Attachment "A" Application and Supporting Documents



PETITION TO THE BOARD OF ADJUSTMENT Planning & Development Services Department

		OFFICE USE ONLY								
	Petition N	Vo		Fee	e: \$					
	Hearing I	Date:		EZ	Z Fee: \$					
	III	No. 001-660-								
	Account	No. 001-660-	6680-1124 (E	Ente	erprise Zone) []					
	Account	No. 001-660-	6680-1125 (E	Ente	erprise Zone Credit []					
~										
CHECI		7			🗖					
× Varia	ance _	J Appeal of A	dministrative	e De	cision Special Exception Special Permit					
Plea	se note that o	a pre-applica	tion conferen	ce i	s required before submitting this application					
Ov	wner(s) of Re	ecord (please	print)		Agent Authorized to Act on Owner Behalf					
Name: 0	Contrax Furnishii	ngs Inc.			Name: William Bernhardt					
Address: 690 NE. 23rd Ave. Address: 1108 Sheffield Court										
Gainesville, FL. 32609-3708					Altamonte Sprngs, Fl. 32714					
E-mail A	E-mail Address: Blatham@meteoreducation.com E-mail Address: Billb.wbc@gmail.com									
Phone: 800-699-7516 Phone: 407-848-4475										
Fax: 407-641-9113										
PROPE	RTY INFO	RMATION:								
Street ac	ddress: 690 NI	E 23rd Ave. Gain	esville, Fl. 32609	9						
	cel no(s): 082									
		ay be attached	l): Attached							
	Zoning: MU	2	Lot size	2.6						
		rehouse / Office	e Propose	ed u	se: Warehouse / Office					
Historic	District or L	andmark?	Ye	S	x No					
Present	structures (ty	pe) and impro	ovements upor	n th	e land: Metal building with bllock exterior walls, interior office					
		ng docks at Nortl								
					N: (List all uses surrounding the subject property					
under "I	under "Existing use." Staff is available to supply zoning and land use information.)									
	Zoning	Land Use	e Existing Use							
North	RMF6	RM	Not used	Vac	cant Land					
South	RSF1	Single Family	/ 1 unit residence	е						
East	RMF6	RM	Apartment cor	mple	x					
West	MU2	MUM	Office							
NE	RMF6				ier's Receipt:					
West West	MU2 MU2	MUM MUM	Vacant Lan Vacant Lar							

Planning Division Planning Counter—158 Rev. 04/09 jmw Fax: 352-334-3259 Phone: 352-334-5023 www.planning.cityofgainesville.org Thomas Center B 306 NE 6th Avenue

SIGNATURE PAGE

- (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
 - 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:	
STATE OF FLORIDA COUNTY OF			
Sworn to and subscribed before me this _ by (Name)	· · · · · · · · · · · · · · · · · · ·		_20,
	Signature – Notary Public		
Personally Known OR Produced Ide	entification (Type)		

Planning Division Planning Counter—158 Thomas Center B 306 NE 6th Avenue

VARIANCE

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

Indicate the spe					e the co	ntext:
Code source:	X Land De	velopment (Code [Fire Code		Building Code
Section:	SEC.30-346. (6)	(H), (2) & (3)	30-346.1 (A), (E	3)		
The following of request as speci burden of provi	fically require	ed by the La				the variance applicant, you bear the
(1) What spec	ial conditions	and circums	stances peculi	iar or unique to	this lan	nd, structure or building
exist that neces						
Attached as sep	perate page					
(2) Are these s ₁ the same district		ons or circui	mstances app	licable to other	lands, s	structures, or buildings in
Attached as sepe						
·						
	ding in a man nitation or hare	ner unlike tl		-	_	de limit the use of the istrict? If so, please
(4) Were these Attached as sep		tions or circ	umstances de	escribed in (1), a	above, t	he result of your actions?
(5) Explain ho	w the requeste	ed variance v	will not confe	r a special privi	ilege on	you that is not enjoyed
by other proper	-				. 6	y and an arrange grant
Attached as seper	rate nage					
Attached as seper	ate page					
two years of the	nises? Please board issuing	note that the g a denial of	e board will not the same various on addition	ot entertain an a riance request. Inal pages as ne	applicat	tion for a variance within s \(\omega \) No
Planning Division			Fax: 352-334	I- <i>52</i> 59		Thomas Center B

Planning Division
Planning Counter—158

Thomas Center B 306 NE 6th Avenue (Variance, continued)

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 b	elow that you have included these items with your application:
X S	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.
X F	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

In addition to the above criteria, the Board of Adjustment will be required to make the following

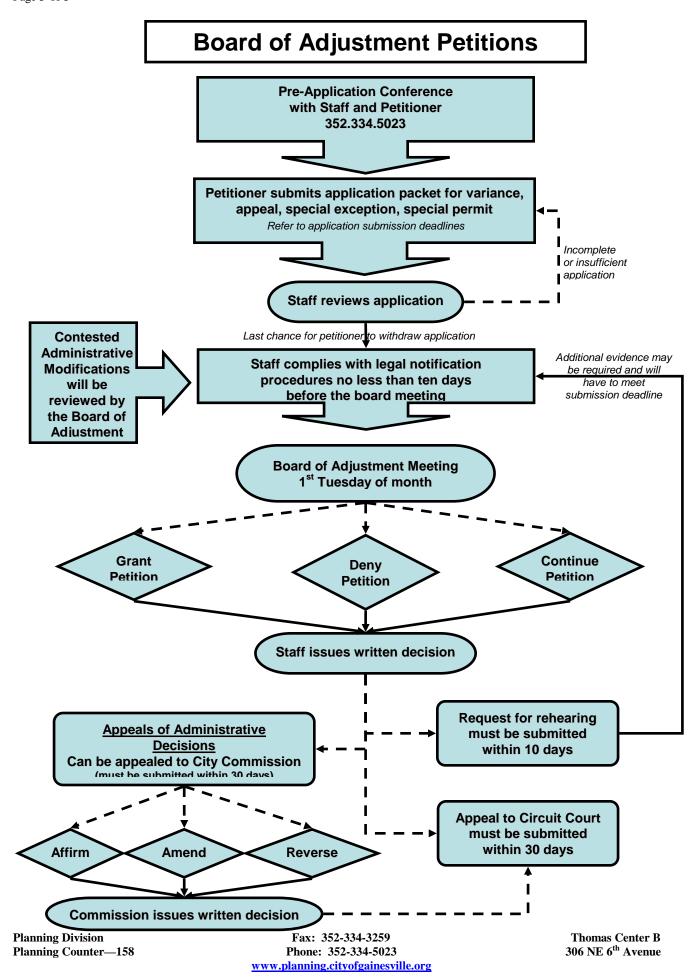
Variances are only authorized for height of structures, size of yard setbacks, driveway widths, street line corner clearances, and property line edge clearances as provided in section 30-336(15); and landscape and tree management and flood control provisions as provided in section 30-310.

