

**MONROE COUNTY, FLORIDA
PLANNING COMMISSION RESOLUTION NO. P03-11**

A RESOLUTION BY THE MONROE COUNTY PLANNING COMMISSION APPROVING THE REQUEST BY LANDCO LLC FOR AN AMENDMENT TO A MAJOR CONDITIONAL USE PERMIT IN ORDER TO REDEVELOP THE EXISTING GAS STATION AND CONVENIENCE STORE BY DEMOLISHING ALL EXISTING BUILDINGS, CONSTRUCTING A NEW CONVENIENCE STORE / COMMERCIAL RETAIL BUILDING, RELOCATING THE TWO (2) EXISTING FUEL PUMPS AND CONSTRUCTING FIVE (5) NEW FUEL PUMPS- THUS ESTABLISHING A TOTAL OF SEVEN (7) FUEL PUMPS WITH FOURTEEN (14) FUELING STATIONS; DEMOLISHING THE EXISTING FUEL PUMP CANOPY; CONSTRUCTING A NEW FUEL PUMP CANOPY; CONSTRUCTING A CAR WASH; AND CARRYING OUT ASSOCIATED IMPROVEMENTS, AT PROPERTY LEGALLY DESCRIBED AS LOTS 1 THROUGH 7, ROGERS SUBDIVISION (PB3-79), BIG PINE KEY, MONROE COUNTY, FLORIDA AND HAVING REAL ESTATE NUMBERS 00275410.000000, 00275430.000000 AND 00275450.000000.

WHEREAS, during a regularly scheduled public meeting held on January 12, 2011, the Monroe County Planning Commission conducted a review and consideration of a request filed by Soleria Design & Consulting Co., on behalf of Landco LLC, for an amendment to a major conditional use permit in accordance with §110-70, §110-74 and §130-93 of the Monroe County Code; and

WHEREAS, the subject property is located at 30662 Overseas Highway (US 1) on Big Pine Key, approximate mile marker 30.6 and is legally described as Lots 1 through 7, Rogers Subdivision (PB3-79), Big Pine Key, Monroe County, Florida, having real estate numbers 00275410.000000, 00275430.000000 and 00275450.000000; and

WHEREAS, the applicant requested approval to amend the site's major conditional use permit in order to redevelop the existing gas station, convenience store and commercial retail store by demolishing all existing buildings, constructing a new convenience store / commercial retail building, relocating the two (2) existing fuel pumps and constructing five (5) new fuel pumps (thus establishing a total of seven (7) fuel pumps with fourteen (14) fueling stations);

demolishing the existing fuel pump canopy; constructing a new fuel pump canopy; constructing a car wash; and carrying out associated improvements; and

WHEREAS, following a review of the major conditional use permit application's initial site plan, Planning & Environmental Resources Department staff determined that variances to the required setbacks and access standards would be necessary in order to have the site plan approved; and

WHEREAS, the required variance application was processed concurrently with the major conditional use permit application and was also heard and decided upon by the Planning Commission on January 12, 2011. The Planning Commission approved the variance application, with the approval memorialized as Planning Commission Resolution No. P02-11; and

WHEREAS, the Planning Commission was presented with the following documents and other information relevant to the request, which by reference is hereby incorporated as part of the record of said hearing:

1. Major conditional use permit application (File No. 2010-128), received by the Monroe County Planning & Environmental Resources Department on October 29, 2010; and
2. Preliminary Site Plan (C-1) by Soleria Design and Consulting Co., dated October 21, 2010 (reviewed by the Planning Commission at public meeting); and
3. Preliminary Site Plan (C-1) by Soleria Design and Consulting Co., dated October 21, 2010 and revised February 2, 2011 (submitted after public meeting to address Planning Commission and staff revisions); and
4. Preliminary Landscape Plan (L-1) by Soleria Design and Consulting Co., dated October 21, 2010 (reviewed by the Planning Commission at public meeting); and
5. Preliminary Landscape Plan (L-1) by Soleria Design and Consulting Co., dated October 21, 2010 and revised February 2, 2011 (submitted after public meeting to address Planning Commission and staff revisions); and
6. Preliminary Drainage Plan (C-2) by Soleria Design and Consulting Co., dated October 21, 2010; and
7. Store Layout Plan (convenience store) by Paragon Solutions, dated October 14, 2010; and
8. Exterior Elevations (convenience store) by Paragon Solutions, dated October 21, 2010; and
9. Carwash Floor Plan and Elevations by Paragon Solutions, dated October 21, 2010; and
10. Canopy Exterior Elevation by Paragon Solutions, dated October 21, 2010; and
11. Boundary Survey by Reece & White, dated March 15, 2007 and revised October 18, 2010; and
12. Level III Traffic Study by Keys Traffic Studies, LLC, dated October 2010; and
13. Development Review Committee Resolution No. 14-10; and
14. Staff report prepared by Joseph Haberman, AICP, Planning & Development Review Manager, dated December 30, 2010; and

