

VARIANCE NO.: _____

DATE: _____

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DEC 01 2009

PASCO COUNTY
APPLICATION FOR VARIANCE
DEVELOPMENT REVIEW COMMITTEE
VARIANCE BOARD

PASCO COUNTY
DEVELOPMENT REVIEW

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: Taco Bell # 19906
- 2. Project No. (from DRD): 36070
- 3. Name of Owner: Guerrieri Management Inc.
 Mailing Address: 1128 Country Club Rd.
 City: Cape Coral State: FL Zip Code: 33990
 Telephone Number: 239-573-3674 Fax Number: 239-573-3679
 E-Mail Address: taebogordy@aol.com
- 4. Name of Developer: CW Hayes Construction
 Mailing Address: P.O. Box 621294
 City: Oviedo State: FL Zip Code: 32762
 Telephone Number: 407-366-1564 Fax Number: 407-366-3835
 E-Mail Address: Cwhayesc@bellsouth.net
- 5. Name of Agent, if applicable: Tammy Kirk, Arcvision
 Mailing Address: 1950 Creix Rd. #300
 City: St. Louis State: MO Zip Code: 63146
 Telephone Number: 314-415-2400 Fax Number: 314-415-2300
 E-Mail Address: tkirk@arcv.com
 (Attach completed Agent of Record)

Locational Description: 5400 Country Rd. 581 / (Bruce B. Downs Blvd.)

Parcel Identification Number:

Section 07, Township 24 South, Range 20 East, Sub 0000 Block 0000 Lot 0020

Present Zoning District: _____

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:

603.9

2. Describe the variance requested:

Existing parking area is encroaching into the required buffer area @ northern + southern property line

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: 200 (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: 11/25/09

APPLICANT'S SIGNATURE: Kate

APPLICANT'S REPRESENTATIVE: Tammy Korte

ADDRESS: 1950 Craig Rd. #300

CITY: St. Louis STATE: MO ZIP CODE: 63146

FREDERICK J. GOGLIA

ARCHITECT, NCARB, ISP

December 18th, 2009

Permit & Development Information Services
Attn: Michele Crary
7530 Little Road, Suite 230
New Port Richey, FL 34654
Phone: 727.847.8142

Dear Ms. Crary,

Please find below the requested variance backup responses per your comments sent via email on December 9th, 2009. If you have any questions or comments regarding this letter, please contact us at (314) 415-2400.

RE: Taco Bell Remodel
5406 County Road 581
Wesley Chapel, FL 33543
Sequence #: 36070

VARIANCE: 603.9.D.1

A ten-foot wide buffer with a single row of trees spaced a maximum of 60 feet on center and a continuous row of evergreen shrubs with a minimum height of 18 inches at installation with the ability to obtain 24 inches within one year of planting. However, taller shrubs are not prohibited.

The variance for a reduction to the required "Type A" 10 foot wide buffer along the North & South property lines is being requested due to existing site conditions. A 10 foot buffer would encroach into the existing parking/drive aisles & would result in the loss of parking. Also, a large majority of the parking lot would have to be redesigned & would not fall within the Scope of Work for this REMODEL project. Although the widening of the buffer is not feasible, all landscaping required for a "Type A" buffer will be provided in the existing buffer.