

**CITY OF GREENACRES**

**INTEROFFICE MEMORANDUM**

**2017.06EB3.002**

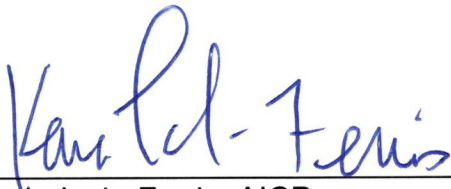
**TO:** Zoning Board of Adjustments and Appeals Members  
Dannette Fitzgerald, Chairperson  
Betty Anne Litowsky, Vice Chair  
Arthur J. Harrell, Board Member  
James Paglialungo, Board Member  
Walter Buist, Board Member

**FROM:** Kara L. Irwin-Ferris, Planning and Engineering Director

**RE:** **ZONING BOARD OF ADJUSTMENTS APPEALS MEETING**  
**July 11, 2017**

**DATE:** June 30, 2017

**CC:** Joanna Cunningham, City Clerk  
James D. Stokes, City Attorney  
Osniel Leon, Senior Planner



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Kara L. Irwin-Ferris, AICP  
Planning and Engineering Director

KIF/eb

Attachments



# CITY OF GREENACRES, FLORIDA

## AGENDA

### ZONING BOARD OF ADJUSTMENTS AND APPEALS MEETING

GREENACRES CITY HALL - COUNCIL CHAMBERS

Tuesday, July 11, 2017

7:00 P.M.

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IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT, THIS DOCUMENT CAN BE MADE AVAILABLE IN AN ALTERNATE FORMAT AND SPECIAL ACCOMMODATIONS CAN BE PROVIDED UPON REQUEST.

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**NOTICE:** If any person decides to appeal any decision of the City of Greenacres Zoning Board of Adjustments and Appeals at this meeting, he or she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City does not prepare or provide such record. **FOR HEARING ASSISTANCE:** If any person wishes to use a Listen Aid hearing device, please contact the Planning and Engineering Department prior to any meeting held in the Council Chambers.

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1. Call to Order and Roll Call
2. Pledge of Allegiance to the Flag
3. Agenda Approval - Additions, Deletions, Substitutions to the entire Agenda
4. Approval of Minutes: April 4, 2017 and June 6, 2017
5. Cases:

**RaceTrac**

A request by the owner for a variance (BA-17-07) to exceed the permitted monument sign height, copy area, LED area, number of building signage per frontage and canopy lit stripe. The site is located at 5900 Lake Worth Road.

**RaceTrac**

A request by the owner for a variance (BA-17-08) to allow sanitation vehicle to traverse loading space to access dumpster area. The site is located at 5900 Lake Worth Road.

6. Department Report
7. Z.B.A.A. Members' Comments
8. Adjournment





## OFFICIAL MINUTES

### CITY OF GREENACRES, FLORIDA

### ZONING BOARD OF ADJUSTMENTS AND APPEALS MEETING

TUESDAY, June 6, 2017

#### 1. **Call to Order and Roll Call.**

The Zoning Board of Adjustments and Appeals Meeting was called to order at 7:00 p.m. on Tuesday, June 6, 2017 with Chairwoman Dannette Fitzgerald presiding. Melody Larson, Assistant to the City Clerk, called the roll.

#### **ROLL CALL:**

##### Present

Dannette Fitzgerald, Chairwoman  
Arthur Harrell, Vice Chairman  
Betty Anne Litowsky  
James Paglialungo  
Walter Buist

##### Staff Present

James D. Stokes, City Attorney  
Kara L. Irwin-Ferris, Director of Planning & Engineering  
Osniel Leon, Senior Planner  
Melody Larson, Assistant to the City Clerk

Public Attendance: 3

Press Attendance: 0

#### 2. **Pledge of Allegiance to the Flag**

Chairwoman Fitzgerald led the Pledge of Allegiance to the Flag.

#### 3. **Agenda Approval - Additions, Deletions, Substitutions to the Agenda.**

Chairwoman Fitzgerald called for additions, deletions, or substitutions to the agenda; hearing none, she called for a motion.

