

VARIANCE NO.: 319.8

DATE: \_\_\_\_\_

RECEIVED

DEC 07 2009

PASCO COUNTY  
DEVELOPMENT REVIEW

PASCO COUNTY  
APPLICATION FOR VARIANCE  
DEVELOPMENT REVIEW COMMITTEE  
VARIANCE BOARD

The undersigned owner(s) of the following legally described property have formally requested consideration of a variance in accordance with the provisions of the Florida Statutes and the Pasco County LDC, Section 316.

It shall be the responsibility of the petitioner, or her/his legal agent of record, to provide all information required below or any other information which is reasonable and relevant to the formulation of a recommendation to the adjustment being considered. **No application for review shall be deemed complete until all required information is provided.**

1. Project Name: DOLLAR GENERAL @ ZEPHYRHILLS

2. Project No. (from DRD): \_\_\_\_\_

3. Name of Owner: NELL GEIGER

Mailing Address: 4218 GALL BLVD.

City: ZEPHYRHILLS State: FL Zip Code: 33542

Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

E-Mail Address: Dob@baggettrealestate.com

4. Name of Developer: Hanlex Development - Hans Pistor (owner)

Mailing Address: 516 Cooper Commerce Dr, Suite 200

City: Apopka State: FL Zip Code: 32703

Telephone Number: (321)303-3534 Fax Number: (407)889-8328

E-Mail Address: hanlexdev@gmail.com

5. Name of Agent, if applicable: Jeremy Anderson - ALDS, LLC

Mailing Address: 639 East Colonial Dr, Suite 300

City: Orlando State: FL Zip Code: 32803

Telephone Number: (386)566-4573 Fax Number: (407)641-8629

E-Mail Address: janderson@alds.us

(Attach completed Agent of Record)

Locational Description: 4218 GALL BLVD., ZEPHYRHILLS FL.

Parcel Identification Number: 14-26-21-0080-00A00-0010; 14-26-21-0100-10000-0010

Section 14, Township 26 South, Range 21 East, Sub \_\_\_\_\_, Block \_\_\_\_\_, Lot \_\_\_\_\_

Present Zoning District: C2 - GENERAL COMMERCIAL

**REASONS FOR REQUEST FOR VARIANCE:**

Using a separate application for each request, please answer the following. If additional space is needed, attach extra pages to the application.

1. State the specific section of the LDC for which the variance is requested:  
SECTION: 319.8 - ROW DEDICATION DUE TO CORRIDOR EXPANSION

2. Describe the variance requested:  
ROW DEDICATION REQUIRED = 100'; ROW DEDICATION PROPOSED = 15.5' (AVG)

WE UNDERSTAND THE FDOT WILL BE EXPANDING THE LIMIT-OF-WAY WEST AND AWAY FROM THE PROPOSED DEVELOPMENT

3. Demonstrate compliance with one or more of the following:

- a. The strict application of the land development regulation creates an unreasonable or unfair non-economic hardship, or an inordinate burden that was not created by the variance applicant.
- b. The specific application of the land development regulation conflicts with an important Goal, Objective, or Policy of the Comprehensive Plan, or with the intent and purpose of another recently adopted land development regulation that serves a greater public purpose.
- c. The granting of the variance will provide a net economic benefit to the taxpayers of Pasco County and is not in conflict with important Goals, Objectives, and Policies of the Comprehensive Plan.
- d. The granting of the variance is necessary to achieve an innovative site or building design that furthers the Goals, Objectives, and Policies of the Comprehensive Plan.
- e. The intent and purpose of the land development regulation and related land development regulations and Comprehensive Plan provisions is met or exceeded through an improved or alternate technology or design.
- f. The granting of the variance is necessary to protect the public health, safety or welfare.
- g. The variance is necessary to comply with State or Federal law.
- h. The variance satisfies variance criteria set forth in the specific County land development regulation that is the basis for the variance request.

4. All variance applications that affect site conditions shall be accompanied by site plans depicting the site conditions with the granting of the variance and without the granting of the variance. Conceptual site plans may be allowed if approved by the Division Engineer (DRD) or Development Director.

