

Planning and Development Planning and Zoning 2725 Judge Fran Jamieson Way Building A, Room 114 Viera, Florida 32940 (321) 633-2070 Phone

BOARD OF COUNTY COMMISSIONERS

## LAND DEVELOPMENT WAIVER APPLICATION

This form should be used for all waiver requests or appeals associated with the Code of Ordinances, Section 62, as it relates to Subdivisions, Minor Subdivisions, and Site Plans. Fees for Waivers are \$775.00.

		Off	ice Use Or	nly			
<u>10/12/2020</u> Request Date	) <mark>\$77</mark> Fees	<u> </u>	Board Date				
20SP0002 Original Project		<mark>20WV(</mark> aiver Num					
C Coordinator Init	eference F	iles					
County Manage	er/Designee Appi	oval					
APPLICATION	TYPE: OSu	bdivision \	Naiver	• Site	Plan Waiver	Other	
If other, please	indicate						
Tax Parcel Ide	ntification:						
20	35	31					
Township	Range	Section	Subo	division	Block/Parcel	Lot	
Tax Account Numbers (list all)			1-00-501	20-35	-31-00-506		
Wrubel Pro	Richard R. Wrubel Jr. & Gina M. Wrubel Trust						
Project Name			Property Owner				

Site Address: 3828 Mc Cullough Rd Street		Mims City		-	<u>32754</u> Zip Code		
				FL			
				State			
CORRESPONDENCE	тов	E PROVIDED		ANT AT TH	HE ADDRESS BELOW:		
Richard R. Wrubel Jr.	& Gin	a M. Wrubel Tr	ust				
Applicant Name		Compar		ny			
3885 Richy Rd.		Mims		FL	32754		
Street		City		State	Zip Code		
321-289-3400				r	rwrubel@puroclean.com		
Phone Number	Cell Phone Number Fax Number E				mail Address		
ENGINEER/CONTRA	CTOR	R (if different fr	om applica	nt)			
Maser Consultin		Giac	Giacomo Licari, P.E.				
Company			Enginee	er or Projec	ct Manager		
5471 W. Waters	Ave.	Tampa		FL	33634		
Street		City		State	Zip Code		
813-207-1061 ext: 4941	813-298-4473			glicari@maserconsulting.cor			
Phone Number Cell Phone Number Fa			Fax Numbe	er E	mail Address		
				ECTION			

## DESCRIPTION OF WAIVER REQUEST AND CODE SECTION:

Request a waiver from the wall requirement between a commercial and residential property use pursuant to Sec. 62-4342

Abrule Owner/Applicant Signature

Richard R. Wrubel JR. Print Name

If you wish to appeal any decision made by the county staff on the waiver, you may request the Board of County Commissioners to make a determination. The Board's decision approving or disapproving the waiver or interpretation is final.

## LAND DEVELOPMENT APPLICATION DOCUMENT SUBMITTAL REQUIREMENTS

Waivers for Site Plans or Subdivisions require an application, waiver criteria (listed below), an  $8\frac{1}{2}$ -inch x 11 inch vicinity map, and a fee of \$775.00.

## WAIVER CRITERIA FOR SUBDIVISIONS AN SITE PLANS

For a waiver to be considered and approved by staff, your request must comply with all of the following criteria. Please explain, in detail, how your request meets the following conditions.

1. The particular physical conditions, shape, or topography of the specific property involved causes an undue hardship to the applicant if the strict letter of the code is carried out.

The wall is required along the northwest and western sides of the property where the residential use abuts the proposed commercial use. There are existing wetlands at the northwest and southwest corners of the property which are to be preserved. We are also proposing the storm water retention pond at the western side of the site between the two wetlands, and preservation of existing trees along the east property line, adding additional buffer to the proposed development.

2. The granting of the waiver will not be injurious to the other adjacent property.

The waiver from the wall in the buffer does not cause adverse impacts to the adjacent properties and it would prevent additional/unnecessary wetland impacts and tree removal.

3. The conditions, upon which a request for waivers are based, are particular to the property for which the waiver is sought and are not generally applicable to other property and do not result from actions of the applicant.

Construction of the a wall along the west and northwest buffer would require additional wetland impacts and trees removal. Proper screening is still be provided by the existing wetland, trees and alternative means (i.e. scrubs or similar).

4. The waiver is consistent with the intent and purpose of the county zoning regulations, the county land use plan, and the requirements of this article.

Proper screening will still be provided, which is the purpose for the wall being required.

5. Delays attributed to state or federal permits.

Construction of the wall within the wetland would require additional state or federal permits.

6. Natural disasters.

N/A

7. County development engineer and affected agencies concur that an undue hardship was placed on the applicant. (To be filled out by county staff)