

STAFF REPORT
Community Development Department
Petition Number: SE-13-001

To: Charlotte County Board of Zoning Appeals
From: Shaun Cullinan, Zoning Official
Prepared By: Ken Quillen, AICP, Planner III
Report Date: February 5, 2013 **BZA meeting date: February 13, 2013**

Requested Action/General Information:

Maury Denneler, agent for Richard Anderson, is requesting a special exception to allow a mini-warehouse facility in a Commercial General (CG) zoning district. The subject property consists of two half-acre lots located at **25450 and 25460 Fortran Drive** in Punta Gorda (see attached **Location Map**). The attached **Zoning Map** shows the zoning of this property, which is Commercial General (CG). This property has a Commercial Future Land Use Map (FLUM) designation.

The applicant is proposing a mini-warehouse facility on this one-acre (187' by 260') parcel, located on the north side of Fortran Drive, for indoor storage of boats and motor-homes. **Section 3-9-42(e)** (**Exhibit A**), of the Zoning Code, subsection (9), allows a "Mini-warehouse." as a special exception in the CG zoning district.

Mr. Denneler has submitted the attached **Site Plan** (**Exhibit B-1**) to show the proposed development of the property. The proposed building includes 15 large storage units with 14' high overhead doors for access to the rental spaces. The applicant has also submitted **Elevations** (**Exhibit B-2**) showing the front exterior elevation of the building, and a building **Floor Plan** (**Exhibit B-3**), which shows the 15 storage spaces with restroom facilities. This building must comply with the Commercial Design Standards as required by Charlotte County Codes.

Subject property consists of just over one-acre of land (48,620 square feet), which does meet the 12,000 square foot minimum lot size requirement for CG zoned property. As such, this property is conforming with regard to lot size.

Based on a preliminary review staff provided some preliminary comments to the applicant concerning the appearance of this development as proposed. Staff suggested that the applicant develop two buildings pulled forward toward the street, as shown on the attached **Alternate Site Plan** (**Exhibit C**). The applicant agreed that this alternative creates a number of benefits, including: more storage units; a wider vehicular maneuvering area (130' vs. 117'); easier hook-up to future sewer; and a shorter run for the water line. The applicant is looking into the feasibility of making changes to their proposed development. As such, staff is recommending that approval of this special exception be for the use only and not tied to the specific Site Plan submitted with this application.

The applicant has also submitted the attached **Narrative** (Exhibit D) explaining how they believe this request meets the criteria for granting a special exception. The Community Development Department's Environmental Specialist has performed a cursory review and their comments are in the attached **Memorandum** (Exhibit E) dated January 18, 2013.

Findings: The six standards for approval for a Special Exception according to Section 3-9-7(f) of the Charlotte County Zoning Code are as follows:

1. The requested special exception is either explicitly permitted in the zoning district for which it is requested or is permitted by reasonable implication within that district.

Finding: A mini-warehouse may be allowed by special exception in the Commercial General (CG) zoning district, based on Sections 3-9-42(e)(1) of the Zoning Code.

2. The requested special exception is compatible with existing uses surrounding immediately adjacent and contiguous to the land on which the requested special exception would exist.

Direction	Existing Land Uses	Existing Zoning	FLUM Designation
North	Grazing Land Class IV	Residential Multifamily-10	High Density Residential
South	Warehouse	Commercial Intensive (CI)	Commercial
East	Vacant commercial	Commercial General (CG)	Commercial
West	Vacant commercial	Commercial General (CG)	Commercial

Finding: The surrounding land uses consist primarily of commercial intensive land uses, vacant commercial lots and grazing land. Staff believes that the proposed mini-warehouse facility would be compatible with all of the surrounding land uses.

3. Adequate access shall be provided for ingress and egress to the proposed use in a manner that minimizes hazards and congestion on streets and roads.

Finding: One new access drive off of Fortran Drive is proposed to provide access to this property. This development is required to go through the Site Plan Review process, which will review and approve this development prior to issuance of any permits.

4. Adequate provision has been made for buffers, landscaping, trees, open space, storm-water or other improvements associated with the proposed use.

Finding: The *Site Construction Plan* indicates that all code requirements, including setbacks and landscaping, are being planned for in this proposed development.

