.99
SCHOOL BOARD LOCAL	\$750,745	\$750,745	\$750,745	1.50000	\$1,126.12
CITY OF GROVELAND	\$750,745	\$750,745	\$750,745	5.99000	\$4,496.96
ST JOHNS RIVER FL WATER MGMT DIST	\$750,745	\$750,745	\$750,745	0.30230	\$226.95
LAKE COUNTY VOTED DEBT SERVICE	\$750,745	\$750,745	\$750,745	0.16000	\$120.12
LAKE COUNTY WATER					

AUTHORITY	\$750,745	\$750,745	\$750,745	0.25540	\$191.74
SOUTH LAKE HOSPITAL DIST	\$750,745	\$750,745	\$750,745	0.76330	\$573.04
				Total:	Total:
				20.436	\$15,342.22

Exemptions Information

This property is benefitting from the following exemptions with a checkmark ✓

First Homestead Exemption (up to \$25,000)	Learn More View the Law
Additional Homestead Exemption (up to an additional \$25,000)	Learn More View the Law
Limited Income Senior Exemption (applied to county millage - up to \$50,000)	Learn More View the Law
Limited Income Senior Exemption (applied to city millage - up to \$25,000) ⓘ	Learn More View the Law
Limited Income Senior 25 Year Residency (county millage only-exemption amount varies)	Learn More View the Law
Widow / Widower Exemption (up to \$500)	Learn More View the Law
Blind Exemption (up to \$500)	Learn More View the Law
Disability Exemption (up to \$500)	Learn More View the Law
Total Disability Exemption (amount varies)	Learn More View the Law
Veteran's Disability Exemption (\$5000)	Learn More View the Law
Veteran's Total Disability Exemption (amount varies)	Learn More View the Law
Veteran's Combat Related Disability Exemption (amount varies)	Learn More View the Law
Deployed Servicemember Exemption (amount varies)	Learn More View the Law
Surviving Spouse of First Responder Exemption (amount varies)	Learn More View the Law
Conservation Exemption (amount varies)	Learn More View the Law
Tangible Personal Property Exemption (up to \$25,000)	Learn More View the Law
Religious, Charitable, Institutional, and Organizational Exemptions (amount varies)	Learn More View the Law
Government Exemption (amount varies)	Learn More View the Law

Exemption Savings ⓘ

The exemptions marked with a ✓ above are providing a tax dollar savings of:
\$0.00

Assessment Reduction Information (3% cap, 10% cap, Agricultural, Portability, etc.)

This property is benefitting from the following assessment reductions with a checkmark ✓

Save Our Homes Assessment Limitation (3% assessed value cap)	Learn More View the Law
Save Our Homes Assessment Transfer (Portability)	Learn More View the Law
Non-Homestead Assessment Limitation (10% assessed value cap)	Learn More View the Law
Conservation Classification Assessment Limitation	Learn More View the Law
Agricultural Classification	Learn More View the Law

Assessment Reduction Savings ⓘ

The assessment reductions marked with a ✓ above are providing a tax dollar savings of: \$0.00

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Property data last updated on 12 June 2016.



City of Groveland Variance Application

In addition to the planning and zoning application, persons submitting a request for a variance need to provide the following details.

1. A plan of the property involved, showing the location, existing buildings or structures and the location or proposed buildings or structures.
2. A concise statement as to why the present regulations create a hardship to the applicant:
 - a. **Special conditions and circumstances peculiar to the land, structure or building involved which require their variance**

THIS PROJECT WAS DESIGNED, PLATTED AND BUILT IN 2009 COMTEMPLATING THE BUFFERING REQUIREMENTS AT THE TIME. THE DEVELOPABILITY OF LOT "1B" IS SIGNIFICANLTY IMPACTED BY THE REQUIREMENT OF A 15FT BUFFER ON THE EAST SIDE OF LOT "1A", THE WEST SIDE OF LOT "1A" AND THE EAST SIDE OF LOT "1B" DUE TO THE THE IRREGULAR SHAPE OF LOT "1B". THE PROJECT SITE IS ROUGHLY 6 FEET ABOVE THE SR 50 PAVEMENT, THE ADDITION A DOUBLE HEDGE ROW WILL MEET THE INTENT OF PROVIDING A BUFFER FRO THE PARKING LOT. THE EXISTING PARCELS IN THIS SUBDIVISION DO NOT HAVE A WALL, A WALL ON THESE PROPERTIES WOULD NOT POVIDE CONTINUITY WITH THE SURROUNDING PARCELS.