**MOTION:** Vice Chairman Harrell made a motion to approve the Agenda as presented. Ms. Litowsky seconded the motion.

**VOTE ON**        **In Favor:** Chairwoman Fitzgerald, Vice Chairman Harrell, Ms.  
**THE MOTION:**   Litowsky, Mr. Paglialungo, and Mr. Buist.

**Motion carried: 5 - 0.**

**4.    Approval of Minutes – March 7, 2017**

Chairwoman Fitzgerald asked for any corrections, deletions or substitutions to the minutes of March 7, 2017; hearing none, she called for a motion.

**MOTION:**        Vice Chairman Harrell made a motion to approve the minutes of March 7, 2017 as presented. Mr. Paglialungo seconded the motion.

**VOTE ON**        **In Favor:** Chairwoman Fitzgerald, Vice Chairman Harrell, Ms. Litowsky,  
**THE MOTION:**   Mr. Paglialungo, and Mr. Buist.

**Motion carried: 5 - 0.**

**5.    Cases:**

Chairwoman Fitzgerald provided a brief synopsis on the duties of the Board and the process of a quasi-judicial hearing. Those present who would provide testimony were sworn in by the Board Attorney. Chairwoman Fitzgerald asked board members if they had any ex-parte communications. Ms. Litowsky disclosed that she drove by the subject site.

**A.   BA-17-05        Target (Outparcel -Zaxby's) - A request by the owner for a variance to allow a second menu board sign. The site is located at 5900 Lake Worth Road.**

Planning and Engineering Director Kara Irwin-Ferris described the variance request from Art. VI, Division 4, Section 16-994 to allow a second menu board sign for the northeastern outparcel of the Target site.

The subject site recently received special exception approval to build a fast food drive-in restaurant (Zaxby's). The Code allows one (1) menu board sign per fast food use. The copy area for both signs would be cumulatively less square footage than what the Code requires.

Director Ferris noted that the Zaxby's site will utilize the existing two cut-ins from Lake Worth Road and the buffer will be maintained. There will be a one-way circulation pattern for the restaurant drive-thru and queuing will be in front of the building. The applicant has requested to place one menu board in front of the building and a second one near the order window. The total proposed copy area for both menu boards is 23.582 sq. ft., less than the maximum allowed square footage of 38 sq. ft. allowed by Code. A second menu board gives customers the opportunity to look at the menu prior to ordering and helps improve traffic flow efficiency.

Director Ferris noted that the proposal meets the six (6) variance criteria and a special circumstance exists. Proper public notice was provided; therefore, staff recommends approval of BA-17-05 subject to staff's two (2) conditions of approval.

Chairwoman Fitzgerald called on the applicant for comment.

Ryan Thomas of Thomas Engineering, agent for the owners, agreed with staff's two (2) conditions of approval and had no further comments to add to the City's presentation.

Chairwoman Fitzgerald called on board members for comments.

Mr. Buist asked if traffic flow had been studied.

Mr. Thomas explained traffic circulation patterns for fast food establishments today are engineered for operations efficiency.

Chairwoman Fitzgerald opened the meeting to the public. She asked if anyone was in favor of, or opposed to BA-17-05 to come forward. Seeing no one come forward, she closed the meeting to the public and called for a motion.

**MOTION:** Vice Chairman Harrell moved to grant approval of BA-17-05 subject to staff's two (2) conditions of approval. Ms. Litowsky seconded the motion.

**VOTE ON THE MOTION:** In Favor: Chairwoman Fitzgerald, Vice Chairman Harrell, Ms. Litowsky, Mr. Paglialungo, and Mr. Buist.

**Motion carried: 5 - 0.**

- B. BA-17-06 Whitney Park (fka Bowman Pines)** - A request by the owner for a variance (BA-17-06) to increase the maximum individual lot coverage for seven (7) of 24 single-family home lots from 35% to 36.5% (1.5%).

