

Attachment “A”

APPLICATION AND SUPPORTING DOCUMENTS

PETITION BA-16-10 VAR

PETITION TO THE BOARD OF ADJUSTMENT
Planning & Development Services Department

OFFICE USE ONLY

Petition No. _____ Fee: \$ _____
Hearing Date: _____ EZ Fee: \$ _____
Account No. 001-660-6680-3401 []
Account No. 001-660-6680-1124 (Enterprise Zone) []
Account No. 001-660-6680-1125 (Enterprise Zone Credit) []

CHECK ONE:

☒ Variance ☐ Appeal of Administrative Decision ☐ Special Exception ☐ Special Permit

Please note that a pre-application conference is required before submitting this application


Owner(s) of Record (please print)		Agent Authorized to Act on Owner Behalf	
Name: <u>Exactech Inc.</u>		Name: <u>eda engineers-surveyors-planners inc</u>	
Address: <u>2320 NW 66th Ct.</u>		Address: <u>2404 NW 43rd Street</u>	
<u>Gainesville, FL 32653</u>		<u>Gainesville, FL 32606</u>	
E-mail Address: _____		E-mail Address: <u>sreyes@edafi.com</u>	
Phone: _____		Phone: <u>373-3541</u>	
Fax: _____		Fax: <u>373-7249</u>	
PROPERTY INFORMATION:			
Street address: <u>2321 NW 66th Ct.</u>			
Tax parcel no(s): <u>06014-006-000</u>			
Legal description (may be attached): <u>attached</u>			
Existing Zoning: <u>I2</u>		Lot size: <u>1.65 acres</u>	
Present use: <u>warehouse/office</u>		Proposed use: <u>parking garage</u>	
Historic District or Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Present structures (type) and improvements upon the land: <u>warehouse building, parking lot</u>			
SURROUNDING PROPERTY INFORMATION: (List all uses surrounding the subject property under "Existing use." Staff is available to supply zoning and land use information.)			
	Zoning	Land Use	Existing Use
North	<u>I2</u>	<u>Industrial</u>	<u>manufacturing/office</u>
South	<u>I2</u>	<u>Industrial</u>	<u>repair/office</u>
East	<u>I1</u>	<u>Industrial</u>	<u>manufacturing/office</u>
West	<u>Con</u>	<u>Conservation</u>	<u>drainage easement</u>

Certified Cashier's Receipt:

SIGNATURE PAGE

1. (a) I hereby attest to the fact that the above supplied parcel number(s) and legal description(s) is (are) the true and proper identification of the area of this petition.
(b) I authorize staff from the Planning and Development Services Department to enter onto the property in question during regular city business hours in order to take photos which will be placed in the permanent file.
2. I/We understand that this petition becomes a part of the permanent records of the Board of Adjustment. I/We hereby certify that the above statements and the statements or showings made in any document or plans submitted herewith are true and correct to the best of my/our knowledge.

Property Owner Signature: _____



Date: _____

12/19/2016



Stephanie Sutton
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG040315
Expires 10/19/2020

STATE OF FLORIDA

COUNTY OF Alachua

Sworn to and subscribed before me this 19th day of December 2016,
by (Name) Betty Petty



Signature – Notary Public

Personally Known ☒ OR Produced Identification ____ (Type) _____

VARIANCE

The process for requesting a variance is documented in the Land Development Code Chapter 30-354(d)(3).

Indicate the specific code a variance is requested from and summarize the context:

Code source:	<input checked="" type="checkbox"/> Land Development Code	<input type="checkbox"/> Fire Code	<input type="checkbox"/> Building Code
Section:	30-70 (d) (1) b.		

The following questions must be answered to demonstrate the foundation for the variance request as specifically required by the Land Development Regulations. As the applicant, you bear the burden of proving the variance criteria.

(1) What special conditions and circumstances peculiar or unique to this land, structure or building exist that necessitate the variance?

Parking garage on property has standard pre-cast widths that will exceed current setbacks. In addition, the industrial park includes a mix of I-1 and I-2 zoning, of which I-1 allows a 10 ft setback, which is what is requested. It is important to note that I-2 allows more heavy industrial uses, which necessitates larger setbacks. However, the parking garage is not a heavy industrial use and therefore, it is appropriate to utilize the 10 ft setback allowed in I-1.
(2) Are these special conditions or circumstances applicable to other lands, structures, or buildings in the same district? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Parking garage widths are not flexible due to required drive aisle and parking stall widths.

(3) Does a literal enforcement of the provisions of the zoning or building code limit the use of the property or building in a manner unlike that of other properties in the same district? If so, please describe the limitation or hardship.