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

Planning Division
Planning Counter—158

Thomas Center B 306 NE 6th Avenue





BA-17-4



PETITION TO THE BOARD OF ADJUSTMENT Planning & Development Services Department

					SE ONLY								
	Petition N	No. <u>BA - 17</u>	Fee: \$ 302.00 EZ Fee: \$										
	Hearing I				Z Fee: \$								
		count No. 001-660-6680-3401 [-]											
	Account No. 001-660-6680-1124 (Enterprise Zone) [] Account No. 001-660-6680-1125 (Enterprise Zone Credit []												
	Account	No. 001-660-	6680-1125 (E	nte	erprise Zone Credit []								
CHECK	ONE:												
× Varia	-	Appeal of A	dministrative	De	ecision Special Exception Special Permit								
	_	- 			is required before submitting this application								
		ecord (please			Agent Authorized to Act on Owner Behalf								
	ontrax Furnishi		•		Name: William Bernhardt								
Address	: 690 NE. 23rd	Ave.			Address: 1108 Sheffield Court								
Gaines	ville, FL. 326	09-3708			Altamonte Sprngs, Fl. 32714								
7 Manual Copingo, 11. 027 17													
E-mail Address: Blatham@meteoreducation.com Phone: 800-699-7516 E-mail Address: Billb.wbc@gmail.com Phone: 407-848-4475													
Phone: 800-699-7516 Phone: 407-848-4475													
Fax: 407-641-9113													
		RMATION:											
		E 23rd Ave. Gain	esville, Fl. 32609)									
	cel no(s): 082												
		ay be attached	/										
	Zoning: MU	2	Lot size										
Present		No state office		d u	se: 01100 store Warehouse OFFICE								
	District or L		Ye:	_	X No								
		pe) and impro		n th	e land: Metal building with bllock exterior walls, interior office	es							
		ing docks at North			V (T ' 4 11 11 11 11 11 11 11 11 11 11 11 11 1								
					N: (List all uses surrounding the subject property oning and land use information.)								
under		4		-	Existing Use								
North	RMF6	Bandose			The state of the s								
South	RSF1	Sigale family	Not used / VACa.n + 1 unit residence										
East	RMF6	Residential Med.	Apartment complex										
West	MU2	mum	Office										
		Residential		ash	ier's Receipt:								
North eas	st RMFG	medium	Vacar										
West	MUZ	MUM	Vacant										
West	mu-Z	MUM	Vacant										

Planning Division Planning Counter—158 Rev. 04/09 jmw Fax: 352-334-3259 Phone: 352-334-5023 www.planning.cityofgainesville.org Thomas Center B 306 NE 6th Avenue

SIGNATURE PAGE

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- 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:	William I Jathan III Date:	2/20/17
--	---------------------------	----------------------------	---------

STATE OF FLO	ORIDA
COUNTY OF	Alachua

Sworn to and subscribed before me this _	20th	_day of _Februa	ury 2017,
by (Name)			
		James	ahm
25	Sig	gnature - Notary Publ	ic
Personally Known / OR Produced Id	entification	(Type)	



JAMES A. LAND
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION # FF094797
EXPIRES 2/20/2018
BONDED THRU 1-888-NOTARY1

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: Land Development Code Fire Code Building Code
Section:
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?
Attached as seperate page
(2) Are these special conditions or circumstances applicable to other lands, structures, or buildings in the same district? YES NO
Attached as seperate page
(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.
Attached as seperate page
(4) Were these special conditions or circumstances described in (1), above, the result of your actions?
Attached as seperate page
(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.
Attached as seperate page
(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**

Planning Division
Planning Counter—158

Fax: 352-334-3259 Phone: 352-334-5023 www.planning.cityofgainesville.org Thomas Center B 306 NE 6th Avenue (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)

ruft MB

- (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

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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

Planning Division
Planning Counter-158

Fax: 352-334-3259 Phone: 352-334-5023 www.planning.cityofgainesville.org (1) What special conditions and circumstances peculiar to this land, structure or building exist that necessitate the variance?

The Property located at 690 NE23rd ave was constructed in 1971 when set back were not as stringent as they are today. Current set back standards are prohibiting the installation of the emergency stairs from being installed without a request for a variance. The building structure to the property line is 12'-2" at proposed stair location on the building.

Installation of emergency use egress stairs at this location of the building would reduce the distance to approx. 8'-6" from the tree lined property line.

Distance from existing building located at 690 NE 23rd Ave and nearest building structure adjacent to the east is 60' and would overlook parking / roadway area of adjacent

(2) Are these special conditions or circumstances applicable to other lands, structures, or buildings in the same district?

Not to our knowledge. Local survey of this circumstance would be known better at the Zoning office by previous like variance requests by other building / property owners.

(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 limitations or hardship.

Yes, the unique interior design of the second floor within the building (Constructed by previous owner) limits the available location and installation of egress stairways from the second floor area to the exterior of the building. to enforcement of the current zoning code would impact the ability to increase projected staffing needed to increase business sales. Furthermore, it would limit the ability or desire to continue interior or exterior renovations to improve the property and community.

(4) Were these special conditions or circumstances described in (1), above, the result of your actions?