Senior Planner Osniel Leon described the variance request to increase the maximum lot coverage for Lots 1, 4, 8, 10, 16, 21 and 23 of the Whitney Park development located on the north side of Bowman Street, approximately 300 ft. east of South Haverhill Road. The variance request is from Art. III, Division 5, Section 16-338(1)(b) to increase the lot coverage of seven (7) individual single-family lots from 35% to 36.5% in a Residential Medium-2 (RM-2) zoning district to allow for single-story model homes.

The developer could not meet the minimum lot acreage required for a Planning Unit Development. Special circumstances exist for the site. The additional open space reduces the area available for buildable lot space affecting the available lot coverage. Based on the six (6) variance criteria, staff recommends approval of BA-17-06 subject to staff's two (2) conditions of approval.

Chairwoman Fitzgerald called on board members for comments.

Vice Chairman Harrell questioned the size of each lot.

Director Ferris noted that each lot is 0.12 acre in size or 51.1 ft. x 110 ft. (5,511 sq. ft.)

Ms. Litowsky asked why those specific 7 lots?

Director Ferris explained that the lot coverage was “space under roof” or the footprint of the home in square footage. The developer was trying to introduce a single-story model that offers 2,012 sq. ft. Other models are 2-story models with less square footage.

Chairwoman Fitzgerald called on the applicant.

Sharon Cino of DR Horton stated she was in agreement with staff’s two (2) conditions of approval.

Chairwoman Fitzgerald opened the meeting to the public. She asked if anyone was in favor of, or opposed to BA-17-06 to come forward. Seeing no one come forward, she closed the meeting to the public and called for a motion.

**MOTION:** Vice Chairman Harrell moved to grant approval of BA-17-06 subject to staff’s two (2) conditions of approval. Ms. Litowsky seconded the motion.

**VOTE ON THE MOTION:** **In Favor:** Chairwoman Fitzgerald, Vice Chairman Harrell, Ms. Litowsky, Mr. Paglialungo, and Mr. Buist.

**Motion carried: 5 - 0.**

## 6. Department Report.

Board Attorney James Stokes called for a consensus to change future ZBAA meeting dates from the 4th Tuesday of the month, to the 4<sup>th</sup> Monday of each month. All board members accepted the proposed change and Board Attorney Stokes said he would notify the City Manager of the change.

Director Ferris then called for a quorum check for a future ZBAA meeting for July 11<sup>th</sup> or 25<sup>th</sup>. Board members preferred July 11<sup>th</sup> and would receive confirmation by phone that the meeting was changed.

## 7. ZBAA Members’ Comments. – None.

## 8. Adjournment.

Vice Chairman Harrell moved to adjourn the meeting, seconded by Ms. Litowsky. The meeting adjourned the meeting at 7:27 p.m.



**ZONING BOARD OF ADJUSTMENTS  
AND APPEALS**

Respectfully submitted,

\_\_\_\_\_  
Dannette Fitzgerald, Chairwoman

\_\_\_\_\_  
Kara L. Irwin-Ferris, Zoning Administrator

\_\_\_\_\_  
Joanna Cunningham, MMC, City Clerk

/mel

Date of Approval:\_\_\_\_\_



**OFFICIAL MINUTES**  
**CITY OF GREENACRES, FLORIDA**  
**ZONING BOARD OF ADJUSTMENTS AND APPEALS MEETING**  
**TUESDAY, APRIL 4, 2017**

**1. Call to Order and Roll Call.**

The Zoning Board of Adjustments and Appeals Meeting was called to order at 7:00 p.m. on Tuesday, April 4, 2017 with Chairwoman Dannette Fitzgerald presiding. Melody Larson, Assistant to the City Clerk, called the roll.

**ROLL CALL:**

**Present**

Dannette Fitzgerald, Chairwoman  
Arthur Harrell, Vice Chairman  
Betty Anne Litowsky  
James Paglialungo  
Walter Buist

**Staff Present**

James D. Stokes, City Attorney  
Kara L. Irwin-Ferris, Director of Planning & Engineering  
Melody Larson, Assistant to the City Clerk

Public Attendance: 6  
Press Attendance: 0

**2. Pledge of Allegiance to the Flag**

Chairwoman Fitzgerald led the Pledge of Allegiance to the Flag.