**ADDITIONAL ITEMS REQUIRED FOR VARIANCE:**

1. Two signed and sealed legal descriptions and sketches to be supplied at time of application.
2. Copy of Warranty Deed ✓
3. Copy of Last Year's Tax Bill ✓
4. Notarized Agent of Record Letter (if applicable) ✓
5. Is this application the result of a Notice of Violation? No If so, please attach a copy of the notice.
6. Application Fee: \$400 (each variance request).

I certify that all the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my knowledge and belief.

I consent to the entry in or upon the premises described in this application by any authorized official of Pasco County for the purpose of posting, maintaining, and removing such notices as may be required by law.

DATE: 12/4/2009

APPLICANT'S SIGNATURE: [Signature]

APPLICANT'S REPRESENTATIVE: Jedemy Anderson - ALDS, LLC

ADDRESS: 639 EAST COLONIAL DR., SUITE 300

CITY: ORLANDO STATE: FL ZIP CODE: 32803

Pasco County  
Development Review Department  
7530 Little Road, Suite 230  
New Port Richie, FL 34654  
(727) 847-8082

January 21, 2010

Reference: **ROW Dedication Variance Request**  
Dollar General @ Zephyrhills  
4281 Gall Blvd., Zephyrhills, Florida 33542  
Variance: LDC Section 319.8 – ROW Dedication

To Whom It May Concern,

We are requesting a variance from the Right-of-Way (ROW) dedication requirements referenced within Section 319.8 of the Land Development Code. The reason for this variance request is due to the negative impact on the Dollar General project put on by Pasco County's Corridor Expansion plan for the future ROW expansion of Gall Blvd (US 301).

We have received approved preliminary plans from the Florida Department of Transportation (FDOT) showing the proposed ROW expansion is to the west and away from the subject property. In addition we have a letter from FDOT stating the proposed dedication, by this development, of 20' will accommodate the future needs of the corridor.

The strict application of this section of the land development code creates an unreasonable and unfair hardship on the owner of the proposed Dollar General Development because Pasco County's expansion corridor at the location of this project is in excess of the amount of r-o-w expansion required. Providing the expansion shown on Pasco County's database would make the development impossible.

We respectfully request you approve a variance from Section 319.8 of the Land Development Code in light of this information.

Sincerely,

Jeremy Anderson, E.I.  
*Principal*  
**ALDS, LLC**  
386.566.4573  
janderson@alds.us

Hans Pistor  
*Managing Member*  
**Hanlex Development, LLC**  
321.303.3534  
hanlexdev@gmail.com

Pasco County  
Development Review Department  
7530 Little Road, Suite 230  
New Port Richie, Fl 34654  
(727) 847-8082

December 03,2009

Reference: **ROW Dedication Variance Request**  
Dollar General @ Zephyrhills  
4281 Gall Blvd., Zephyrhills, Florida 33542  
Variance: LDC Section 319.8 – ROW Dedication

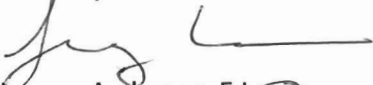
To Whom It May Concern,

We are requesting a variance from the Right-of-Way (ROW) dedication requirements referenced within Section 319.8 of the Land Development Code. The cause of this variance request is due to Pasco County's Corridor Expansion plan for the future ROW expansion of Gall Blvd (US 301). However, we have received approved preliminary plans from the Florida Department of Transportation (FDOT) showing the proposed ROW expansion is to the west and away from the subject property, and we have received verification from the City of Zephyrhills they support the proposed corridor expansion in front of the subject development. Even though it is unlikely that sometime in the future FDOT will need to take a small portion of the property for the ROW, we are proposing to reserve an average of about 15.5' of the property for that unlikely event.

The strict application of this section of the land development code creates an unreasonable and unfair hardship on the owner of the proposed Dollar General Development because the corridor expansion does not affect the subject property, and providing the expansion shown on Pasco County's database would make the development impossible.

We respectfully request you approve a variance from Section 319.8 of the Land Development Code in light if this information.