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15. Sworn testimony of Monroe County Planning & Environmental Resources Department staff; and
16. Sworn testimony of the applicant; and
17. Advice and counsel of Susan Grimsley, Assistant County Attorney, and John Wolfe, Planning Commission Counsel; and

WHEREAS, based upon the information and documentation submitted, the Planning Commission makes the following Findings of Fact:

1. The subject property is located in a Suburban Commercial (SC) district; and
2. The subject property has a Future Land Use Map (FLUM) designation of Mixed Use / Commercial (MC); and
3. The subject property has a tier designation of tier 3; and
4. On August 12, 2008, the Planning & Environmental Resources Department issued a letter of development rights determination for the subject property. Staff determined that 9,446 SF of non-residential floor area and 648 SF of 'canopy' non-residential floor area were lawfully-established on the property and therefore exempt from the Non-Residential Rate of Growth Ordinance (NROGO) permit allocation system; and
5. On December 13, 2010, the application was reviewed by the Development Review Committee. At the meeting, staff requested that applicant revise the site and landscape plans and provide additional supporting information. In addition, staff requested that certain conditions be applied to any approval; and
6. Pursuant to §130-93 of the Monroe County Code, in the Suburban Commercial (SC) district, high-intensity commercial retail uses of greater than 2,500 SF of floor area may be permitted with major conditional use permit approval, provided that there is access to US 1 by way of a) an existing curb cut; b) a signalized intersection; or c) a curb cut that is separated from any other curb cut on the same side of US 1 by at least 400 feet; and
7. §110-67 of the Monroe County Code provides the standards which are applicable to all conditional uses. When considering applications for a conditional use permit, the Planning Commission shall consider the extent to which:
 - (a) The conditional use is consistent with the purposes, goals, objectives and standards of the Monroe County Year 2010 Comprehensive Plan and Monroe County Code; and
 - (b) The conditional use is consistent with the community character of the immediate vicinity of the parcel proposed for development; and
 - (c) The design of the proposed development minimizes adverse effects, including visual impacts, or the proposed use on adjacent properties; and

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- (d) The proposed use will have an adverse effect on the value of surrounding properties; and
 - (e) The adequacy of public facilities and services, including but not limited to roadways, park facilities, police and fire protection, hospital and Medicare services, disaster preparedness program, drainage systems, refuse disposal, water and sewers, judged according to standards from and specifically modified by the public facilities capital improvements adopted in the annual report required by the Monroe County Code; and
 - (f) The applicant for conditional use approval has the financial and technical capacity to complete the development as proposed and has made adequate legal provision to guarantee the provision and development of any open space and other improvements associated with the proposed development; and
 - (g) The development will adversely affect a known archaeological, historical or cultural resource; and
 - (h) Public access to public beaches and other waterfront areas is preserved as a part of the proposed development; and
 - (i) The proposed use complies with all additional standards imposed on it by the particular provision of this chapter authorizing such use and by all other applicable requirements of the Monroe County Code; and
8. Developments requiring a conditional use permit shall be consistent with the Monroe County Year 2010 Comprehensive Plan; and
 9. Developments on Big Pine Key shall be consistent with the Master Plan for Future Development of Big Pine Key and No Name Key; and
 10. Developments on Big Pine Key shall have to comply with the regulations of the Habitat Conservation Plan (HCP); and
 11. Developments requiring a conditional use permit shall be consistent with the Principles for Guiding Development in the Florida Keys Area of Critical State Concern; and

WHEREAS, based upon the information and documentation submitted, the Planning Commission makes the following Conclusions of Law:

1. The major conditional use permit request is consistent with the provisions and intent of the Land Development Code of the Monroe County Code; specifically:
 - a. With execution of attached conditions, the redevelopment is consistent with the purpose of the Suburban Commercial (SC) district , as set forth in §130-43; and
 - b. With execution of attached conditions, the land uses of the redevelopment are permitted uses in the Suburban Commercial (SC) district, as set forth in §130-93; and
 - c. With execution of attached conditions, the redevelopment shall meet all of the standards for a conditional use permit as set forth in §110-67; and