No.

(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.

Respectfully; Our Request is not for enjoyment of the facilities or stair structure we are requesting this variance for. The request is to facilitate emergency egress and will be used solely for that purpose.



PLANNING AND DEVELOPMENT SERVICES DEPARTMENT PLANNING DIVISION

PO Box 490, Station 12 Gainesville, FL 32627-0490

P: (352) 334-5023 F: (352) 334-3259

PUBLIC NOTICE SIGNAGE AFFIDAVIT

PUBLIC NOTICE SIGNAGE	LAITIDAVII
Petition Name BA-17-0	
Applicant (Owner or Agent)	William Bernhardt 5/0 ADJ CASE BOX 88LOTT Less of 2636/0547
Tax parcel(s) THWAITE.	5/0 ADJ CASE BOX 88LOTT Less
Being duly sworn, I depose and say the following:	-
 That I am the owner or authorized agent representing the appropriate of the property described by the tax parcel(s) listed above; 	olication of the owner and the record title holder(s)
2. That this property constitutes the property for which the above Gainesville;	ve noted petition is being made to the City Of
3. That this affidavit has been executed to serve as posting of the which describes the nature of the development request, the rand the telephone number(s) where additional information consecurely posted the sign(s) on the property along each street (400) feet, and set back no more than ten (10) feet from the street does not abut a public right-of-way, signs have been placed at of the location of the subject property.	name of the project, the anticipated hearing date, an be obtained. In addition, the applicant has frontage, at intervals of not more than four hundred treet and visible from the street. If the property
4. That the applicant has posted the sign(s) at least fifteen (15) of for Historic Preservation Certificate of Appropriateness application public hearing date.	
That the applicant shall maintain the signs(s) as provided aborand approval process and that the signs shall be removed wit taken on the development application.	ve until the conclusion of the development review hin ten (10) days after the final action has been
 That I (we), the undersigned authority, hereby certify that the 7. 8. Applicant (signature) 	e foregoing statements are true and correct. Applicant (print name)
STATE OF FLORIDA, COUNTY OF ALACHUA Before me the undersigned, an officer duly commissioned by the laws of the State of Florida, on this 20+2 day of February 2017, personally appeared who having been first duly sworn deposes and says that he/she fully understands the contents of the affidavit that he/she signed. Public My Commission expires: 6/8/2019	FORREST EDDLETON MY COMMISSION # FF 238d EXPIRES: June 8, 2019 Bonded Thru Notary Public Dayles 219
	cityofgainesville org/PlanningDenartment asny

Form revised on March 11, 2014. Form location: http://www.cityofgainesville.org/PlanningDepartment.aspx

FOR OFFICE USE OF	LY	
Petition Number	Planner	

Parcel: 08228-000-000

Search Date: 2/16/2017 at 2:20:29 PM

Taxpayer:

CONTRAX FURNISHINGS INC

Mailing:

690 NE 23RD AVE

GAINESVILLE, FL 32609-3708

Location:

690 NE 23RD AV GAINESVILLE

Sec-Twn-Rng: **Property Use:**

28-09-20 01100 - Stores

Tax Jurisdiction: Gainesville - 3600 Commercial

Subdivision:

PlaceHolder

Legal: THWAITE S/D ADJ CASE BOX 88 LOT 7 LESS N 560 FT) OR 2636/0547

	Property	Land	Land	Building	Misc	Total	Deferred	County	School	County	School	County	School	Total
YeaR	Use	Assessed Value	Just Value	Value	Value	Just Value	Value	Assessed	Assessed	Exempt	Exempt	Taxable	Taxable	Taxes
2016	Stores	132600	132600	354700	23600	510900	0	510900	510900	0	0	510900	510900	12026.49
2015	Stores	132600	132600	359400	23600	515600	0	515600	515600	0	0	515600	515600	12386.04
2014	Stores	132600	132600	364800	23600	521000	0	521000	521000	0	0	521000	521000	12700.63
2013	Stores	132600	132600	370800	23600	527000	0	527000	527000	0	0	527000	527000	12883.75
2012	Stores	132600	132600	376900	23600	533100	0	533100	533100	0	0	533100	533100	12880.18
2011	Stores	132600	132600	383000	23600	539200	0	539200	539200	0	0	539200	539200	13303.11
2010	Stores	132600	132600	389100	23600	545300	0	545300	545300	0	0	545300	545300	13325.67
2009	Stores	132600	132600	395200	23600	551400	0	551400	551400	0	0	551400	551400	13515.38
2008	Stores	132600	132600	401200	23600	557400	0	557400	0	0	0	557400	0	12675.42
2007	Stores	132600	132600	377100	23600	533300	0	533300	0	0	0	533300	0	12124.55