**3. Agenda Approval - Additions, Deletions, Substitutions to the Agenda.**

Chairwoman Fitzgerald called for additions, deletions, or substitutions to the agenda; hearing none, she called for a motion.

**MOTION:** Vice Chairman Harrell made a motion to approve the Agenda as presented. Mr. Paglialungo seconded the motion.

**VOTE ON**            **In Favor:** Chairwoman Fitzgerald, Vice Chairman Harrell, Mrs.  
**THE MOTION:**    Litowsky, Mr. Paglialungo and Mr. Buist

**Motion carried: 5 - 0.**

**4.     Approval of Minutes - None.**

Chairwoman Fitzgerald called for ex-parte communication disclosure, if applicable. She disclosed visiting the subject site.

City Attorney James Stokes swore in those who would be providing testimony.

**5.     Cases:**

- A.   BA-17-02     5450 10<sup>th</sup> Avenue N.** - A request by the owner for a variance from Article VIII, Section 16-1336 of the Zoning Code. Code Section 16-1336 which states that for non-residential uses, the minimum number of parking spaces shall be determined by the commercial use(s); and for mixed uses, each use shall provide its proportional share of the required parking. The applicant is requesting approval to utilize the existing highest and best permitted uses in the Mixed-Use – Original Section zoning district.

Planning and Engineering Director Kara L. Irwin-Ferris described the variance request for the .5971-acre site. The site was platted in 1925 and in 1960, four lots were combined to create the current parcel. The existing 10,800 sq. ft. warehouse building was built in 1975. Director Ferris noted that historical records are limited. In 2001, a joint planning charrette was held with business owners, residents, governmental entities and City officials to create a vision for the area, which resulted in the "10<sup>th</sup> Avenue North Corridor." The Corridor is located from South Haverhill Road, west to the Lake Worth Drainage District E-3 Canal and for a depth of 300 feet north and south of 10<sup>th</sup> Avenue North. The subject site is located within the Corridor.

As part of the 10<sup>th</sup> Avenue North Corridor concept, a new list of permitted and special exception uses was established. Some existing uses were affected and became non-conforming. Director Ferris explained that the subject site was impacted by this change and several uses along the Corridor remain non-conforming.

As noted previously, due to the age of the site, an original site plan does not exist. The warehouse building currently has garage bay doors to the west surrounded by 21 parking spaces and the front consists of office space and another bay door.

Director Ferris noted that in evaluating the variance criteria, some special conditions were identified relative to the site. She noted that when interested parties inquire about possible uses for the site a zoning determination letter is issued listing the permitted uses. Because the current tenant is a roofing contractor, if another roofing contractor wanted to lease the space, it would be allowed. She explained that even though the City allows certain uses, financiers get concerned over the non-conformity.

This variance request is from the parking requirements. For warehouses 1 parking space per 1,000 sq. ft. is required versus 1 parking space per 200 sq. ft. for retail. There is no other option for the current owner than to maintain the warehouse use, hence the owner

filed the variance to address the parking issue. The City would prefer the owner make site improvements which would allow more uses. Staff believes a special condition exists; therefore, staff recommends approval of BA-17-02, subject to staff's two (2) conditions of approval.

Chairwoman Fitzgerald called on board members for comments.

Mr. Paglialungo asked how can more parking be added.

Director Ferris explained with a conversion of some of the bays additional parking can be created in the rear. More striping would also be needed. The owner wishes to keep the existing uses and allow for some limited retail or office use. She explained that 21 spaces are currently on the site with approximately 3,000 sq. ft. of warehouse space, with the variance granted, the owner could double his number of spaces to 40 to meet the parking requirement for other uses.

Chairwoman Fitzgerald called on the wife of the applicant.