2. The major conditional use permit request is consistent with the provisions and intent of the Monroe County Year 2010 Comprehensive Plan; specifically:
 - a. The redevelopment is consistent with the purpose of the Mixed Use / Commercial (MC) future land use category, as set forth in Policy 101.4.5; and
3. The major conditional use permit request is consistent with the provisions and intent of the Master Plan for Future Development of Big Pine Key and No Name Key, specifically:
 - a. Action Item 4.1.3: Direct non-residential development and redevelopment to infill in existing non-residential areas on Tier II and Tier III lands, mainly in the US 1 Corridor Area. New commercial development will be limited to disturbed or scarified land – no clearing of pinelands and/or hammock will be permitted; and
 - b. Action Item 14.2.3: Only require new design guidelines for new development, the replacement of an existing building or if 2,500 SF is added. Ensure that new commercial design guidelines do not create a burden on existing businesses with potential for redevelopment.; and
4. The redevelopment shall have to comply with the regulations of the Habitat Conservation Plan (HCP). The (H) value on this property (combination of all three parcels) is 0.0124. In order to proceed with development plans, in Big Pine Key, a mitigation fee, at a rate of 3H to 1H, representing three (3) units of (H) for mitigation for every one unit of (H) impacted by development, is required. This ensures that development bears its fair share of the required mitigation under the conditions of the Incidental Take Permit (ITP). Mitigation fees will be assessed on a per permit basis. An exemption is subject to the County having sufficient inventory of qualified government-owned mitigation land. At the time of this resolution, Monroe County continues to provide mitigation for 'H' impacts without charge to the applicant/landowner. However this mitigation is based on availability and is subject to change if the Board of County Commissioners determines that it is in the best interest of the County to charge for the mitigation provided; and
5. The major conditional use permit request is not inconsistent with any of the Principles for Guiding Development in the Florida Keys Area of Critical State Concern; and

WHEREAS, at the January 12, 2011 public meeting, the Planning Commission considered the recommendations of staff and applied the following conditions to be met prior to the issuance of a resolution for approval by the Planning Commission:

1. Prior to the issuance of a resolution for approval by the Planning Commission, a) the applicant shall receive a variance to the setback and access standard requirements or b) the applicant shall submit a revised site plan and landscape plan showing that all setback and access standard regulations shall be met; and

2. Prior to the issuance of a resolution for approval by the Planning Commission, the applicant shall submit a revised building elevation for the new convenience store that indicates the structure would be in full compliance with the 35' maximum height requirement; and
3. Prior to the issuance of a resolution for approval by the Planning Commission, the applicant shall submit a revised site plan completing the following: a) Revise to have the floor area of structure illustrations match that provided in the tables; b) Revise Planning and Environmental Open Space and Density table by removing references to "Existing Uses"; c) Revise Required Off-Street Parking table to state 38 spaces provided; and d) Remove incorrect reference to "5,593 SQ FT" on illustration of convenience store; and
4. Prior to the issuance of a resolution for approval by the Planning Commission, the applicant shall submit a revised landscape plan completing the following: a) Revise Required Off-Street Parking table to state 38 spaces provided and modify parking lot landscaping totals if necessary; and
5. Prior to the issuance of a resolution for approval by the Planning Commission, a county biologist must visit the site and confirm no native habitat exists. If such an area does exist, all necessary changes must be made to the site plan; and

WHEREAS, concerning the first condition required to be met prior to the issuance of a resolution, this approval is reliant on the additional approval of the concurrently filed and approved variance application, memorialized as Planning Commission Resolution No. P02-11. An appeal of Resolution No. P02-11, as provided in §102-185 of the Monroe County Code and/or Chapter 9J-1, Florida Administrative Code, stays the effectiveness of this instrument until the appeal is resolved by agreement or order. If an appeal of Resolution No. P02-11 results in an overturning of the decision of approval as requested, this instrument shall be null and void and additional consideration of this application shall be required by the Planning Commission; and

WHEREAS, concerning the second condition required to be met prior to the issuance of a resolution, the applicant provided several elevations on the subject property and adjacent road, as shown on a boundary survey by Reece & White dated March 15, 2007 and revised October 18, 2010, which support that the proposed building will be in compliance with the maximum height requirements. Full compliance with the maximum height requirements will be determined upon review of the building permit application for the building; and

WHEREAS, concerning the third condition required to be met prior to the issuance of a resolution, following the January 12, 2011 public meeting, the applicant submitted a revised site plan by Soleria Design and Consulting Co., dated October 21, 2010 and revised February 2, 2011; and

WHEREAS, concerning the fourth condition required to be met prior to the issuance of a resolution, following the January 12, 2011 public meeting, the applicant submitted a revised