Property across the street has I-1 zoning with 10 ft setbacks. The developer would like to develop this site consistent with the adjacent Exactech property and allow the site to be used most efficiently for a parking garage and thus reduce surface parking areas.
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(4) Were these special conditions or circumstances described in (1), above, the result of your actions?

No - The type of structure has specific fixed widths determined by the number of parking bays. To maximize efficient use of this site, a variance is needed to the site setbacks.

(5) Explain how the requested variance will not confer a special privilege on you that is not enjoyed by other properties in the same district.






The requested side setback is consistent with the I-1 zoning district in other areas of the industrial park, therefore, no special privilege is being granted that is not enjoyed by other properties in the immediate area.
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(6) Has an application for a variance been filed within the last 2 years in connection with these premises? Please note that the board will not entertain an application for a variance within two years of the board issuing a denial of the same variance request. ☐ Yes ☒ No

Please continue on additional pages as needed

(Variance, continued)

In addition to the above criteria, the Board of Adjustment will be required to make the following findings to authorize the variance request: *(please acknowledge by initialing each item)*

-  (a) That the applicant has met the requirements set forth in section 30-354(d)(3) of the Land Development Code
-  (b) That the reasons set forth in the application justify granting the variance
-  (c) That the variance is the minimum variance that will make possible the reasonable use of the land, structure, or building
-  (d) That granting the variance will be in harmony with the general intent and purpose of the land development code or building chapters
-  (e) That granting the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare

Check below that you have included these items with your application:

- ☒ Scaled drawing, site plan, or survey depicting property boundaries, easements, existing and proposed structures shown with their distance to the property line and existing building setback lines. The requested variance should be clearly illustrated with respect to each of these features.
- ☒ Reduced images or digital submission for oversized paper documents (greater than 11x17)
- ☒ Legal description, if not entered on front page
- ☐ Any other supporting materials you wish to provide

Variances are only authorized for height of structures, size of yard setbacks, driveway widths, street line corner clearances, and property line edge clearances as provided in section 30-336(15); and landscape and tree management and flood control provisions as provided in section 30-310.

A variance may not be granted for the following reasons:

- For establishment or expansion of a use otherwise prohibited
- Because of the presence of nonconformities in the zoning district or adjoining districts
- Because of financial loss or business competition
- Because the property was purchased with the intent to develop or improve the property, and the intended development or improvement would violate the restrictions of the land development code or building chapter, whether or not it was known at the time of purchase that such development would be a violation



December 20, 2016

City of Gainesville
Planning and Development Services
306 NE 6th Avenue
Gainesville, FL

RE: Parcel 06014-006-000 Setback Variance

Members of the Board of Adjustment:

This application is a request to reduce the side interior setback on parcel 06014-006-000, located at 2321 NW 66th Court, from 20 feet to 10 feet. The project is located within the Northwood Commercial Park, which includes properties with a mix of I-1 and I-2 industrial zoning districts. This parcel, zoned I-2 has a side interior setback of 20 feet. It should be noted that other properties within the development with I-1 zoning require only a 10 foot side setback. The surrounding properties are developed with industrial, manufacturing, and office uses.

As part of a master plan for their properties, our client (Exactech Inc.) is exploring the possibility of building a parking garage on this parcel to minimize the amount of surface parking for this corporate campus. Due to the inflexible nature of parking garage design, there is not much variability in the width of the building. To fit drive aisles and parking stalls in an efficient layout requires very specific footprint dimensions (particularly width), thus necessitating the proposed setback reduction. In order to make this project feasible, a variance in the setback for this parcel is necessary.

Please feel free to call me at 373-3541 if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Sergio Reyes".

Sergio Reyes, P.E.
President / Principal

PROPERTY OWNER AFFIDAVIT

Owner Name: <u>Exactech Inc.</u>			
Address: <u>2320 NW 66th Ct.</u> <u>Gainesville, FL 32653</u>		Phone: _____	
Agent Name: <u>eda engineers-surveyors-planners inc.</u>			
Address: <u>2404 NW 43rd Street</u> <u>Gainesville, FL 32606</u>		Phone: <u>373-3541</u>	
Parcel No.: <u>06014-006-000</u>			
Acreage: <u>1.65</u>	S: <u>13</u>	T: <u>09</u>	R: <u>19</u>
Requested Action: <u>Reduce site setback (side interior 20' to 10')</u>			
<p>I hereby certify that: I am the owner of the subject property or a person having a legal or equitable interest therein. I authorize the above listed agent to act on my behalf for the purposes of this application.</p> <p>Property owner signature: <u>Betty for Exactech Inc</u></p> <p>Printed name: <u>Betty Petty</u></p> <p>Date: <u>12/19/2016</u></p> <p>The foregoing affidavit is acknowledged before me this <u>19th</u> day of <u>December</u>, 20<u>16</u>, by <u>Betty Petty</u>, who is/are <u>personally known to me</u> or who has/have produced _____ as identification.</p>			
NOTARY SEAL _____		<div data-bbox="873 1228 998 1354" data-label="Image"></div> <p>Signature of Notary Public, State of <u>Florida</u></p>	

