

**MARTIN MARIETTA MATERIALS – CRYSTAL SPRINGS MPUD
VARIANCE JUSTIFICATIONS**

To facilitate the master plan, the following variances are hereby sought from the following specific subsections of Section 603.9.D of the LDC as part of the PD-MPUD review process. This reflects the unique characteristics of the subject property, and the proposed uses thereon, that are not adequately addressed by the existing LDC. The variance requests primarily pertain to site landscaping and are as follows:

A. Variance as to Landscape Buffer in Setback Area “A” and Area “F”

This **variance** to 603.9.D.2. seeks to eliminate the required Type B buffer in Setback Areas A and F, by **reducing the required landscape buffer from 15 feet to 0 feet**. The Applicant is seeking the variance for the area occupied only by the railroad track (and next to existing RR track) because Pasco County has identified economic development and the generation of employment opportunities as among its most important objectives over the planning horizon. This project provides such economic development. Further, the specific application of the code provision would conflict with CPA Objective ED 1.4, Goal FLU 1, Policy FLU 1.8.7, and Objective ED 1.6.

	Required	Proposed
Width	15 feet	0 feet
Characteristics		
<i>Tree Spacing</i>	single row of trees planted 60 feet on center	N/A
<i>Visual Screen</i>	Required, 5 feet max on center	N/A
<i>Height</i>	6 feet at installation	N/A
<i>Opacity</i>	80% within one year	N/A

B. Variance as to Landscape Buffer in Setback Area “B”

This **variance** to 603.9.D.2. seeks to **provide alternate tree species and spacing criteria within the buffer in Setback Area B**, in an effort to provide a simpler, but equally effective buffer. Specifically, the Applicant is requesting to provide pine trees (or other species as approved by staff during development review), 2 to 3 feet in height at time of planting, in lieu of the visual screening requirement as written in the code. The Applicant is seeking the variance for the area occupied only by the railroad spur because of the cost of providing an urban landscape buffer in the huge expanse to be landscaped, the fact that there are no off-site residents for approximately 1 mile, and Pasco County has identified economic development and the generation of employment opportunities as among its most important objectives over the planning horizon. This project provides such economic development. Further, the specific application of the code provision would conflict with CPA Objective ED 1.4, Goal FLU 1, Policy FLU 1.8.7, and Objective ED 1.6.

	Required	Proposed
Width	15 feet	30 feet
Characteristics		
<i>Tree Spacing</i>	single row of trees planted 60 feet on center	three rows of pine trees (2-3 feet high at planting) spaced 8 to 10 feet on center and staggered by row
<i>Visual Screen</i>	Required, 5 feet max on center	none other than pine trees
<i>Height</i>	6 feet at installation	N/A
<i>Opacity</i>	80% within one year	N/A

C. Variance as to Landscape Buffer in Setback Area “E”

This **variance** to 603.9.D.5. seeks to **eliminate the required Type E buffer in Setback Area E, by reducing the required landscape buffer from 5 feet to 0 feet**. The Applicant is seeking the variance because of the proposed optional continuous cross access being proposed to/from the adjoining Misty Properties asphalt plant site, and because Pasco County has identified economic development and the generation of employment opportunities as among its most important objectives over the planning horizon. This project provides such economic development. Further, the specific application of the code provision would conflict with CPA Objective ED 1.4, Goal FLU 1, Policy FLU 1.8.7, and Objective ED 1.6.

	Required	Proposed
Width	5 feet	0 feet
Characteristics		
<i>Tree Spacing</i>	single row of shade trees planted 60 feet on center	N/A
<i>Visual Screen</i>	Continuous row of evergreenshrubs	N/A
<i>Height</i>	18 inches at installation, reaching 24 inches within one year	N/A
<i>Opacity</i>	None	N/A

D. Variance Request – Cross Access Requirements

This **variance** to 610.3.O. seeks to **eliminate the cross access requirement along the northern and eastern boundaries** of the site since, as shown on the MPUD Site Plan, the proposed rail loop will occupy the majority of the site. Furthermore, due to the nature of the rail spur and length of time which trains will dwell onsite, through traffic over the rail line presents traffic operations and safety issues. Cross access would also present security concerns for the proposed development.

Additionally, it is anticipated that all of the land proposed to be used for an asphalt plant will be occupied by the asphalt plant itself, the operations offices for the asphalt plant, truck loading/unload areas, or other ancillary uses to the asphalt plant. Through traffic traversing this area would not be safe, desirable or appropriate. Strict application of the LDC would create an unreasonable hardship by subjecting the County and Applicant to liability relating to the potential vehicular incompatibility between the onsite rail spur, passenger vehicles and heavy trucks, and is contrary to the County's overriding goal to protect the public's health, safety and welfare.

Note Regarding the Landscape Buffer in Setback Area "C"

Under 603.9.D.2. a 15 foot buffer is required along this boundary. The Applicant proposes to provide a wider buffer. The Applicant is required to provide a 15 foot Type B buffer but is instead proposing a 20 foot Type C buffer, meeting the requirements of 603.9.D.3. The Applicant is making this change because the intent and purpose of Section 603.9.D.2. is met or exceeded through an alternate design, specifically the buffer as proposed above.

	Required	Proposed
Width	15 feet	20 feet
Characteristics		
<i>Tree Spacing</i>	single row of trees planted 60 feet on center	two staggered rows of trees planted 60 feet on center
<i>Visual Screen</i>	Required, 5 feet max on center	Required, 5 feet max on center
<i>Height</i>	6 feet at installation	6 feet at installation
<i>Opacity</i>	80% within one year	80% within one year