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landscape plan by Soleria Design and Consulting Co., dated October 21, 2010 and revised February 2, 2011; and

WHEREAS, concerning the fifth condition required to be met prior to the issuance of a resolution, following the January 12, 2011 public meeting, a Monroe County Biologist conducted a site visit and determined that there was no native pinelands or hammock on the subject property; and

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF MONROE COUNTY, FLORIDA, that the preceding Findings of Fact and Conclusions of Law support its decision to **APPROVE** the request by Landco LLC for an amendment to a major conditional use permit, subject to the following conditions:

1. Prior to the issuance of a building permit(s), the proposed development and structures shall be found in compliance by the Monroe County Building Department, Floodplain Administrator, Office of the Fire Marshal and Project Management Department.
2. Prior to the issuance of a building permit(s) for the construction of the buildings and fuel canopy, all necessary allocation(s) for its area shall be acquired through the NROGO permit allocation system.
3. Similar and consistent design, materials and colors shall be utilized for all new structures, including signage, in order to make the development more attractive and cohesive. The architecture of the buildings and fuel canopy shall be compatible with the architectural guidelines set forth within the Big Pine Key / US 1 Corridor Area Enhancement Plan. The applicant may not deviate from the designs depicted on building elevations and site plan without approval from the Director of Planning. Any modifications and/or alterations to the buildings and fuel canopy, as well as accessory structures, must adhere to the standards set forth in the Big Pine Key / US 1 Corridor Area Enhancement Plan, to be determined by the Director of Planning and, if necessary, the Planning Commission.
4. There shall be curbing to delineate between the roadways and their adjacent walkways.
5. There shall be directional signage to direct motorists though the site.

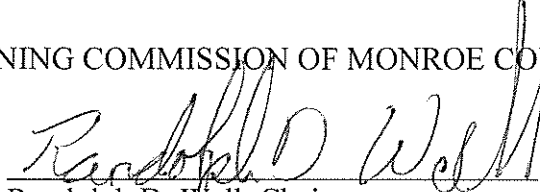
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PASSED AND ADOPTED BY THE PLANNING COMMISSION of Monroe County, Florida, at a regular meeting held on the 12th of January, 2011.

Chair Wall	<u>YES</u>
Vice Chair Cameron	<u>YES</u>
Commissioner Hale	<u>YES</u>
Commissioner Lustberg	<u>YES</u>
Commissioner Werling	<u>YES</u>

PLANNING COMMISSION OF MONROE COUNTY, FLORIDA

BY


Randolph D. Wall, Chair

Signed this 9th day of Feb, 2011.

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM

Date: 02/09/11

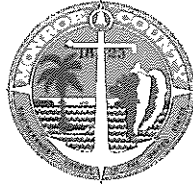
NOTICE

§110-73(a) of the Monroe County Code states that a conditional use permit shall not be transferred to a successive owner without notification to the Planning Director 15 days of the transfer.

Pursuant to §110-73(a) of the Monroe County Code, all required building permits and certificates of occupancy shall be procured within three (3) years of the date on which the conditional use approval is recorded and filed in the official records of Monroe County, or the conditional use approval shall become null and void with no further action required by the county. Approval time frames do not change with successive owners. Extensions of time to a major conditional use approval may be granted only by the Planning Commission for periods not to exceed two (2) years. There may be no more than two (2) extensions. Applications for extensions shall be made prior to the expiration dates. Extensions to expired major conditional use approvals shall be accomplished only by re-application for the major conditional uses. When a hearing officer has ordered a conditional use approval initially denied by the Planning Commission, the Planning Commission shall nonetheless have the authority to grant or deny a time extension under §110-73 of the Monroe County Code. If the Planning Commission denies a time extension, the holder of the conditional use may request an appeal of that decision under Chapter 102, Article VI, Division 2 of the Monroe County Code by filing the notice required by that article within 30 days of the written denial of the Planning Commission.

This instrument shall not take effect for 30 days following the date in which the document is signed by the Planning Commission Chair. During these 30 days, this instrument shall be subject to appeal as provided in Chapter 102, Article VI, Division 2 of the Monroe County Code. Such an appeal stays the effectiveness of this instrument until the appeal is resolved by agreement or order. In addition, please be advised that pursuant to Chapter 9J-1, Florida Administrative Code, this instrument shall not take effect for 45 days following the rendition of the Florida Department of Community Affairs. During these 45 days, the Florida Department of Community Affairs may appeal this instrument to the Florida Land and Water Adjudicatory Commission. Such an appeal stays the effectiveness of this instrument until the appeal is resolved by agreement or order.