- b. **Special conditions and circumstances not due to the actions of the applicant**

THIS PROJECT WAS DESIGNED, PLATTED AND BUILT IN 2009 COMTEMPLATING THE BUFFERING REQUIREMENTS AT THE TIME, AS SHOWN ON THE ORIGINAL SITE DEVELOPMENT PLANS APPROVED IN 2007. THE LANSCAPING CODES HAVE BEEN CHANGED SINCE THAT TIME, IMPACTING THE DEVELOPABILITY OF THE REMAINING PARCEL.

- c. **A literal interpretation of the code would deprive the applicant of commonly enjoyed rights and work unnecessary and undue hardship on the applicant**

THE PROPERTY WAS SUBDIVIDED BASED ON THE RULES IN PLACE AT THE TIME TO CREATE DEVELOPABLE LOTS. THE ADDITION OF THE SIDE LOT BUFFERS NOW REQUIRED REDUCE THE BUILDABLE PORTION OF THE LOT SUCH THAT MANY USES ORIGINALLY ANTICIPATED FOR THE REMAINING [WEST] PARCEL CAN NO LONGER BE EFFECTIVELY DEVELOPED. THE ORIGINAL APPROVED PLANS CLEARLY SHOW AN INTENT TO SUBDIVIDE LOT 1 INTO TWO LOTS. IN ADDITION, THE ADDITION OF A 6 FT HIGH WALL, ON TOP OF THE EXISTING 6FT HIGH WALL WOULD UNDULY OBSCURE THE BUSINESS FROM THE TAVELING PUBLIC. THE NEW LANDSCAPE CODE CREATES A HARDSHIP ON THE APPLICANT BY REDUCING THE ABILITY TO DEVELOP TWO USES ON LOT AS ORIGINALLY INTENDED, DESIGNED AND PERMITTED.

d. The variance request is the minimum variance that will make it possible the reasonable use of the land, building or structure

THE VARIANCE REQUESTED DOES NOT PROPOSE TO ELIMINATE OR ESTABLISH THE BUFFERS REQUIRED AT THE TIME THE PROJECT WAS ORIGINALLY DEVELOPED. TO MAINTAIN THE INTENT OF THE NEW LANDSCAPE CODE, THE VARIANCE IS FOR WIDTH ONLY ON THE SIDE BUFFERS AND THE ELIMINATION OF THE CODE REQUIRED WALL ON TOP OF THE EXISTING 6 FT HIGH BERM. THE LANDSCAPE MATERIAL CURRENTLY REQUIRED WILL BE INSTALLED. THE WIDTH REQUESTED IS THE MAXIMUM WIDTH THAT CAN BE PROVIDED AND STILL MAINTAIN THE ABILITY TO DEVELOP TWO USES ON LOT 1, AS ORIGINALLY INTENDED.

e. The grant of the variance will be in harmony with the general intent and purpose of the code

THE VARIANCE REQUESTED IS IN HARMONY WITH THE INTENT OF THE NEW LANDSCAPE CODE. AS STATED, THE VARIANCE IS FOR BUFFER WIDTH ONLY ON THE SIDE LOT LINES AND THE ELIMINATION OF THE WALL; THE REQUIRED PLANT MATERIAL WILL BE INSTALLED. THIS IS ALSO AN IMPROVEMENT OVER THE EXISTING USES ALREADY DEVELOPED ON THE OVERALL PROJECT WHICH WERE CONSTRUCTED PRIOR TO THE CURRENT CODE WHICH HAD NO SIDE BUFFER YARD OR SIDE LANDSCAPING REQUIREMENT AND NO REQUIREMENT FOR A WALL ALONG SR 50.

f. The variance will not be injurious to the area involved or otherwise detrimental to the public welfare

THE VARIANCE WILL NOT BE DETRIMENTAL TO THE PUBLIC WELFARE OR SURROUNDING NEIGHBORHOOD. THE REQUIRED BUFFER PLANTINGS WILL BE INSTALLED. GRANTING OF THE VARIANCE TO REDUCE THE BUFFER WIDTH AND ELIMINATE THE FRONTAGE WALL WILL ALLOW THE DEVELOPMENT OF THE PROJECT AS ORIGINALLY INTENDED, DESIGNED AND PERMITTED. IF THE PROJECT HAD DEVELOPED UNDER THE PREVIOUS CODE, NO SIDE YARD BUFFERS WOULD HAVE BEEN REQUIRED. DEVELOPMENT OF THE PROJECT NOW, WITH THE GRANTING OF THE VARIANCE FOR THE REDUCED BUFFER WIDTH, WILL CREATE A GREATLY ENHANCED PROJECT THAN IF IT WERE FULLY DEVELOPED UNDER THE PREVIOUS CODE. THE PROJECT ALSO HAS TWO DETENTION AREAS WHICH PROVIDE ADDITIONAL OVERALL OPEN SPACE TO THE DEVELOPMENT. THESE AREAS ARE DIRECTLY ADJACENT TO THE PUBLIC ROW AND AVIALABLE FOR PUBLIC VIEWING AND PROVIDE ADDITIONAL BUFFERING FOR TRAVELING MOTORISTS AND PEDESTRIANS. THE ADDITION OF A WALL FOR LOT 1 WOULD RESULT IN A DEVELOPMENT WITH AN INCONSISTANT LOOK OR THEME AND MAY NOT BE IN THE BEST INTEREST TO THE COMMUNITY.