5. The requested Special Exception is consistent with the **Smart Charlotte 2050 Plan** (Charlotte County Comprehensive Plan) and Land Development Regulations.

Finding: Staff believes that the proposed use would be in compliance with the **Smart Charlotte 2050 Plan**, which allows commercial retail sales and service uses, and the Land Development Regulations, which requires a special exception to allow the proposed mini-warehouse.

6. The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety or general welfare.

Finding: Staff believes that the proposed mini-warehouse would not be detrimental to or endanger the public health, safety or general welfare of the surrounding properties since the proposed use will be developed according to the commercial design standards, and all storage activities will take place within an enclosed building.

ANALYSIS AND CONCLUSIONS:

After review of the site and the application requesting this special exception staff believes that the proposed mini-warehouse facility does meet the six criteria for granting a special exception.

If the Board of Zoning Appeals decides to approve the requested special exception staff recommends the following conditions be adopted, as conditions of approval, to ensure the use is in compliance with the purpose and intent of the Zoning Code. The conditions are as follows:

1. The special exception as approved by the Board of Zoning Appeals is to allow a mini-warehouse facility, with large units and large over-head doors, for indoor storage only.
2. This special exception extends only to the land included in the Site Plan and legal description submitted with this application.
3. The Site Plan submitted by the applicant as part of the petition is for illustrative purposes only. A different building configuration or multiple buildings may be permitted by the Zoning Official. All permitting procedures and codes are applicable to the construction and operation of this mini-warehouse facility, including *Commercial Design Standards* and *Site Plan Review* and approval.
4. Outdoor storage shall not be permitted.
5. Any major changes or additions to this special exception shall require a modification of the special exception. Minor changes or additions such as accessory uses or structures may be approved by the Zoning Official.

Please be advised that the final decision regarding the application rests with the Board of Zoning Appeals, and will be decided upon consideration of all the evidence introduced at the hearing.

Attachments: Staff Report (3), Location Map, Zoning Map, Aerial Photo, Section 3-9-42, Site Plan, Elevations, Floor Plan, Alternate Site Plan, Narrative and Environmental Specialist Memorandum (2)



Community Development

CHARLOTTE COUNTY

Location Map for SE-13-001

Charlotte County Government

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This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guaranties, implied or otherwise, to the accuracy, or completeness. We therefore do not accept any responsibilities as to its use. This is not a survey or is it to be used for design. Reflected Dimensions are for Informational purposes only and may have been rounded to the nearest tenth. For precise dimensions, please refer to recorded plats and related documents. Created By: Land Information-D. Vance Date Saved: 1/10/2013 10:52:57 AM