Land

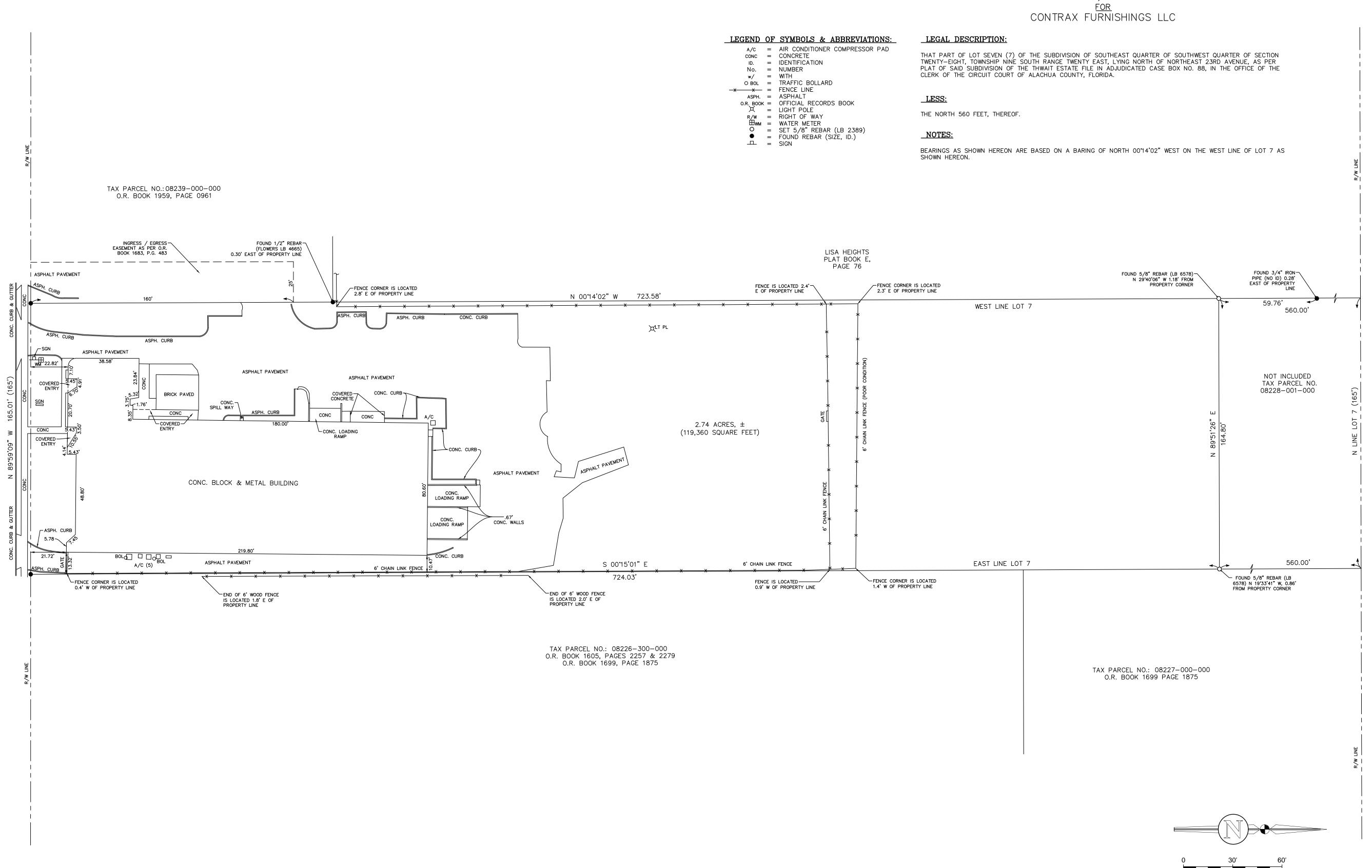
Use	Zoning Type	Zoning Desc	Unit Type	Units
Store 1 Floor	MU2		Square Feet	30360
Store 1 Floor	MU2		Square Feet	88440
			2016 Certified Land Just Value: 132600	2016 Certified Land Assessed Value: 132600

Building

Footprint_file = $74960_74960.jpg$

Actual Year Built	1973	
Effective Year Built	1973	
Building Quality	Average	
Building Style	Commercial	
Building Use	Store Discount	
Bedrooms:		
Baths:		
Stories:	1.0	
Exterior Wall 1:	Pre-Finsh Metl	
Exterior Wall 2:	Concrete Block	
Interior Wall 1:	Drywall	
Interior Wall 2:	N/A	
Floor Cover 1:	Cork Tile	
Floor Cover 2:	Carpet	
Roof Cover:	Modular Metal	
Roof Structure:	Steel Ft/Truss	
AC:	Central	
Heating Type:	Forced Air	
Heating System:	Gas	

THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 28,
TOWNSHIP 9 SOUTH, RANGE 20 EAST, CITY OF GAINESVILLE, ALACHUA
COUNTY, FLORIDA



NE 28TH AVENUE (60' R/W)

Sheet No.:

Plotted May 03, 2016 - 14:41:19 - sgr

V-00

Contrax Furnishings 690 NE 23rd Ave: Pictures of East side of building showing location of Stair Variance Location East side of building, looking North











N89°51'26"W - 164.8'