Sincerely,



Jeremy Anderson, E.I.  
Principal  
**ALDS, LLC**  
386.566.4573  
janderson@alds.us



Hans Pistor  
Managing Member  
**Hanlex Development, LLC**  
321.303.3534  
hanlexdev@gmail.com



## Florida Department of Transportation

CHARLIE CRIST  
GOVERNOR

11201 N. McKinley Drive  
Tampa, FL 33612-6456

STEPHANIE C. KOPELOUSOS  
SECRETARY

Received

JAN 26 2010

January 20, 2010

Growth Mgmt. Dept.

Diane Naeyaert  
Pasco County Zoning/Code Compliance  
Pasco County Growth Management Department  
7530 Little Road Suite 320  
New Port Richey, FL 34656

Re: Variance Request  
Dollar General, US 301 Zephyrhills, Florida

Dear Ms. Naeyaert:

The department appreciates the opportunity to review the above referenced development for its potential impacts to the State Highway System and continues to support the Pasco County Right-of-Way Preservation Ordinance that was put in place to protect the future needs of the state and county roadways.

We recognize that the previously approved Project Development and Environment (PD&E) Study for this corridor is undergoing further evaluation; however, at this time, the PD&E document is the best available reference to determine the future right-of-way need for this corridor. Based on the approved US 301 alignment, the department believes the dedication of 20 feet, by this development, would be in the best interest of all concerned and will accommodate the needs of the corridor as we know them today.

Further, the department acknowledges that the ultimate authority to enforce the ordinance lies with Pasco County and respectfully requests your consideration. If you have any questions, or comments, please contact Susan L. Van Hoose at 813-975-6450.

Sincerely,

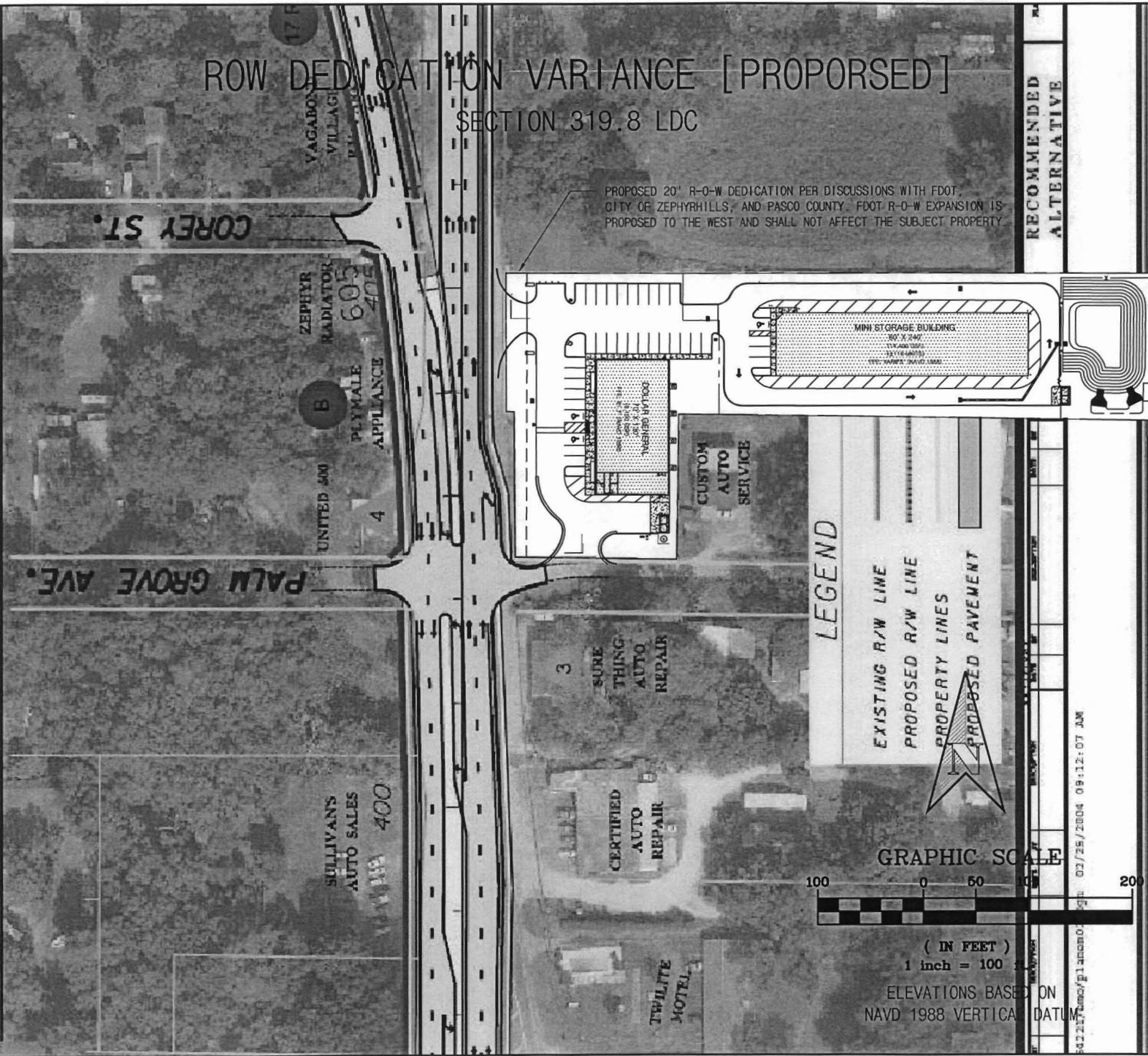
Ming Gao, P.E.  
Intermodal Systems Development Manager