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Community Development

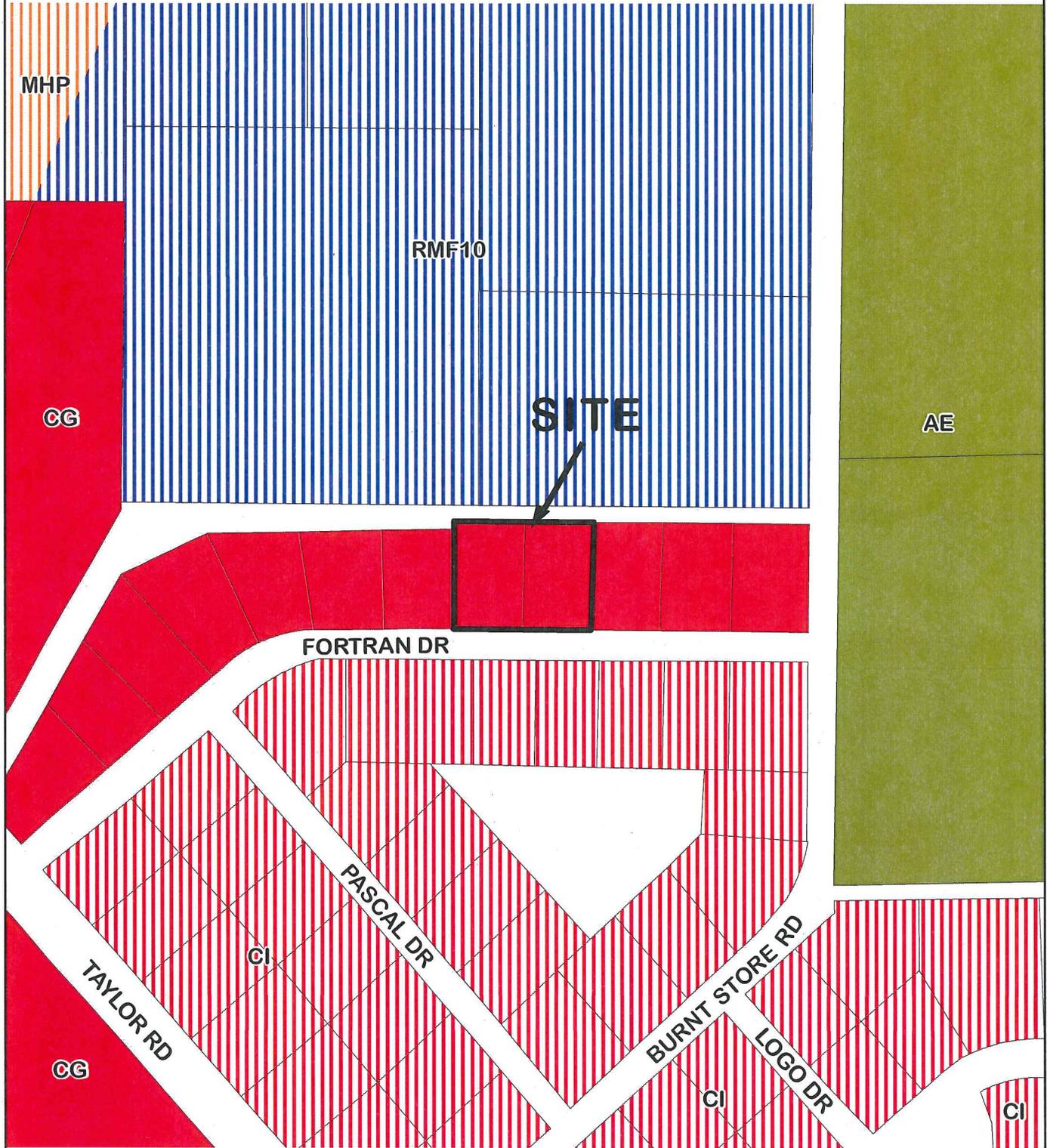
CHARLOTTE COUNTY

Zoning Map for SE-13-001

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Community Development

CHARLOTTE COUNTY

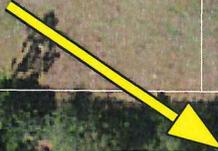
Aerial View for SE-13-001

Charlotte County Government

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SITE



FORTRAN DR

17/41/23 East County

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(c) *Permitted accessory uses and structures.* Uses and structures which are customarily accessory and clearly incidental to permitted uses and structures are also permitted in this district, including a residential dwelling unit within the same structure as the principal use for occupancy by owners or employees of permitted uses.

(d) *Prohibited uses and structures.* Any use or structure not expressly, or by reasonable implication permitted herein or permitted by special exception shall be unlawful in this district.

(e) *Special exceptions.* (For procedure see section 3-9-7, "Special exceptions.") The following are special exceptions in this district:

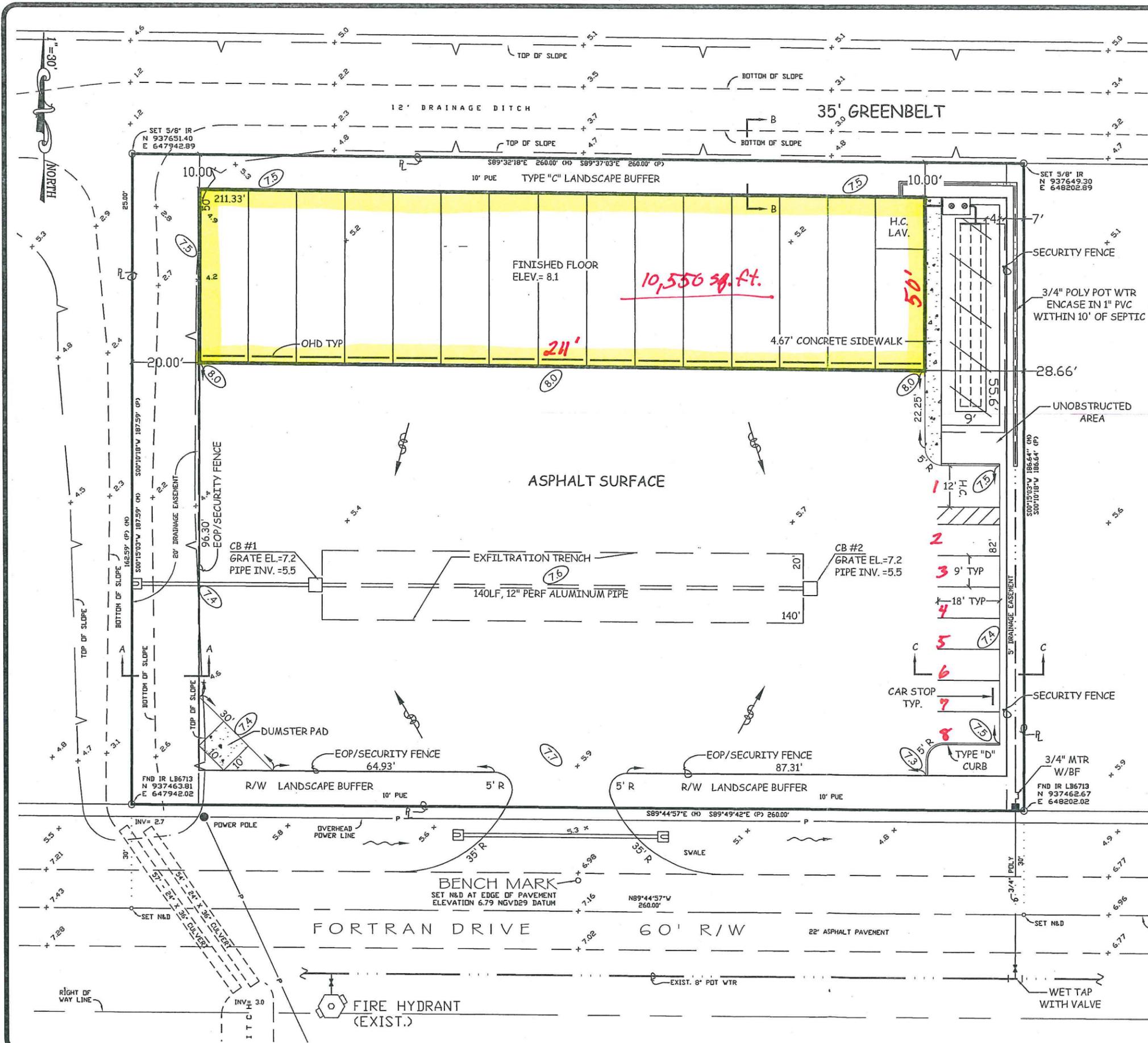
- (1) Bars, cocktail lounges, nightclubs and taverns for on-premises consumption of alcoholic beverages, subject to the provisions of section of section 3-9-66 of this Code, less than one thousand (1,000) feet from a church or school.
- (2) Mass transit stations.
- (3) Miniature golf courses.
- (4) Elementary, middle, and high schools.
- (5) Outdoor markets.
- (6) Television and radio transmitter towers.
- (7) Window tinting and radio installation within an enclosed building.
- (8) Heliport or helistop.
- (9) Mini-warehouse.
- (10) Automobile rental agencies.
- (11) Such other uses as determined by the zoning official or his/her designee to be:
 - a. Appropriate by reasonable implication and intent of the district.
 - b. Similar to another use either explicitly permitted in that district or allowed by special exception.
 - c. Not specifically prohibited in that district.

The board of zoning appeals shall review a favorable determination of the zoning official under this provision at the time the special exception application is presented to it. An unfavorable determination of the zoning official or his/her designee shall be appealable pursuant to section 3-9-6 of these regulations.