Mrs. Lois Welles confirmed she was acting on behalf of her husband Howard Alan Welles who she conferred with the by cell phone.

Chairwoman Fitzgerald asked if on her husband's behalf, she accepted staff's conditions of approval.

Mrs. Welles stated they were in acceptance of staff's two (2) conditions of approval.

Chairwoman Fitzgerald opened the meeting to the public. She asked if anyone was in favor of, or opposed to BA- 17-02 to come forward. Seeing no one come forward, she closed the meeting to the public and called for a motion.

**MOTION:** Vice Chairman Harrell moved to grant approval of BA-17-02 including staff's two (2) conditions of approval. Mrs. Litowsky seconded the motion.

**VOTE ON THE MOTION:** **In Favor:** Chairwoman Fitzgerald, Vice Chairman Harrell, Mrs. Litowsky, Mr. Paglialungo and Mr. Buist.

**Motion carried: 5 - 0.**

- B. BA-17-03 Bright Acres Shopping Center (f.k.a. Crossroads Shopping Center)**  
A request by the owner for a variance (BA-17-03) to increase the number of wall signs allowed for a shopping center outparcel to allow for a third sign on the west elevation of the building. The existing retail building will be re-modeled to accommodate a single tenant. The total site is approximately 6.27 acres in size located at the southwest corner of Lake Worth Road and South Jog Road within the Bright Acres Shopping Center. The project outparcel is located at 6548 Lake Worth Road.

Chairwoman Fitzgerald called for ex-parte communication disclosure, if applicable. None were disclosed.



Director Ferris described the variance request to allow a third wall sign on the west elevation of a small retail building located on the southeast corner of the Bright Acres Shopping Center site. She provided a brief history of the commercial center that consisted of seven parcels with a Marathon Gas Station, Mattress Firm, Boston Market, Einstein Bagels, Metro PCS, Red Lobster Restaurant, Domino's Pizza and various retail shops. In February 2016, six of the seven parcels were annexed into the City and were demolished to build a Wawa. Director Ferris noted that outparcel buildings with street frontage are allowed one wall sign per user, per right-of-way. The applicant is requesting an additional wall sign on the west elevation that does not face a street. However, due to the triangular shape of the site, the western elevation is visible from Lake Worth Road.

Director Ferris noted that the applicant has been issued a permit to upgrade the elevations, with the intent to bring in a single tenant. Code allows wall signs on street frontage and the applicant currently has north and east wall signs and is requesting a third wall sign for the western elevation. When a tenant is part of a larger parcel, multiple signs are permitted. Considering the unusual shape of the site, staff recommends approval of BA-17-03, subject to staff's two (2) conditions of approval.

Director Ferris requested that a modification to staff's Condition #2 should read:

*2. A sign permit for the western elevation shall be obtained within six (6) months of the date of approval of the variance. (Planning)*

Chairwoman Fitzgerald called on board members for comments.

Mr. Paglialungo asked if the proposed sign will meet code requirements.

Director Ferris confirmed that it would and the size of the sign would be limited to 1.5 x the linear frontage of the building.

Chairwoman Fitzgerald called on the applicant for comments.

Attorney Dwayne Dickerson of Dunay, Miskel and Backman, LLP, agent for the owner, stated he is in agreement with staff's two (2) conditions of approval as amended.

Chairwoman Fitzgerald opened the meeting to the public. She asked if anyone was in favor of, or opposed to BA-17-03 to come forward. Seeing no one come forward, she closed the meeting to the public and called for a motion.

**MOTION:** Vice Chairman Harrell moved to grant approval of BA-17-03 subject to staff's two (2) conditions of approval as amended. Mrs. Litowsky seconded the motion.

**VOTE ON THE MOTION:** **In Favor:** Chairwoman Fitzgerald, Vice Chairman Harrell, Mrs. Litowsky, Mr. Paglialungo and Mr. Buist.

**Motion carried: 5 - 0.**

**6. Department Report.** None.

7. **ZBAA Members' Comments.** – None.