Plotted Nov 30, 2016 — 13:27:42 — ablonis \\SERVER3\survey_projects\2016\2016-0279-0279 [Exactech Headquarters — Phase 1] DWG 2016-0279A.dwg — Layout

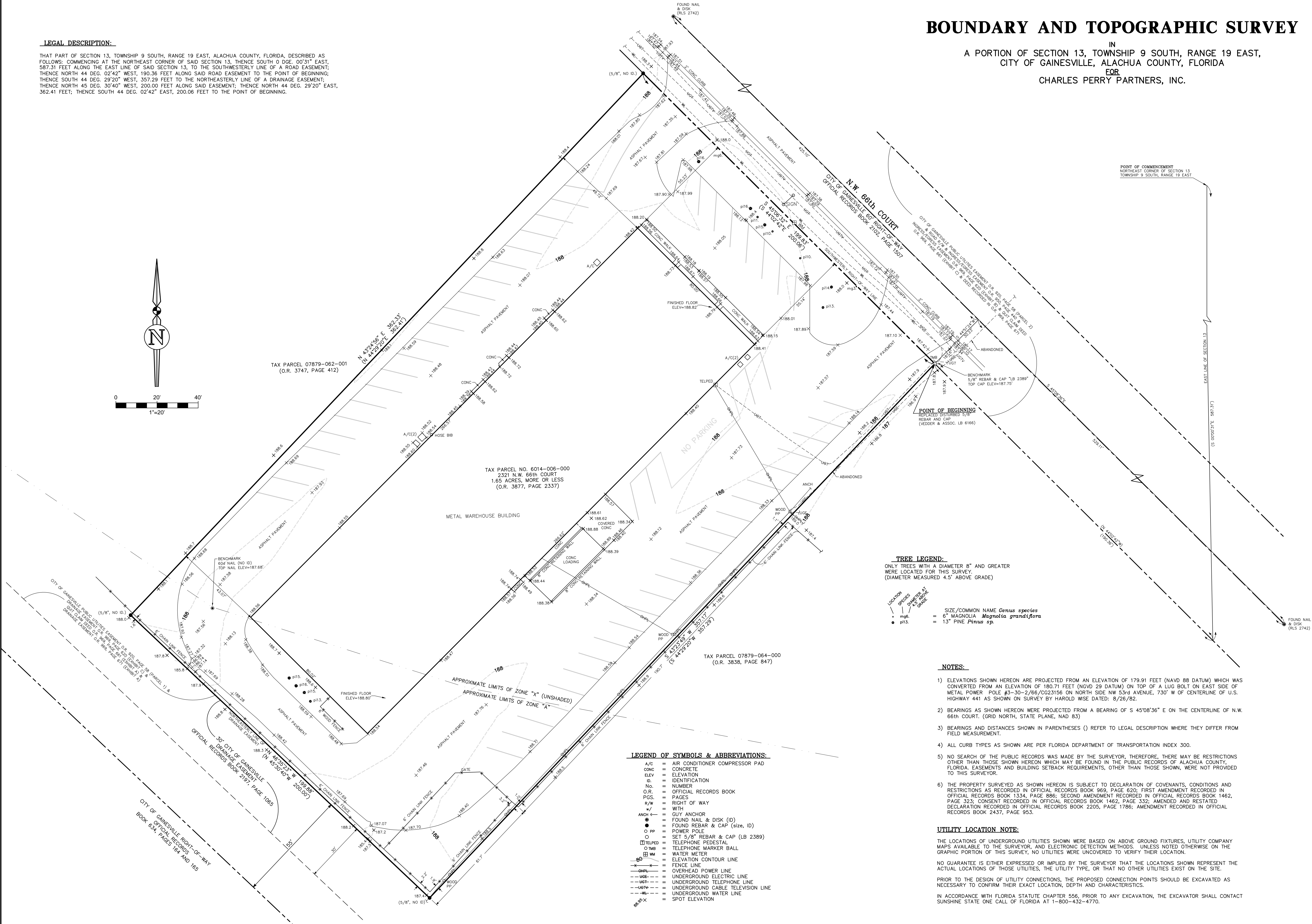
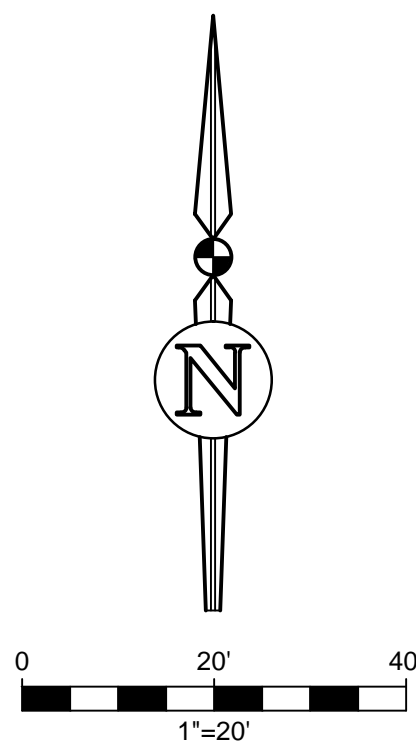
LEGAL DESCRIPTION:

THAT PART OF SECTION 13, TOWNSHIP 9 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 13, THENCE SOUTH 0 DEG. 00'31" EAST, 587.31 FEET ALONG THE EAST LINE OF SAID SECTION 13, TO THE SOUTHWESTERLY LINE OF A ROAD EASEMENT; THENCE NORTH 44 DEG. 02'42" WEST, 190.36 FEET ALONG SAID ROAD EASEMENT TO THE POINT OF BEGINNING; THENCE SOUTH 44 DEG. 29'20" WEST, 357.29 FEET TO THE NORTHEASTERLY LINE OF A DRAINAGE EASEMENT; THENCE NORTH 45 DEG. 30'40" WEST, 200.00 FEET ALONG SAID EASEMENT; THENCE NORTH 44 DEG. 29'20" EAST, 362.41 FEET; THENCE SOUTH 44 DEG. 02'42" EAST, 200.06 FEET TO THE POINT OF BEGINNING.

BOUNDARY AND TOPOGRAPHIC SURVEY

IN
A PORTION OF SECTION 13, TOWNSHIP 9 SOUTH, RANGE 19 EAST,
CITY OF GAINESVILLE, ALACHUA COUNTY, FLORIDA

FOR
CHARLES PERRY PARTNERS, INC.



FLOOD INSURANCE RATE MAP STATEMENT	
THE REAL PROPERTY SHOWN HEREON LIES WITHIN THE FLOOD INSURANCE RATE MAP NUMBER 12102, AS BEING "SPECIAL FLOOD HAZARD AREAS (SFHA) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD, NO BASE FLOOD ELEVATIONS DETERMINED AND ZONE "X" (UNSHADED) AS BEING "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."	
eda engineers-surveyors-planners, inc.	
2400 N.W. 42nd ST., GAINESVILLE, FLORIDA 32606-6402	
TEL: 352-329-7497	
E-MAIL: mail@edapl.com	
Project No. 2016-0279 S00	
Client: Charles Perry Partners, Inc.	
Surveyor: Robert W. Craver	
Check: B.G.	
Not Valid Without The Signature And The Original Ratted Seal Of A Florida Licensed Surveyor And Mapper, Copyright © 2016	
Sheet No.:	844
Prepared For:	1) CHARLES PERRY PARTNERS, INC.
Survey Date:	11/29/16
Drawn/Computed:	11/30/16
Reviewed:	
THIS SURVEY MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA SURVEYING BOARD, P.L. 86-1, AS AMENDED, AND THE FLORIDA SURVEYING BOARD ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 (2016), FLORIDA STATUTES.	
THIS SURVEY DEPICTS THE SITE CONDITIONS AS OF 11/29/16.	



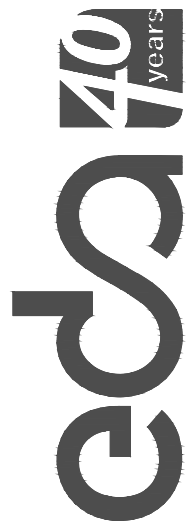
KEY MAP



SCALE: 1"=20'



GRAPHIC SCALING



engineers • surveyors • planners

EB 2389
1404 N.W. 43rd ST, GAINESVILLE, FLORIDA 32606-6602
TEL. (352) 373-3541 FAX. (352) 373-7249
www.edafl.com mail@edafl.com

EXACTECH MASTER PLAN PHASE-1
CITY OF GAINESVILLE FLORIDA

DIMENSION PLAN FOR PARKING GARAGE

Project:

CITY SUBMITTAL

Drawn: SJR	Drawn: LW	Checked: TAR
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Set No:	16027	Date:	01/18/17
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Professional Engineer of Record:

Sheet title:

Engineer

Certificate No.

Certificate No.

C1.03