(f) *Development standards.* The following development standards shall apply in this district:

Minimum lot requirements:

Area, square feet	12,000
Width, feet	100



LEGEND:

- SWALE
- EXISTING PAVEMENT/STRUCTURE
- WATER (PROPOSED)
- WATER (EXISTING)
- FLOW DIRECTION ARROW
- EXISTING ELEVATION
- 6.0 PROPOSED ELEVATION
- T.O.B. TOP OF BANK
- T.O.S. TOE OF SLOPE
- WTR. SERV. WATER SERVICE
- BF. BACKFLOW CLEAN OUT
- C.O. POT. POTABLE WATER PROPERTY LINE
- E.O.P. EDGE OF PAVEMENT
- P. POWERLINE
- R/W. RIGHT OF WAY
- PUE. PUBLIC UTILITY EASEMENT

STUR. INV. ELEV.	6.5
RISER ELEV.	7.4
HIGH END	7.35
LOW END	7.25
BOTTOM OF BED	5.5
UNOBS. AREA	1000

- //// DENOTES SOIL REPLACEMENT
- DENOTES PERFORATED DRAINLINES
- DENOTES LIMITS OF UNOBSTRUCTED AREA
- ⊗ DENOTES RISER

SEPTIC INSTALLATION REQUIREMENTS

- IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO CONTACT ABS & ASSOC. IMMEDIATELY IF AN ERROR IS DISCOVERED IN THE REVIEW OF THESE PLANS. ABS & ASSOC. WILL NOT BE RESPONSIBLE FOR ASSUMPTIONS OR INTERPRETATIONS MADE BY THE CONTRACTOR. ALL CHANGES OR MODIFICATIONS TO THESE PLANS MUST BE APPROVED BY THE ENGINEER OF RECORD OR THIS OFFICE PRIOR TO CONSTRUCTION.
- REMOVE "O" HORIZON OF ORIGINAL VEGETATION TO A MINIMUM DEPTH OF 6" AND A MAXIMUM DEPTH OF 36" IN THE AREA OF BED, SHOULDER AND SLOPE.
- IF REPLACEMENT FILL IS REQUIRED IT SHALL BE CLEAN LIGHT COLORED SAND AND SHALL BE OF GRANULAR SIZE TO MEET ALL APPLICABLE CODES.
- INSTALLATION SHALL COMPLY WITH ALL PERTINENT COUNTY & STATE REGULATIONS.
- BUILDING ROOF RUNOFF SHALL NOT DRAIN ONTO SEPTIC SYSTEM AREA.
- WATERLINES SHALL NOT BE INSTALLED WITHIN 10 FEET OF SEPTIC SYSTEM.
- AREA OF DRAINED SHALL BE AERATED BY INSTALLER TO A MINIMUM DEPTH OF THREE AND ONE HALF (3.5) FEET BELOW NATURAL GROUND.
- ABS & ASSOC. MUST BE NOTIFIED TO INSPECT DIGOUT PRIOR TO PLACEMENT OF SEPTIC DRAINFIELD.
- PENETRATION OF ANY CONFINING LAYER WITHIN DRAINED AREA IS ADVISED.

**Site Plan
(Exhibit B-1)**

Maury F. Denmeler
 MAURY F. DENMELER, P.E.
 REGISTRATION #34511
 STATE OF FLORIDA
 DATE 12-20-12

REVISIONS

NO.	DATE	BY	APPROVED	REVISION DESCRIPTION
1	12-17-12	MSD	MSD	BASE DRAWING
2	12-19-12	MSD	MSD	ADDED F.T.E., ELEVATIONS, CHGD LEGEND

PROJECT: MINI-WAREHOUSE

CLIENT: RICHARD L. & BARBARA J. ANDERSON

SITE CONSTRUCTION PLAN

A PARCEL OF LAND LYING IN SEC. 17, TWP. 41 S., RANGE 23 E., CHARLOTTE COUNTY, FL.

PUNTA GORDA 1 (941) 205-2013

ABS & ASSOCIATES, INC.