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**MONROE COUNTY, FLORIDA
PLANNING COMMISSION RESOLUTION NO. P02-11**

A RESOLUTION BY THE MONROE COUNTY PLANNING COMMISSION APPROVING THE REQUEST BY LANDCO LLC FOR A VARIANCE OF TEN (10) FEET FROM THE REQUIRED TWENTY-FIVE (25)-FOOT FRONT YARD SETBACK ALONG US HIGHWAY 1 AND A VARIANCE TO THE REQUIRED FOUR HUNDRED (400)-FOOT ACCESS DRIVE SEPARATION REQUIREMENTS FOR TWO (2) RECONFIGURED MAJOR ROAD (US HIGHWAY 1) ACCESS DRIVES, AT PROPERTY LEGALLY DESCRIBED AS LOTS 1 THROUGH 7, ROGERS SUBDIVISION (PB3-79), BIG PINE KEY, MONROE COUNTY, FLORIDA AND HAVING REAL ESTATE NUMBERS 00275410.000000, 00275430.000000 AND 00275450.000000.

WHEREAS, during a regularly scheduled public meeting held on January 12, 2011, the Monroe County Planning Commission conducted a review and consideration of a request filed by Soleria Design & Consulting Co., on behalf of Landco LLC, for variances to the setback requirements in chapter 130, article VI of the Monroe County Code and to the access standards in chapter 114, article VII of the Monroe County Code in accordance with §102-187 of the Monroe County Code; and

WHEREAS, the subject property is located at 30662 Overseas Highway (US 1) on Big Pine Key, approximate mile marker 30.6 and is legally described as Lots 1 through 7, Rogers Subdivision (PB3-79), Big Pine Key, Monroe County, Florida, having real estate numbers 00275410.000000, 00275430.000000 and 00275450.000000; and

WHEREAS, the applicant applied for an amendment to a major conditional use permit (File No. 2010-128) on October 29, 2010 in order to redevelop the existing gas station, convenience store and commercial retail store by demolishing all existing buildings, constructing a new convenience store / commercial retail building, relocating the two existing fuel pumps and constructing five new fuel pumps; demolishing the existing fuel pump canopy; constructing a new fuel pump canopy; constructing a car wash; and carrying out associated improvements; and

WHEREAS, Following a review of the site plan submitted with the application, Planning & Environmental Resources Department staff found that variances would be necessary in order to have the site plan approved; and

WHEREAS, the applicant requested approval of all necessary variances by submitting a variance application on November 3, 2010; and

WHEREAS, the applicant requested a variance of 10 feet from the required 25-foot front yard setback along US Highway 1 and a variance to the required 400-foot access drive separation requirements for two reconfigured major road (US Highway 1) access drives; and

WHEREAS, the amendment to a major conditional use permit application was processed concurrently with the variance application and was also heard and decided upon by the Planning Commission on January 12, 2011; and

WHEREAS, the Planning Commission was presented with the following documents and other information relevant to the request, which by reference is hereby incorporated as part of the record of said hearing:

1. Variance application (File No. 2010-129) received by the Monroe County Planning & Environmental Resources Department on November 3, 2010; and
2. Preliminary Site Plan (C-1) by Soleria Design and Consulting Co., dated October 21, 2010 (reviewed by the Planning Commission at public meeting); and
3. Preliminary Site Plan (C-1) by Soleria Design and Consulting Co., dated October 21, 2010 and revised February 2, 2011 (submitted after public meeting to address Planning Commission and staff revisions); and
4. Preliminary Landscape Plan (L-1) by Soleria Design and Consulting Co., dated October 21, 2010 (reviewed by the Planning Commission at public meeting); and
5. Preliminary Landscape Plan (L-1) by Soleria Design and Consulting Co., dated October 21, 2010 and revised February 2, 2011 (submitted after public meeting to address Planning Commission and staff revisions); and
6. Boundary Survey by Reece & White, dated March 15, 2007 and revised October 18, 2010; and
7. Staff report prepared by Joseph Haberman, AICP, Planning & Development Review Manager, dated December 30, 2010; and
8. Sworn testimony of Monroe County Planning & Environmental Resources Department staff; and
9. Sworn testimony of the applicant and the general public; and
10. Advice and counsel of Susan Grimsley, Assistant County Attorney, and John Wolfe, Planning Commission Counsel; and

WHEREAS, based upon the information and documentation submitted, the Planning Commission makes the following Findings of Fact:

1. The subject property is located in a Suburban Commercial (SC) district; and
2. The subject property has a Future Land Use Map (FLUM) designation of Mixed Use / Commercial (MC); and
3. The subject property has a tier designation of tier 3; and