8. **Adjournment.**

Vice Chairman Harrell moved to adjourn seconded by Mrs. Litowsky. The meeting adjourned at 7:42 p.m.

**ZONING BOARD OF ADJUSTMENTS  
AND APPEALS**

Respectfully submitted,

\_\_\_\_\_  
Dannette Fitzgerald, Chairwoman

\_\_\_\_\_  
Kara L. Irwin-Ferris, Zoning Administrator

\_\_\_\_\_  
Joanna Cunningham, MMC, City Clerk

/mel

Date of Approval: \_\_\_\_\_



## LAND DEVELOPMENT STAFF REPORT AND RECOMMENDATION

### **I. Project Description:**

**Project:** RaceTrac at Sherwood Plaza

**Petitioner:** Wantman Group, Inc. (WGI)  
2035 Vista Parkway  
West Palm Beach, Florida 33411  
Agent for the owners:  
RaceTrac Petroleum, Inc.

**Request:** A variance request from Article VI, Division 4, Section 16-985 & 16-934(28) of the Zoning Code to exceed the permitted monument sign height, copy area, LED area, number of building signage per frontage and a lit canopy stripe.

**Location:** Northwest corner of Lake Worth Rd and Sherwood Forest Blvd at 6025 Lake Worth Road within the Sherwood Plaza.



### **II. Site Data:**

**Existing Use:** Vacant (former Walgreens Pharmacy)

**Proposed Use:** Full service fuel station

**Parcel Control Number:** 18-42-44-22-52-001-0000

**Parcel Size:** 1.55 acres

**Future Land Use Designation:** Commercial (CM)

**Zoning District:** Commercial Intensive (CI)

<b>Table 1: Surrounding Existing Land Use, Future Land Use, Zoning District:</b>			
<b>Direction</b>	<b>Existing Land Use</b>	<b>Future Land Use</b>	<b>Zoning District</b>
<i>North</i>	Villages of Woodlake	Residential (RS-MD)	Residential Medium (RM-2)
<i>South</i>	McDonalds	Commercial (CM)	Commercial General (CG)
<i>East</i>	Woodlake Plaza	Commercial (CM)	Commercial Intensive (CI)
<i>West</i>	Concord Plaza/Shopping Center	Commercial (CM)	Commercial General/Planned Shopping Center Overlay (CG/PSC)

### **III. Annexation/Zoning History:**

On January 29, 1994, the property was annexed into the City of Greenacres as petition ANX 93-03. Concurrently, the City Council approved a zoning district designation of Commercial Intensive (CI) and an underlying land use of Commercial (CM). The designation was for both Phase I & II, which together amounted to a 4.33-acre parcel. Phase I is the southernmost site and contains a total land area of 67,518 square feet (1.55 acres); Phase II is the northernmost site and contains a total land area of 116,830 square feet (2.68 acres).

### **IV. Applicable City Code Provisions:**

**Sec. 16-101 through 16-107** pertaining to the Zoning Board of Adjustments and Appeals.  
**Section 16-931 through 16-997** pertaining to Sign Standards

### **V. Staff Analysis:**

#### ***Background:***

On January 19, 1999, the Greenacres City Council approved a special exception (SE-98-04) and site and development plan (SP-98-07) for the subject property. The site and development plan approval was for the commercial development of a 4.3-acre site as two buildings totaling 38,780 square feet. The site was granted approval for a 15,120 square feet Walgreen's Pharmacy with a drive-thru window, and a 23,660 square feet retail building. On August 5, 2002, the City of Greenacres City Council approved a special exception and site plan amendment for the conversion of the 23,660 square foot retail building to a 50,900 square foot self-storage/mini-warehouse facility on the 2.68-acre north parcel of the site. Both sites were developed according to the approved plans.