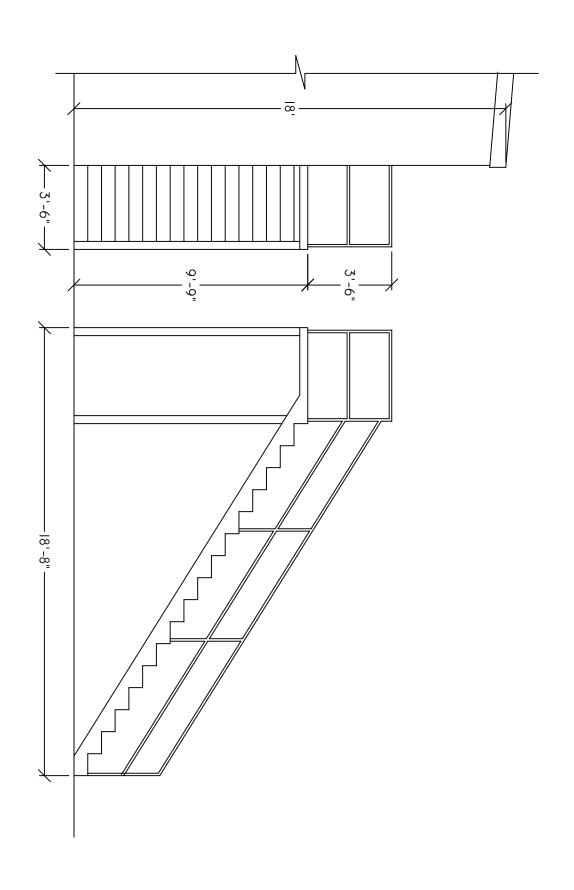
8'-6

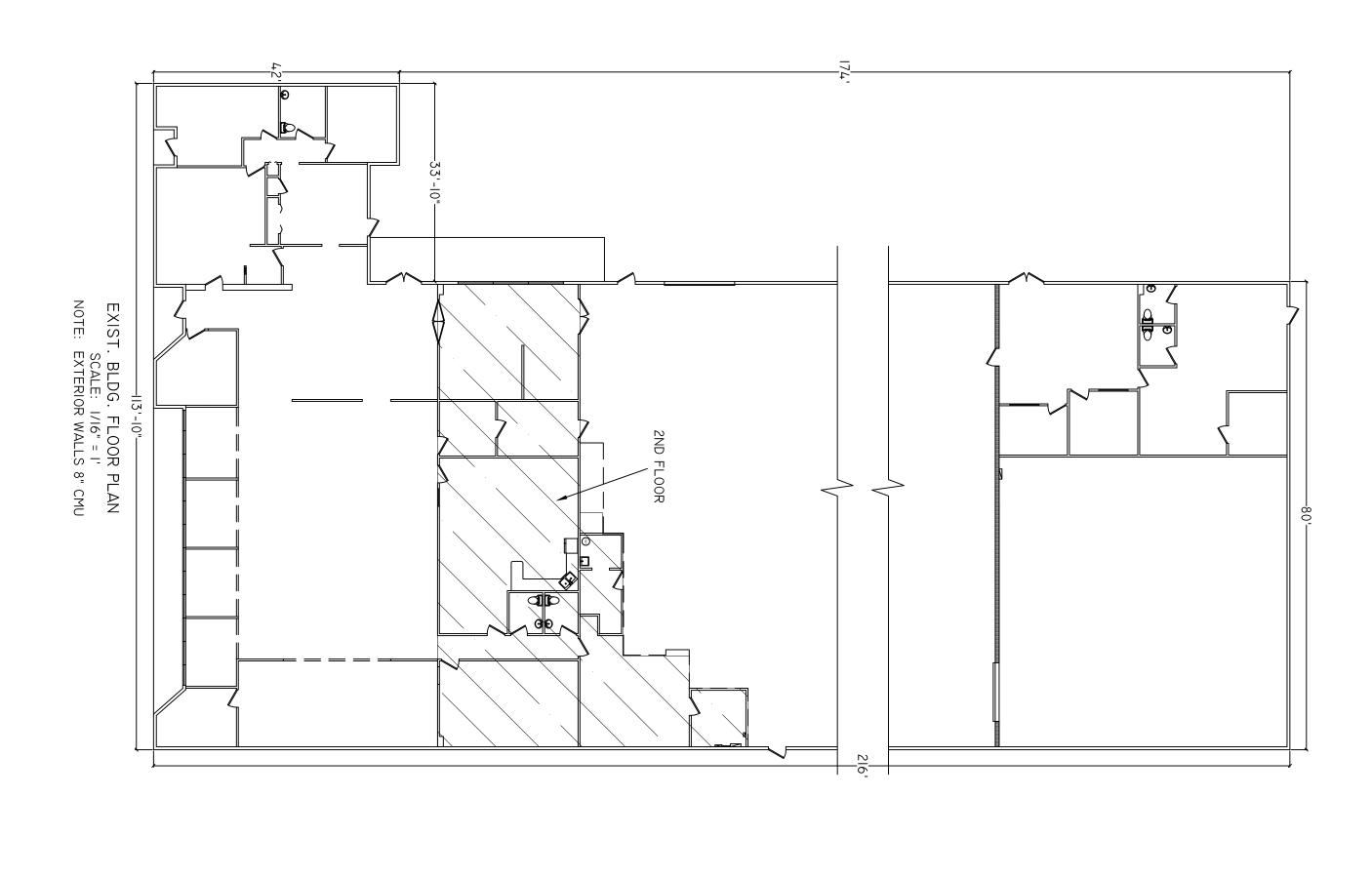
205

S00°15'01"E - 724.03

ASPHALT PAVING

N 以 尺





SHEET INDEX

SITE PLAN - OF FLOOR PLAN

CODES

EXIST.

 \Box

REFLECTIVE CEILING

POWER

MECHANICAL

MECHANICAL

∆-4

DETAILS

LIFE

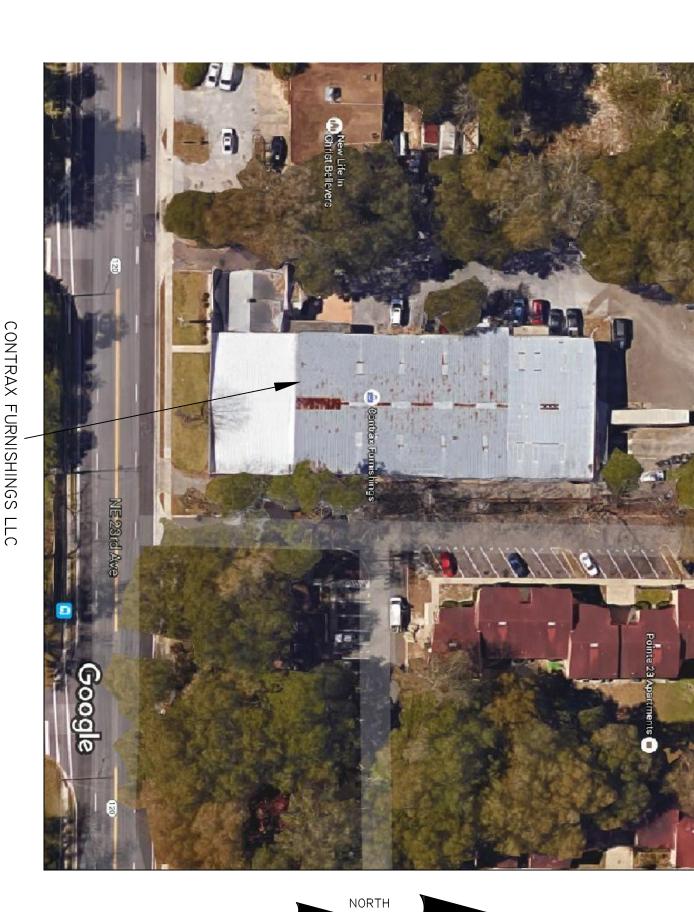
SAFETY

PROPOSED FLOOR PLAN

REFERENCED CODES:

FBC FIFTH EDITION (2014) BUILDING
FBC FIFTH EDITION (2014) PLUMBING
FBC FIFTH EDITION (2014) MECHANICAL
FBC FIFTH EDITION (2014) EXISTING BUILDING
FBC FIFTH EDITION (2014) ACCESSIBILITY
FLORIDA FIRE PREVENTION CODE FIFTH EDITION
NFPA I, FIRE CODE, 2012 EDITION
NFPA 101, LIFE SAFETY CODE, 2012
MODIFICATION 43.2.2.1.3

BUILDING TYPE - TYPE VB, RISK CATEGORY II, NON-SPRINKLED OCCUPANCY - B & S-I (DISPLAY)
WIND SPEED - I30MPH
WIND EXPOSURE - CATEGORY C
EXISTING BUILDING - ALTERATION LEVEL II



EXIST. MECHANICAL EXISTING UPSTAIRS FLOOR PLAN WITH NOTES ON PROPOSED CHANGES

SCALE: 1/8" = 1' EXIST. OPEN STORAGE

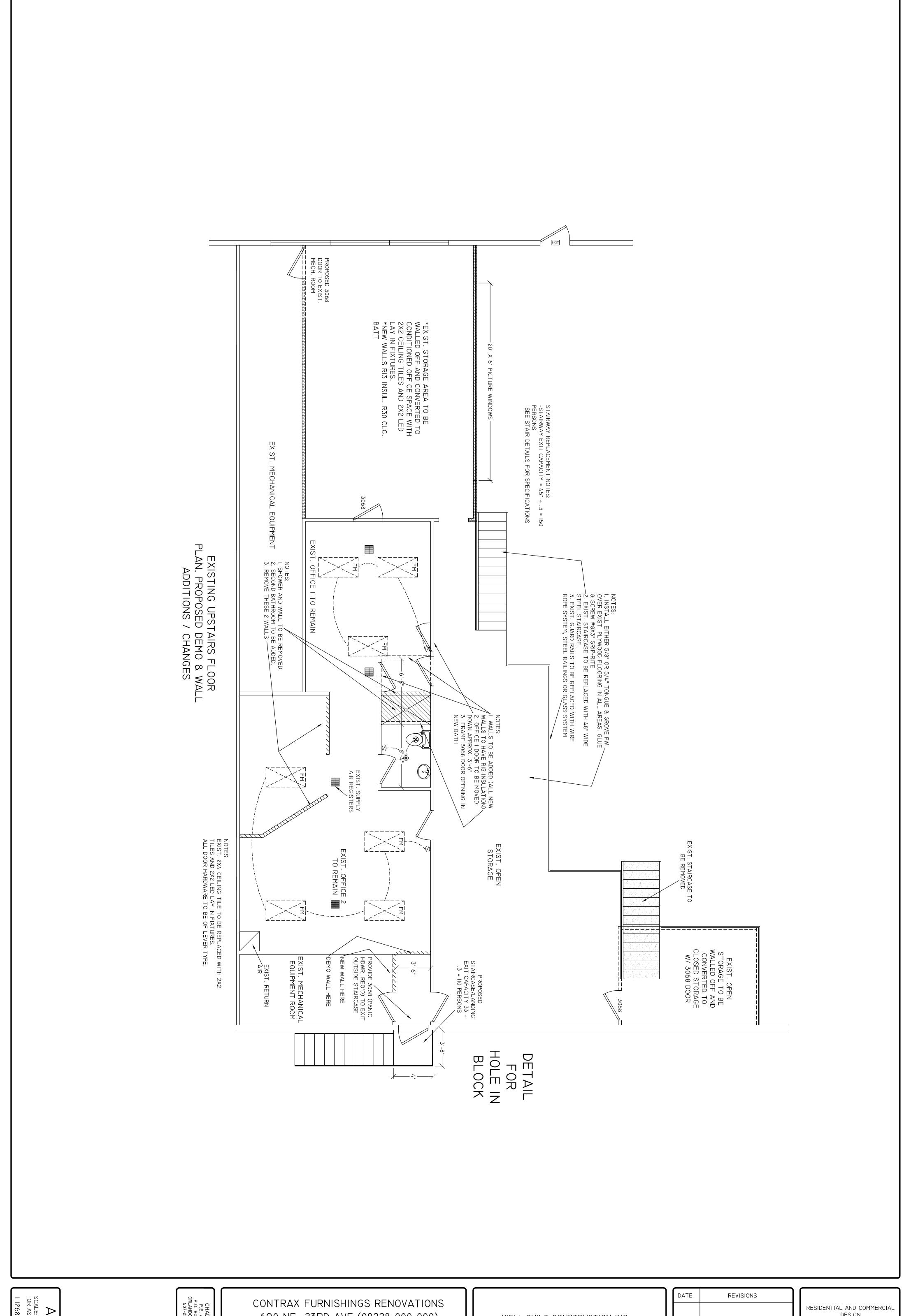
CONTRAX FURNISHINGS L 690 NE. 23RD AVE. (08228-000-000) GAINSVILLE, FLORIDA 32 32609

A-|
SCALE: 1/4" = 1'
OR AS NOTED
L1268-1-2017

CONTRAX FURNISHINGS RENOVATIONS 690 NE. 23RD AVE.(08228-000-000) GAINSVILLE, FL. 32609

WELL BUILT CONSTRUCTION INC.