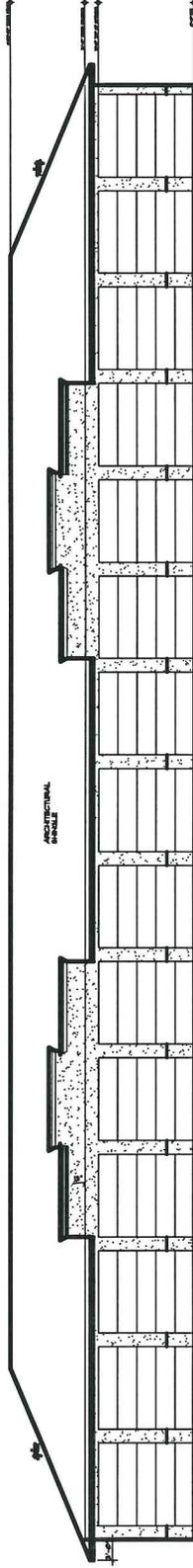
ENGINEERS / PLANNERS / ENVIRONMENTAL

25418 E. Merion Ave., Unit No. 4, Punta Gorda, FL 33950

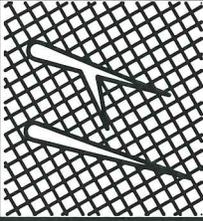
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SHEET 2 OF 3

Elevations (Exhibit B-2)



ARCHITECTURAL
ELEVATION



THOMAS A. HUFF ARCHITECT, INC.
 PUNTA GORDA OFFICE
 20 EAST PALM AVENUE, SUITE 200
 PUNTA GORDA, FL 33950
 TEL: (888) 699-8942 FAX: (888) 699-8944
 E-MAIL: THA@HUFFARCHITECT.COM
 REGISTRATION NUMBER: AA 0200016

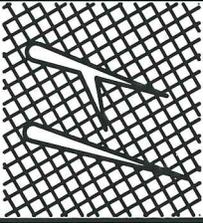
ANDERSON
&
SKATZKA
STORAGE
UNITS

FORTRAN DRIVE
PUNTA GORDA, FL

DATE	1-25-2011
DESIGNED BY	THA
CHECKED BY	THA
REV.	
REV.	
REV.	

THOMAS A. HUFF ARCHITECT
PUNTA GORDA, FL

SHEET
A201.0
ELEVATIONS



THOMAS A. HUNT ARCHITECT, INC.
100 EAST WINDY
PUNTA GORDA, FLORIDA 33950
TEL: (848) 638-6244 FAX: (848) 638-6244
E-MAIL: HUNTA@HUNTARCHITECT.COM
REGISTRATION NUMBER: AA 0009516

ANDERSON
&
SKATZKA
STORAGE
UNITS

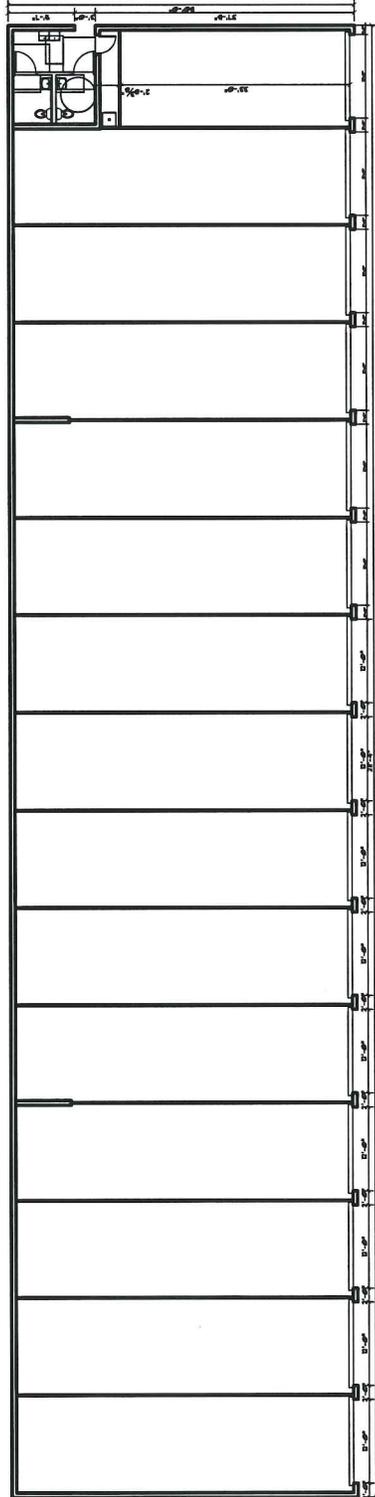
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PUNTA GORDA, FL.

DATE	12-20-12
DESIGNED BY	PH
CHECKED BY	PH
DATE	
REV.	