1 SHEET
9
1

VARIANCE REQUEST
EXHIBIT A

GROVELAND TACO BELL
 STATE ROAD 50
 SECTION 20, TOWNSHIP 22 S, RANGE 29 E
 LADE COUNTY, FLORIDA 32078

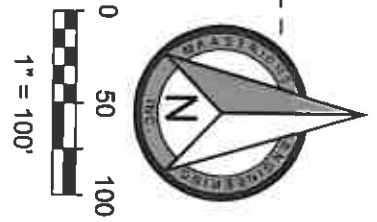
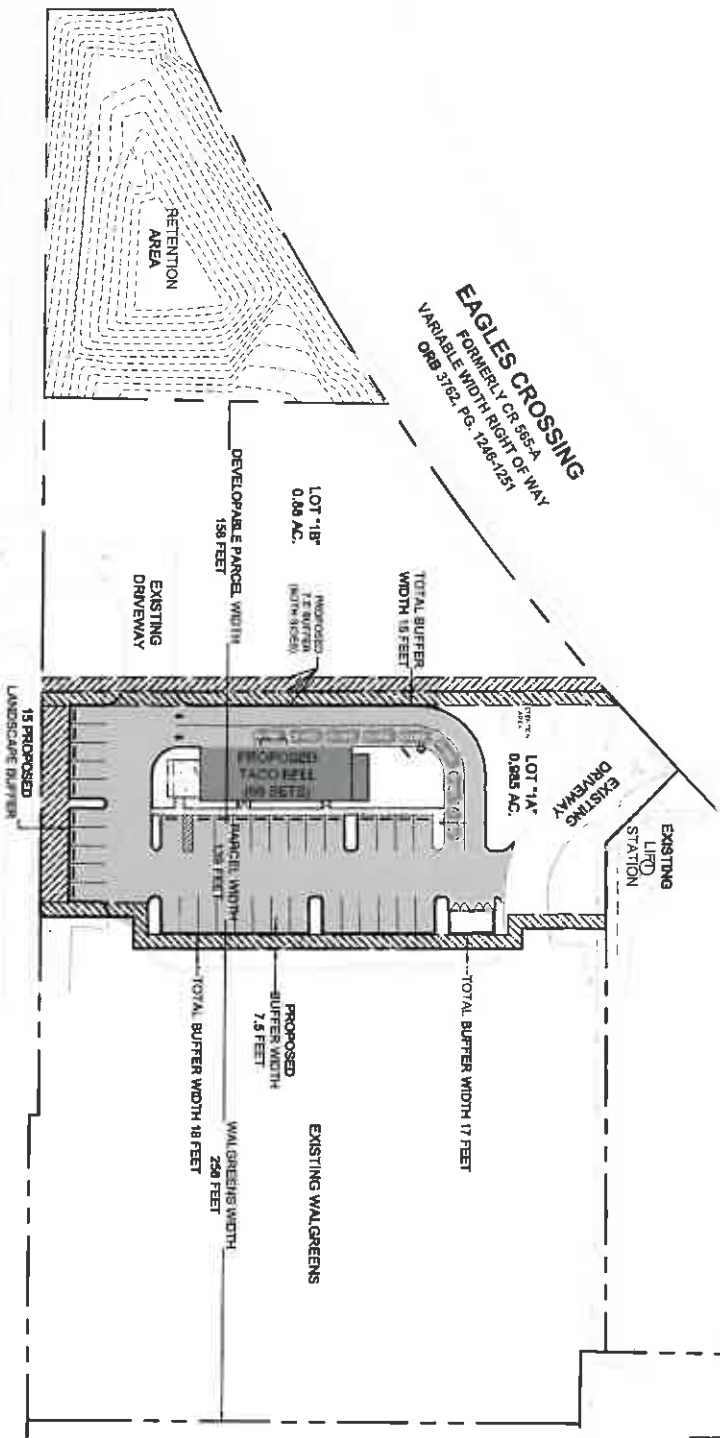
DATE	BY	REVISION