4. As set forth in §130-186 of the Monroe County Code, the required non-shoreline setbacks in the SC district are as follows: Front yard – 25 feet; Rear yard – 10 feet; and Side yard – 10 feet/15 feet; and
5. The property is a double-frontage, corner lot. It has a front yard requirement of 25 feet along the right-of-way of US Highway 1 to the north, a front yard requirement of 25 feet along the right-of-way of Chambers Street to the east, a rear yard requirement of 10 feet along the property line to the south and a side yard requirement of 10 feet along the property line to the west; and
6. Proposed paving (other than that for the permissible direct ingress/egress drives) is located in the required setback along US Highway 1. This paved area runs parallel to US Highway 1, between the proposed fuel canopy and a proposed 15-foot landscaping bufferyard; and
7. As set forth in §114-195 of the Monroe County Code, no structure or land shall be developed, used or occupied unless direct access to US Highway 1 or County Road 905 is by way of a curb cut that is spaced at least 400 feet from any other curb cut that meets the access standards of the Florida Department of Transportation or an existing street on the same side of US Highway 1 or County Road 905; and
8. There are five existing access drives to the site, four to/from US Highway 1 and one to/from Chambers Street (the number of access drives is attributed to the three parcels being developed independently). The access would be reconfigured with removal of two of the access drives along US Highway 1. The existing and proposed access drives from US 1 are nonconforming in that their separation is less than the minimum standard of at least 400 feet; and
9. Pursuant to §102-187 of the Monroe County Code, the Planning Commission is authorized to grant a variance to the non-shoreline setback requirements and access standards in accordance with the standards provided in §102-186(f); and
10. §102-186(f) of the Monroe County Code provides the following eight standards that must be met for variance application approval by the Planning Commission:
 - (a) The applicant shall demonstrate a showing of good and sufficient cause; and
 - (b) Failure to grant the variance would result in exceptional hardship to the applicant; and
 - (c) Granting the variance will not result in increased public expenses, create a threat to public health and safety, create a public nuisance, or cause fraud or victimization of the public; and
 - (d) Property has unique or peculiar circumstances, which apply to this property, but which do not apply to other properties in the same zoning district; and
 - (e) Granting the variance will not give the applicant any special privilege denied other properties in the immediate neighborhood in terms of the provisions of this chapter or established development patterns; and

- (f) Granting the variance is not based on disabilities, handicaps or health of the applicant or members of his or her family; and
- (g) Granting the variance is not based on the domestic difficulties of the applicant or his or her family; and
- (h) The variance is the minimum necessary to provide relief to the applicant; and

WHEREAS, based upon the information and documentation submitted, the Planning Commission makes the following Conclusions of Law:

1. With the fulfillment of conditions, the applicant has demonstrated that all of the required standards set forth in §102-186(f) of the Monroe County Code shall be met; and

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF MONROE COUNTY, FLORIDA, that the preceding Findings of Fact and Conclusions of Law support its decision to **APPROVE** the request by Landco LLC for a variance of 10 feet from the required 25-foot front yard setback along US Highway 1 and a variance to the required 400-foot access drive separation requirements for two reconfigured major road (US Highway 1) access drives, subject to the following conditions:

1. The proposed site plan shall be approved by a major conditional use permit. If the major conditional use permit application is denied for any reason, this variance approval is null and void.
2. This variance is based on the design of the development as shown on the site plan submitted with the variance and major conditional use permit applications. Work not specified or alterations to the site plan may not be carried out without additional Planning & Environmental Resources Department approval.
3. This variance does not waive the required front yard setback along US 1 for any future structures or additions.

PASSED AND ADOPTED BY THE PLANNING COMMISSION of Monroe County, Florida, at a regular meeting held on the 12th of January, 2011.

Chair Wall	<u>YES</u>
Vice Chair Cameron	<u>YES</u>
Commissioner Hale	<u>YES</u>
Commissioner Lustberg	<u>YES</u>
Commissioner Werling	<u>YES</u>

PLANNING COMMISSION OF MONROE COUNTY, FLORIDA

BY Randolph D. Wall
Randolph D. Wall, Chair

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Signed this 9th day of Feb, 2011.