MG/slvh

# ROW DEDICATION VARIANCE [PROPOSED]

SECTION 319.8 LDC

PROPOSED 20' R-O-W DEDICATION PER DISCUSSIONS WITH FDOT, CITY OF ZEPHYRHILLS, AND PASCO COUNTY. FDOT R-O-W EXPANSION IS PROPOSED TO THE WEST AND SHALL NOT AFFECT THE SUBJECT PROPERTY.



RECOMMENDED ALTERNATIVE

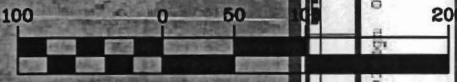
**DOLLAR GENERAL**

PROJECT:  
 HANLEX DEVELOPMENT,  
 DOLLAR GENERAL AND  
 FUTURE MINI STORAGE,  
 ZEPHYRHILLS, FL  
 LOCATION:  
 4218 GALL BLVD  
 ZEPHYRHILLS, FL

**ALDS**  
 CIVIL ENGINEERING  
 ALDS, LLC  
 639 EAST COLONIAL DR  
 SUITE 300  
 ORLANDO, FL 32803  
 ODA: 28986  
 P: (386) 566-4573  
 F: (407) 841-8629  
 JANDERSON@ALDS.US

PROJECT #: 28\_040  
 DATE: 12/07/09  
 SCALE: 1 : 100  
 SHEET: VR

V319.8 [2]



( IN FEET )  
 1 inch = 100'