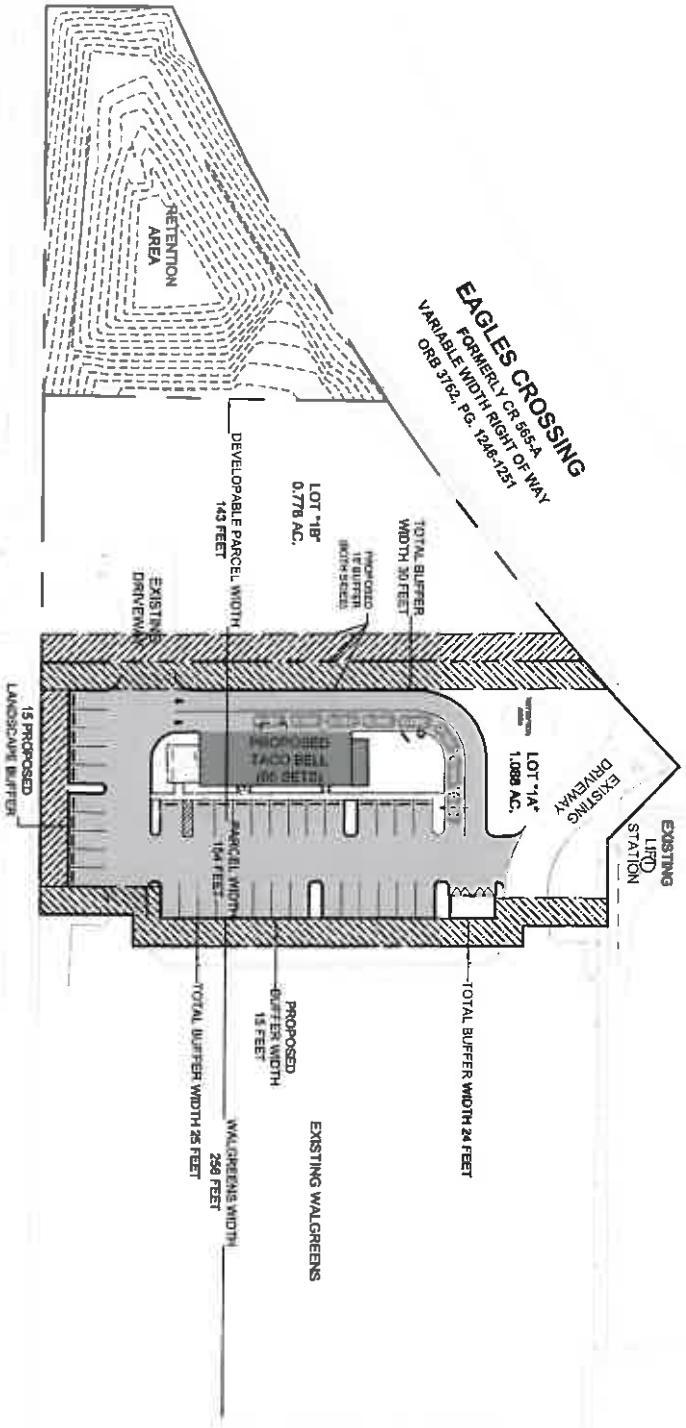
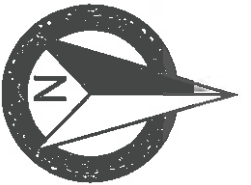


ENGINEER: PETER M. MASTRICHT, P.E.
 P.L. LICENSE NUMBER: 98891

DATE	PROJ. #	CAD TECH
08/09/16	16-103	TAM

STATE ROAD NO. 50
 VARIABLE WIDTH RIGHT OF WAY
 FOOT RIGHT OF WAY MAP
 SECTION 13070-204





STATE ROAD NO. 50
 VARIABLE WIDTH RIGHT OF WAY
 FOOT RIGHT OF WAY MAP
 SECTION 11(D)-2504

1 OF 1 SHEET
 VARIANCE REQUEST
 EXHIBIT B

GROVELAND TACO BELL
 STATE ROAD 50
 SECTION 20, TOWNSHIP 22 S, RANGE 24 E
 LAKE COUNTY, FLORIDA 32738

DATE	BY	REVISION



ENGINEER: PETER M. MASTRICHT P.E.
 FL LICENSE NUMBER: 58980

DATE	REVISION
PROJ #	16-108
CAD TECH	TAH