SHEET

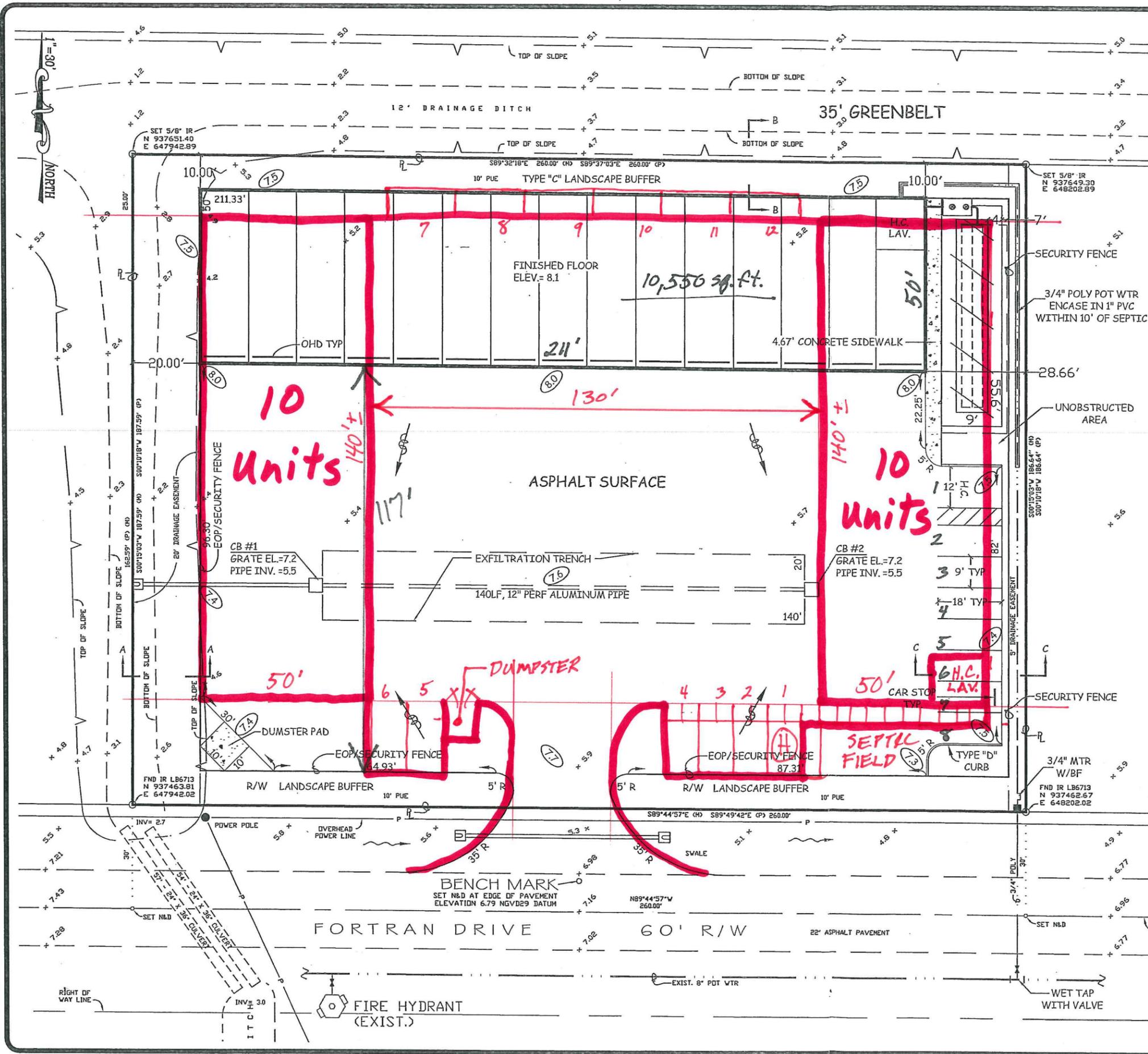
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FLOOR PLAN



FLOOR PLAN

**Floor Plan
(Exhibit B-3)**



LEGEND:

- SWALE
- EXISTING PAVEMENT/STRUCTURE
- WATER (PROPOSED)
- WATER (EXISTING)
- FLOW DIRECTION ARROW
- EXISTING ELEVATION
- 6.0 PROPOSED ELEVATION
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**Alternate Site Plan
(Exhibit C)**

Handwritten signature
1/31/2013

Handwritten signature
MAURY F. DENNELER, P.E.
REGISTRATION #34511
STATE OF FLORIDA
DATE 12-20-12

REVISIONS

NO.	DATE	BY	DESCRIPTION
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PUNTA GORDA 1 (941) 205-2013
ABS & ASSOCIATES, INC.
ENGINEERS / PLANNERS / ENVIRONMENTAL
25410 E. Marion Ave., Unit No. 4, Punta Gorda, FL 33950

JOB NO. 12293
SHEET 2 OF 3

**ANDERSON & SKATZKA
MINI-WAREHOUSE FACILITY
NARRATIVE**

Richard and Barbara Anderson, owners of the real property listed within this application, propose to construct 15 unit totally enclosed individual warehouse units, available to the public for lease or purchase as commercial, private goods and equipment/vehicular storage.

The project is located within the boundaries of Charlotte Commercial Center with the majority of lots zoned CI. This project lies in the only block zoned CG. Within the Center's plat boundary exists a heavily vegetated 35' greenbelt which is contiguous to the north property line of the proposed project (see Exhibit "A"). Additionally, a 10' vegetative buffer with wall is proposed along the same greenbelt. No buffers are required along side lot lines since the current zoning is equal or greater than the proposed intensity of use.

Richard Anderson purchased the land in 2004 with the intent to develop the site as office/warehouse as a support facility to the commercial park. The majority of interest has been shown to be a need for larger individual units for storage of supplies, equipment and vehicles. Since the economic downturn beginning in 2007 the need for one owner building sites has waned and the current business climate can support this project.

Mini-storage is explicitly permitted within CG zoned property by "special exception" and is compatible with the varied commercial uses within the commercial center. The previously mentioned greenbelt contiguous to the northern property is part of the Commercial Center plat boundary. A type "C" buffer with fence is proposed along same.

Access to the project is from Fortran Drive, an internal loop road within the commercial park and is used by commercial traffic. Adequate provisions have been made for on-site exfiltration (under pavement) retention of stormwater, on-site septic system, potable water and landscaping.

The current Comprehensive Plan designation of Commercial is compatible with the intended use of the establishment. Maintenance/operation of this proposed use will not be detrimental to the public health, safety or general welfare.

**Narrative
(Exhibit D)**



MEMORANDUM

Date: January 18, 2013
To: Ken Quillen, Planner III
From: Jamie Scudera, Environmental Specialist
Subject: SE-13-001
Anderson Mini-Warehouse, 25450 & 25460 Fortran Drive

The Zoning Environmental Review Section has conducted a cursory review (additional wildlife or environmental reviews may be required by state and/or federal agencies) of the above referenced petition for compliance with Environmental, Tree and Landscaping codes/ordinances and offers the following comments:

- ❖ A GIS aerial, Bald Eagle nest and Scrub Jay territory search was conducted by staff. The site(s) consist of two vacant parcels in a partially developed commercial area off of Taylor Road. Due to the fact that the site is undeveloped, there is a probability of listed species occurrence on site. A listed species assessment may need to be completed during the development review process and/or prior to any site improvements.
- ❖ The request is for a special exception to develop a 15 unit storage facility.

If this special exception is approved, the following conditions will be reviewed for compliance upon Site Plan Review (if required) and the issuance of any county permit or land improvement activities:

- ❖ If this proposal moves forward, it will be reviewed for compliance with:
Chapter 3-2:
Article IX. *TREE REQUIREMENTS***
**All heritage trees (per Section 3-2-190) must remain preserved.

(Exhibit E-1)

Chapter 3-5:

Article IV, CLEARING, FILLING AND SOIL CONSERVATION*,
Article XV, SURFACE WATER AND WETLAND PROTECTION*,
Article XVIII, LANDSCAPING AND BUFFERS*

- ❖ The project must also comply with the Charlotte County Smart Charlotte 2050 Comprehensive Plan.

If there are any questions pertaining to this review please feel free contact me at (941) 743-1290.

JS

(Exhibit E-2)