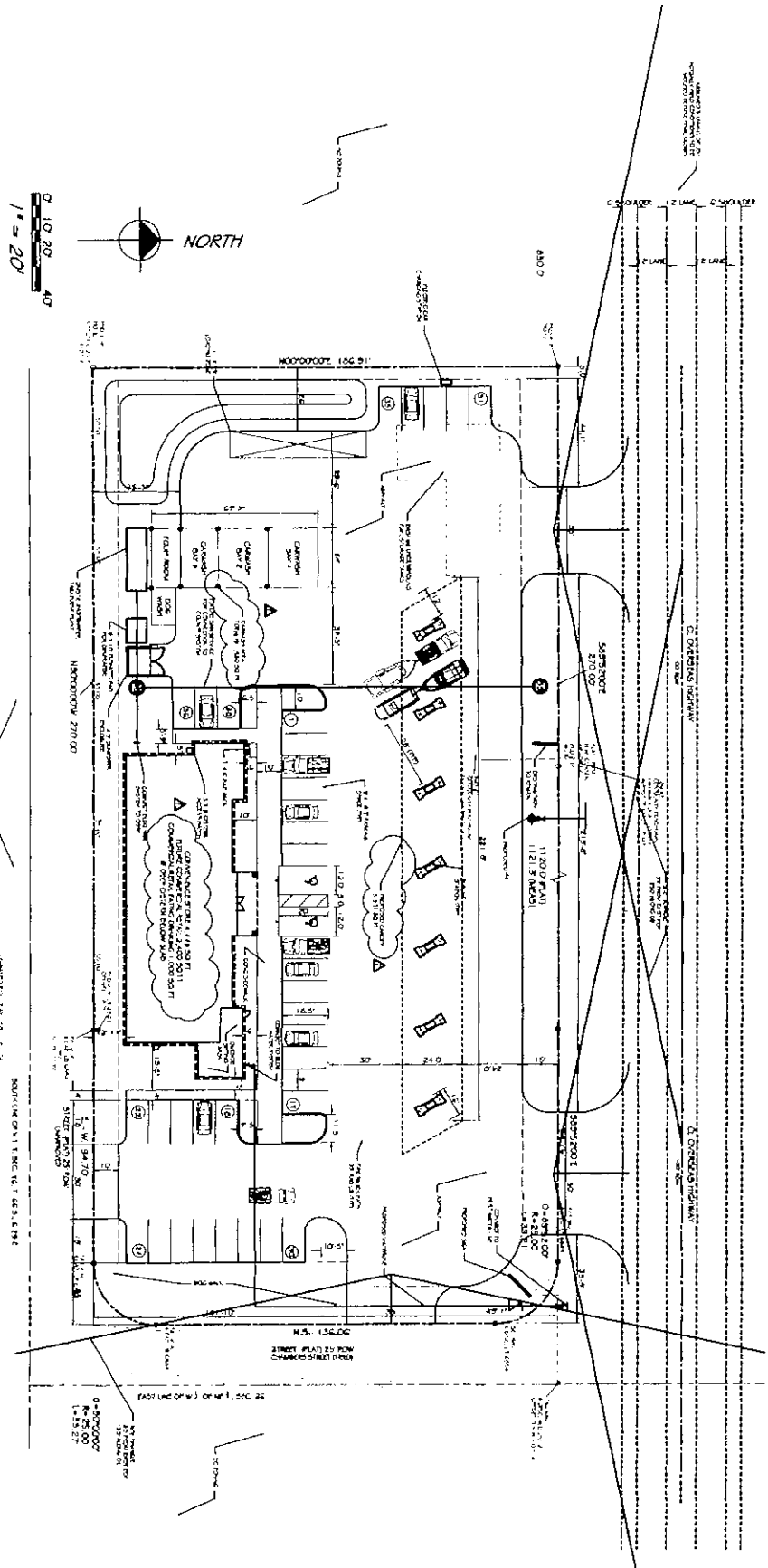
Solaria Consulting Engineers
3000 Overhill Highway
Metairie, Louisiana 70002
(504) 885-7500

Project:
3918 Tom Thumb
Store #211
Metairie, Louisiana 70002
Project No. 201207

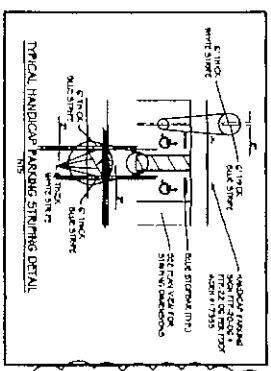


RYAN B. KASPER, P.E.
117 E. BELLEVILLE

It is the responsibility of the Engineer to ensure that the design and construction of the project complies with all applicable laws, codes, and regulations. The Engineer shall be held responsible for any errors or omissions in the design and construction of the project.