DATE REVISIONS



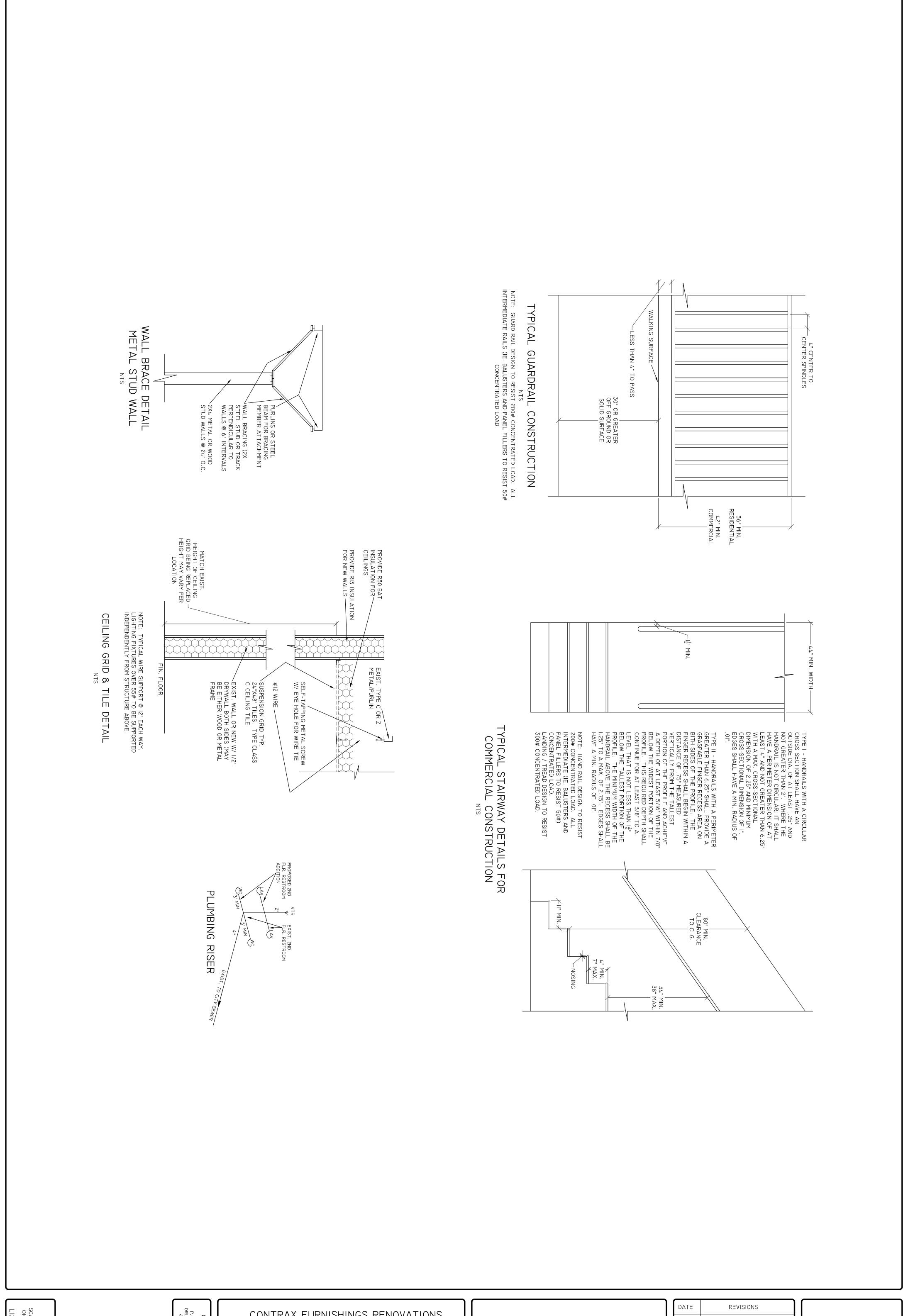
 Δ -2 SCALE: 1/4" = 1' OR AS NOTED L1268-I-2017

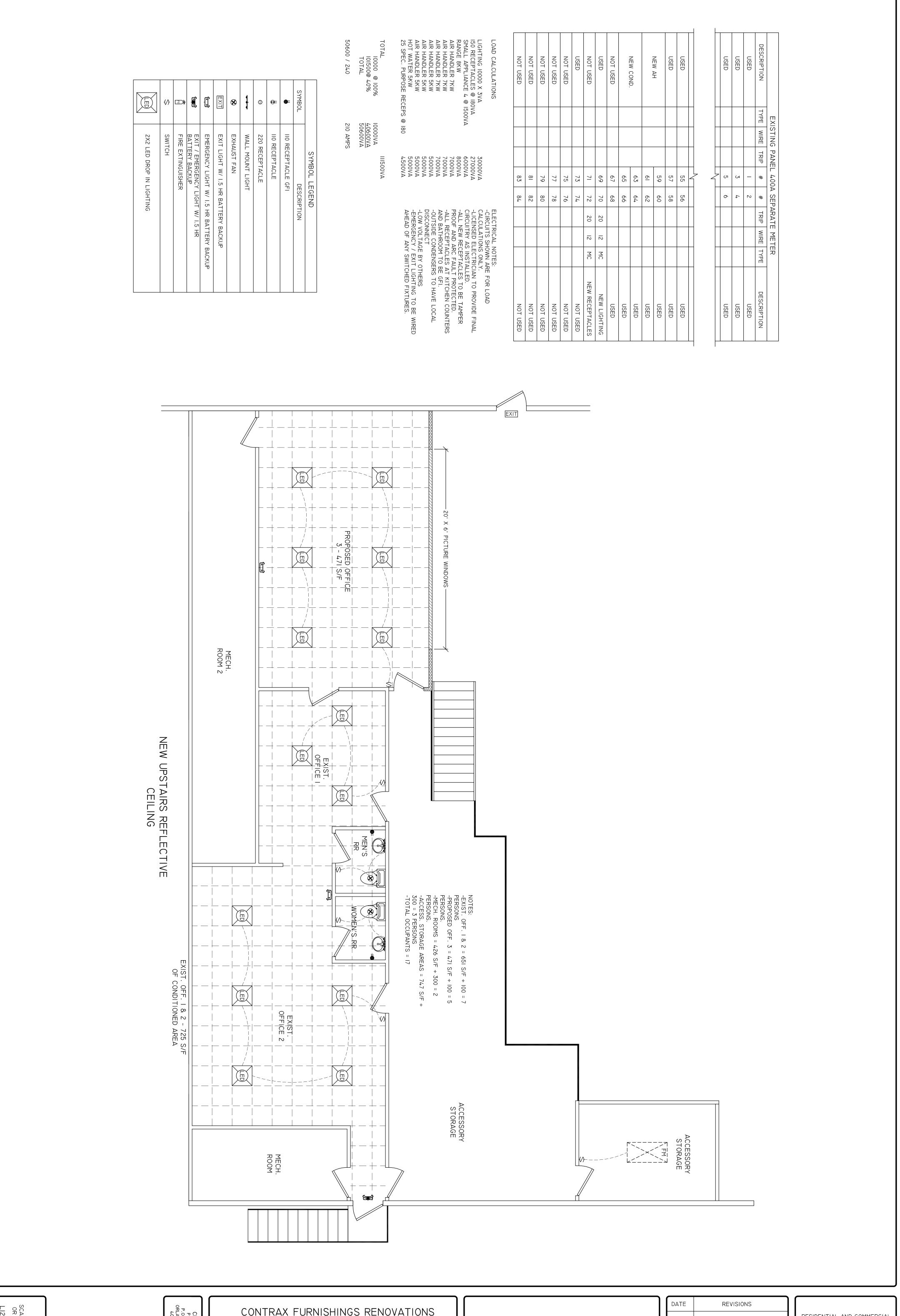
690 NE. 23RD AVE.(08228-000-000) GAINSVILLE, FL. 32609

