

SOLANO TAKE-OUT CAFE ADMINISTRATIVE DEVIATION, CHAPTER 10

April 2022

NARRATIVE

The applicant is requesting approval of a deviation from LDC Chapter 10-285 to allow for a reduced driveway separation from the required 660 feet to 203 feet (a deviation of 457 feet) for property located on Joel Boulevard in Alva.

The subject property is located approximately 180 feet north of the intersection of Joel Boulevard and East 23rd Street and represents approximately 0.46 acres. The property is zoned Community Commercial and falls into the Urban Community Future Land Use category. With the exception of property to the south, surrounding properties are undeveloped and similarly designated. The property to the south is developed with a commercial building.

The applicant is proposing development of a 900 square foot cafe with associated infrastructure and a Development Order application is currently under review by Lee County (DOS2021-00042). The site plan reflects placement of the driveway at the northernmost point of the subject property to maximize the separation from the intersection of Joel Boulevard and East 23rd Street however, a separation of 660 feet is not possible due to the distance of the parcel from the intersection and its narrow width of 100 feet (see Sheet C2, Site Plan). Hence the need for a separation deviation of 457 feet.

LDC Chapter 10-104(b) Criteria for Administrative Deviations

1. The alternative proposed to the standards contained herein is based on sound engineering practices.

The placement of the driveway is based on sound engineering principals. Its location is as far north as possible within the subject property, in order to maximize the distance from said intersection. The property to the north is undeveloped and therefore placement of the driveway at the proposed location will not create any adverse conditions for the adjacent property owner.

2. The alternative is no less consistent with the health safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested.

As previously mentioned, the placement of the proposed driveway will not adversely impact adjacent property. Additionally, property across Joel Boulevard, to the west is also undeveloped, eliminating any access conflicts with that property. The property to the south has unimproved access from both Joel Boulevard and East 23rd Street. The proposed driveway has been placed as far away as possible from the driveway to the south of the adjacent property.

3. For Division 7 of Article III of this chapter, the required facility would unnecessarily duplicate existing facilities.

This criteria is not applicable to the request.

4. The granting of the deviation is not inconsistent with any specific policy directive of the Board of County Commissioners, and other ordinance or any Lee Plan provision.

The granting of the deviation is not inconsistent with any policies or provisions of County regulation.

Conclusion

The granting of the requested variance is necessary to achieve development of the subject property and is not a result of any action taken by the applicant. Granting of the variance will not adversely impact surrounding properties and will not create any public health, safety or welfare issues. The variance requested is the minimum separation distance needed to satisfy the driveway standard necessary for the commercial development.