- GROUND COVER:
1. ALL PAVED AREAS TO BE ASPHALT
2. SIDEWALKS TO BE CONCRETE
3. LANDSCAPED AREAS DETAILED ON SHEET L-1
4. IMPERVIOUS AND PERVIOUS BREAKDOWN SHOWN ON SHEET C-2



Permitted and Anticipated Open Space and Land Use

Lot Area	Open Space	Land Use
1.00	0.00	RESIDENTIAL
2.00	0.00	RESIDENTIAL
3.00	0.00	RESIDENTIAL
4.00	0.00	RESIDENTIAL
5.00	0.00	RESIDENTIAL
6.00	0.00	RESIDENTIAL
7.00	0.00	RESIDENTIAL
8.00	0.00	RESIDENTIAL
9.00	0.00	RESIDENTIAL
10.00	0.00	RESIDENTIAL
11.00	0.00	RESIDENTIAL
12.00	0.00	RESIDENTIAL
13.00	0.00	RESIDENTIAL
14.00	0.00	RESIDENTIAL
15.00	0.00	RESIDENTIAL
16.00	0.00	RESIDENTIAL
17.00	0.00	RESIDENTIAL
18.00	0.00	RESIDENTIAL
19.00	0.00	RESIDENTIAL
20.00	0.00	RESIDENTIAL
21.00	0.00	RESIDENTIAL
22.00	0.00	RESIDENTIAL
23.00	0.00	RESIDENTIAL
24.00	0.00	RESIDENTIAL
25.00	0.00	RESIDENTIAL
26.00	0.00	RESIDENTIAL
27.00	0.00	RESIDENTIAL
28.00	0.00	RESIDENTIAL
29.00	0.00	RESIDENTIAL
30.00	0.00	RESIDENTIAL
31.00	0.00	RESIDENTIAL
32.00	0.00	RESIDENTIAL
33.00	0.00	RESIDENTIAL
34.00	0.00	RESIDENTIAL
35.00	0.00	RESIDENTIAL
36.00	0.00	RESIDENTIAL
37.00	0.00	RESIDENTIAL
38.00	0.00	RESIDENTIAL
39.00	0.00	RESIDENTIAL
40.00	0.00	RESIDENTIAL
41.00	0.00	RESIDENTIAL
42.00	0.00	RESIDENTIAL
43.00	0.00	RESIDENTIAL
44.00	0.00	RESIDENTIAL
45.00	0.00	RESIDENTIAL
46.00	0.00	RESIDENTIAL
47.00	0.00	RESIDENTIAL
48.00	0.00	RESIDENTIAL
49.00	0.00	RESIDENTIAL
50.00	0.00	RESIDENTIAL

PRELIMINARY FLOOD DATA

Lot No.	Flood Zone	Base Elevation
1	A	8'
2	A	8'
3	A	8'
4	A	8'
5	A	8'
6	A	8'
7	A	8'
8	A	8'
9	A	8'
10	A	8'
11	A	8'
12	A	8'
13	A	8'
14	A	8'
15	A	8'
16	A	8'
17	A	8'
18	A	8'
19	A	8'
20	A	8'
21	A	8'
22	A	8'
23	A	8'
24	A	8'
25	A	8'
26	A	8'
27	A	8'
28	A	8'
29	A	8'
30	A	8'
31	A	8'
32	A	8'
33	A	8'
34	A	8'
35	A	8'
36	A	8'
37	A	8'
38	A	8'
39	A	8'
40	A	8'
41	A	8'
42	A	8'
43	A	8'
44	A	8'
45	A	8'
46	A	8'
47	A	8'
48	A	8'
49	A	8'
50	A	8'

SITE DATA
 SITE SIZE: 1.65 ACRES
 ZONING: SUBURBAN COMMERCIAL (SC)
 FLOOD: MIXED USE COMMERCIAL (MUC)
 TIER: III

APPROVED PLANS
 30662
 DIVISION OF PLANNING
 615 PINE AVE., 11
 METairie, LA 70002

MINIMUM YARD REQUIREMENTS SEC 130-1.06

Requirement	Required	Provided
SETBACK FRONT	25'	25'
SIDES	10'/15'	10'/15'
REAR	10'	10'

SITE LIGHTING
 OUTDOOR LIGHTING TO BE PROVIDED PER MONROE COUNTY CODE CHAPTER 114 ARTICLE VI

FLOOD ZONE: A
 BASE ELEVATION: 8'

PRELIMINARY - NOT FOR CONSTRUCTION

DATE: 10/21/12	PROJECT: TOM THUMB STORE #211
DRAWN BY: [Signature]	PROJECT NO: 201207
CHECKED BY: [Signature]	DATE: 10/21/12
SCALE: 1/8" = 1'-0"	
C-1	