WELL BUILT CONSTRUCTION INC.

DATE	REVISIONS	

RESIDENTIAL AND COMMERCIAL DESIGN PH. 40-701-2707 EMAIL RLRESDESIGN@GMAIL.COM





E-|
SCALE: 1/4" = 1'
OR AS NOTED
L1268-1-2017

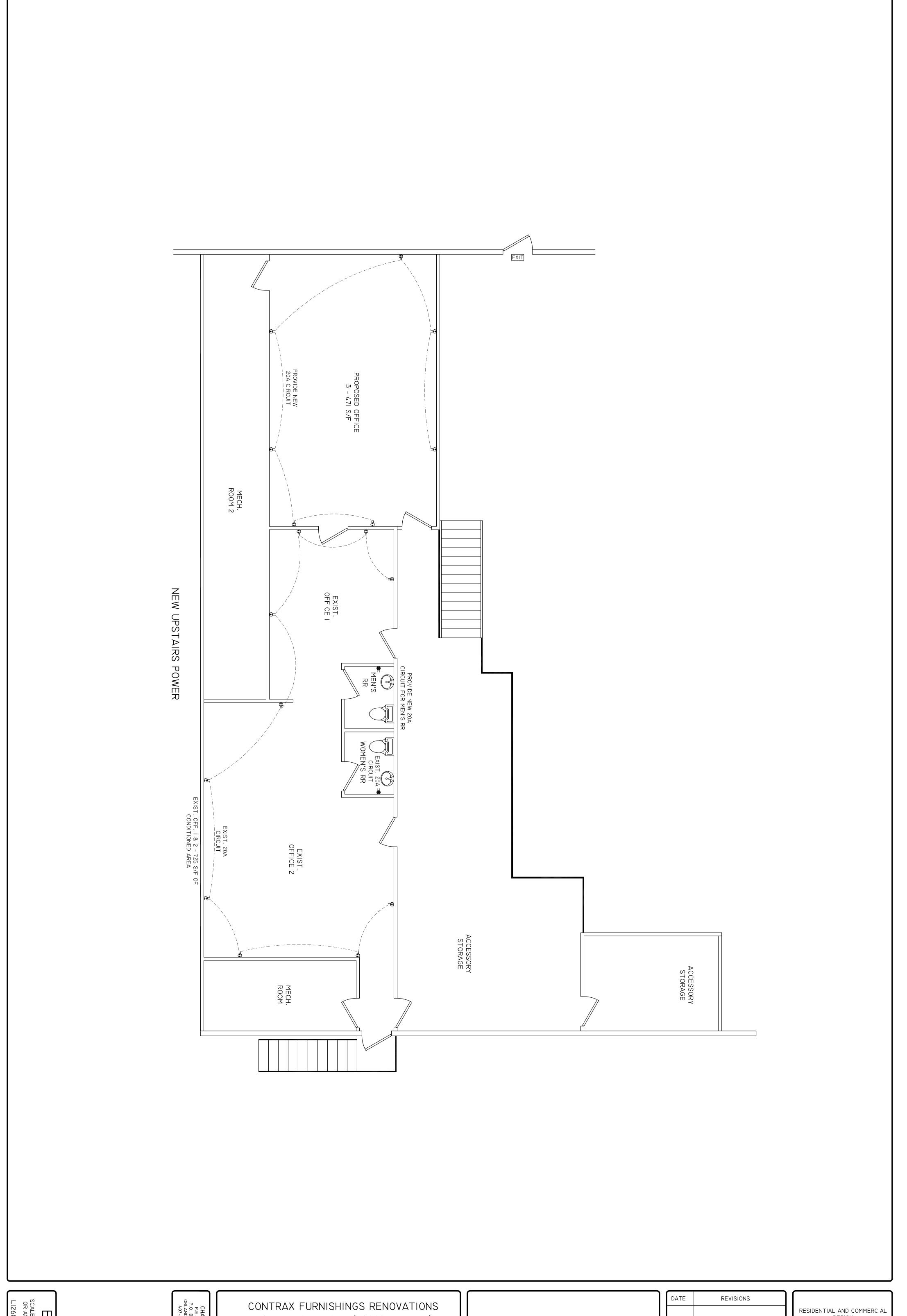
CHAD LINN
P.E. #57524
P.O. BOX 140024
ORLANDO, FL 32814
407-252-6433

CONTRAX FURNISHINGS RENOVATIONS 690 NE. 23RD AVE.(08228-000-000) GAINSVILLE, FL. 32609

WELL BUILT CONSTRUCTION INC.

DATE REVISIONS

RESIDENTIAL AND COMMERCIAL DESIGN PH. 40-701-2707 EMAIL RLRESDESIGN@GMAIL.COM



E-2

SCALE: 1/4" = 1'

OR AS NOTED

L1268-1-2017

