

Narrative

The Applicant, Bayside Pet Resort, received an approval for the addition of the Animal Clinics and Facilities with the requested uses found in Land Development Code (LDC) 34-1321 and 34-1322 to be added to the Riverside Center CPD as previously approved in Case Number DCI2001-00030, Resolution No. Z-02-069 for Parcel A-1 in ADD2022-00045. The proposed facility is a pet boarding, grooming, doggie day care facility with indoor and outdoor areas for the animals in their care. This Administrative Deviation to a Planned Development request is needed to accommodate the outdoor functions for the animal's usage on this 2.94 acre parcel.

The property is currently zoned Commercial Planned Development (CPD) and located within the Outlying Suburban Future Land Use category. The property is also located within the Daniels Parkway Planning Community.

This Administrative Deviation to a Planned Development request is being filed as noted in compliance with ADD2022-00045 and LDC Sections 34-1322(2)b. and 34-380. The applicant is requesting an Administrative Deviation from Section 34-1322(2)b. indicating no portion of any pen, cage, run or other outdoor exercise facility shall be located closer than 200 feet to any abutting lot or parcel under separate ownership or from any street right-of-way line or easement. The project's property line is located along the centerline of Riverside Center Court encapsulating the western road right-of-way within the property boundary limits. This facility is proposing to locate outdoor kennel areas within 137± feet of the southern property line and an outdoor play area that will extend south to the property line. The distance to the adjacent street right of way line (Riverside Center Court) is approximately 85± feet from the outdoor kennel area. Riverside Center Court is a private, non-County maintained, local roadway which terminates with a cul-de-sac and does not provide inter-connection to other properties other than the Riverside Baptist Church to the east and the Daniels Park Subdivision, which is over 800 feet south of the parcel. A fence will be constructed along the property lines on the southern portion of the property, encapsulating any outdoor areas where animals may be present. The fencing will act as a safety, privacy, visual and audio barrier to any offsite areas.

Adjacent to the property to the west and south are large conservation areas buffering the property from any residential or commercial use. The conservation areas are owned and maintained by the Daniels Park Homeowners Association and recorded in O.R. Book 3704 at Page 3050. The property is also buffered on the north by Daniels Parkway, a county maintained arterial roadway, and Riverside Center Court, a private, local roadway. This use is not anticipated to be injurious to the neighborhood or otherwise detrimental to the public welfare due to its buffered location. This buffered location also lends to the exceptional and extraordinary conditions that are inherent to this parcel. With no current or future adjacent uses, this parcel presents the unique ability to offer this use without the traditional, adjacent parcel considerations. This request is the minimum that will relieve the applicant of an unreasonable burden caused by the regulation as noted above. This parcel is not anticipated to have an adverse effect upon an adjacent parcel and therefore the 200-foot setback, for the purpose of which it was intended, is not existing at this location.

The approval of this request is not anticipated to have an adverse impact surrounding land uses, is not anticipated to be injurious to the public's health, safety and welfare and is consistent with all applicable provisions of the Lee Plan and land development regulations in effect at the time of this request.