ELEVATIONS BASED ON  
 NAVD 1988 VERTICAL DATUM

02/25/2004 09:12:07 AM

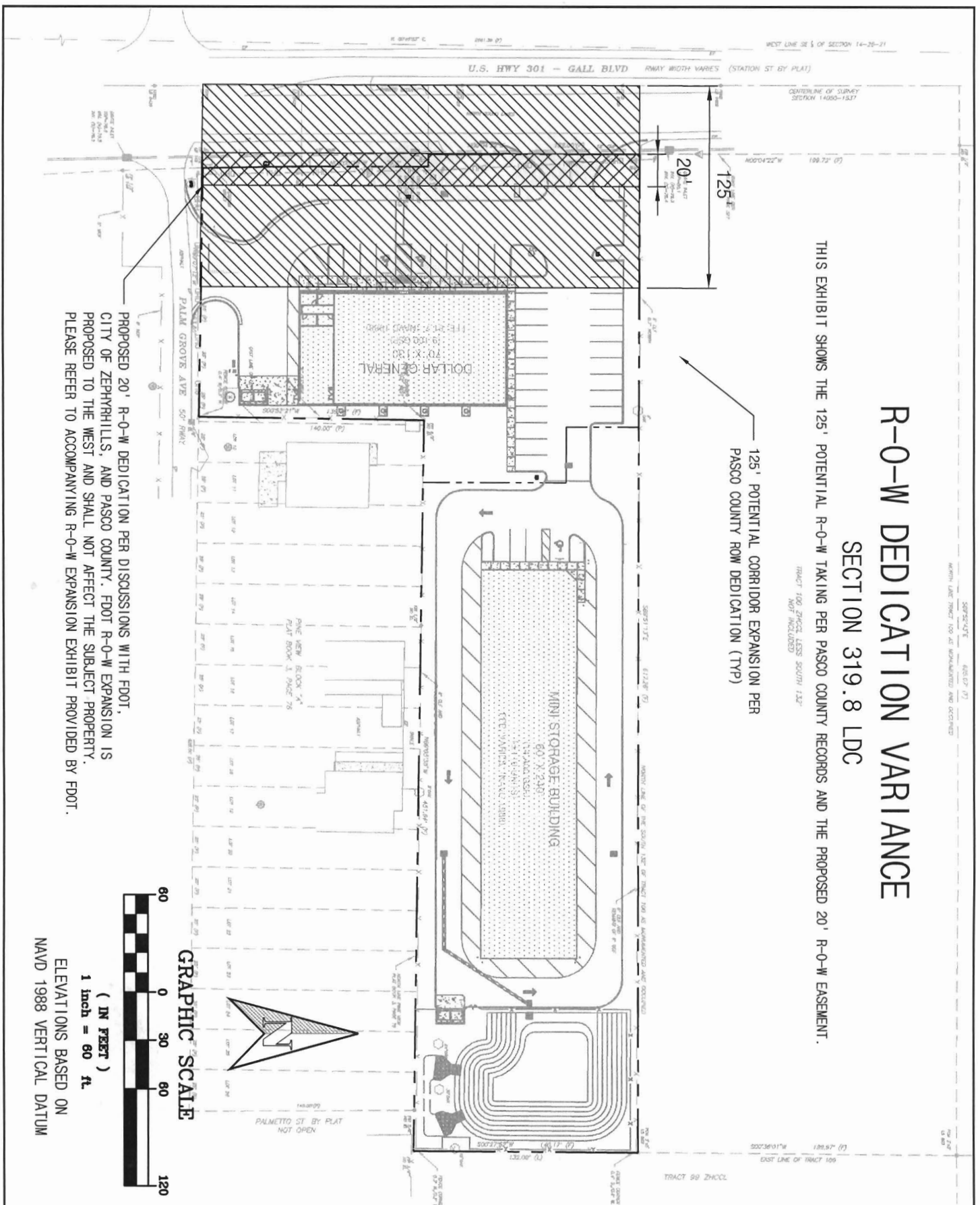
# R-0-W DEDICATION VARIANCE

## SECTION 319.8 LDC

THIS EXHIBIT SHOWS THE 125' POTENTIAL R-0-W TAKING PER PASCO COUNTY RECORDS AND THE PROPOSED 20' R-0-W EASEMENT.

TRACT 100, 2ND LDC, SOUTH 132'  
NOT INCLUDED

125' POTENTIAL CORRIDOR EXPANSION PER  
PASCO COUNTY ROW DEDICATION (TYP)



PROPOSED 20' R-0-W DEDICATION PER DISCUSSIONS WITH FDOT, CITY OF ZEPHYRHILLS, AND PASCO COUNTY. FDOT R-0-W EXPANSION IS PROPOSED TO THE WEST AND SHALL NOT AFFECT THE SUBJECT PROPERTY. PLEASE REFER TO ACCOMPANYING R-0-W EXPANSION EXHIBIT PROVIDED BY FDOT.



( IN FEET )  
1 inch = 60 ft  
ELEVATIONS BASED ON  
NAVD 1988 VERTICAL DATUM

**DOLLAR GENERAL**

**PROJECT:**

PHASE DEVELOPMENT  
DOLLAR GENERAL AND  
FUTURE MINI STORAGE,  
ZEPHYRHILLS, FL

LOCATION:  
4218 GALL BLVD  
ZEPHYRHILLS, FL

**ALDS**  
CIVIL ENGINEERING

ALDS, LLC  
2801 W. GARDEN LANE, 9th  
SUITE 300  
ORLANDO, FL 32803  
TEL: 208-66-4077  
F: (407) 841-8029  
JANES@ALDS.ES

PROJECT #: 28\_040  
DATE: 12/07/09  
SHEET: VR  
SCALE: 1 : 60

V319.8 [1]