On November 29, 2016, the Zoning Board of Adjustments and Appeals approved variance requests from Article III, Division 11, Section 16-499 (17) (f) and Section 16-499 (19) a. and b. to allow a Convenience Store with Fuel Sales within 500 feet from a Movie Theater and House of Worship, and 1,500 feet from a Service Station. On March 6, 2017, the City Council approved a special exception to allow a Convenience Store with Fuel Sales and a site and development plan approval to demolish the Walgreens Pharmacy building, which is currently vacant, and redevelop the site with a 5,589 square foot convenience store, 697 square feet of outdoor seating area and eight (8) fuel pumps with sixteen (16) fueling stations on the 1.55 acre south parcel of the development.

In addition, the applicant is requesting the following variances from the Zoning Code to allow:

**V1.** 14-foot monument sign (approx. 11'6" allowed).



- V2. 100 square feet copy area (70 square feet allowed)
- V3. 45 square foot LED surface (12 square feet allowed),
- V3. One (1) building and canopy sign fronting Lake Worth (only 1 per frontage allowed),
- V4. Lit stripe around the canopy (not allowed)

The variances requested are from the following Code provision:

- 1) Article VI, Division 1, Section 16-985(a) which allows a maximum height of 5% of parcel linear feet (approx. 11'.6'') with a maximum copy area of 30% of parcel linear feet (approx. 70 square feet) per sign face.
- 2) Article VI, Division 1, Section 16-985 (a) (3) which allows LED price signs not exceeding twelve (12) square feet as an integral part of the copy area for gas stations.
- 3) Article VI, Division 1, Section 16-985 (a) (8) Properties with two (2) or more street frontages are permitted one (1) building sign per frontage.
- 4) Article VI, Division 1, Section 16-934 (28) which prohibits any sign not specifically, or by reasonable implication, permitted in the Code.

On June 15 and 22, 2017, the Land Development Staff reviewed this petition and recommended denial of the requests,

***Land Development Staff Comments:***

Planning and Engineering Dept.:	Incorporated into the staff report.
Building Department:	No objections.
PBSO District 16:	No objections.
Public Works Department:	No objections.

**VI. Variance Findings of Fact:**

The Zoning Board of Adjustments and Appeals shall have the power to authorize a variance from the terms of the Zoning Code. In order to be granted a variance from the Zoning Code, the petitioner must meet the six (6) specific criteria findings and the general criteria listed in the Code. The following is a list of those criteria and an analysis of whether or not the subject variance request meets the criteria.

***Specific Criteria Findings:***

- (1) **That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.**

**Finding:** V1, V2 & V3: The subject site is allowed to install a 12-foot monument sign with 70 square feet copy area and 12 square feet LED price sign, which can be easily seen from the adjacent right of way. The applicant is providing the justification that the landscape plan limits visibility, yet modifications to the landscape plan would be an appropriate solution to the issue rather than a variance to the Code. In addition, the LED changeable copy screens were permitted in a limited capacity for fuel stations to advertise fuel prices, which are subject to change daily. The limits in size were set to provide only opportunities for pricing. The applicant's request for a significantly (more than double) larger space of changeable copy will give the applicant a major deviation from the existing Code requirements, which have been strictly enforced on similar sites throughout the

City.

**V4:** The City's Code permits a stand-alone building one sign per adjacent right-of-way. The subject site has frontage on two roadways, Lake Worth Road and Sherwood Forest Boulevard, which allows them two elevation signs for the building. The applicant has the option to place the signs on the fuel canopy or the building, whichever they determine provides the best visibility. This Code requirement has been consistently applied to previously approved gas stations in the City. This site is not limited by any special conditions that result from; the location of the building (designed by the applicant), the shape of the lot (a standard corner lot located at the intersection of two roadways), or existing structures limiting visibility (landscaping is not a structure and can be modified).

**V5:** The illuminated stripe around the fuel canopy is not exposed neon, it is a LED lit red stripe, which does not have any copy, but nonetheless conveys the location of a Race Trac. Signage includes any component that advertises, through logo recognition, color branding, etc. the recognition of a company's location. The red stripe is part of the corporate branding for the Race Trac site. The detail was not included on the approved building, so the canopy would be inconsistent with the approved elevation.

Overall, no special condition exists which are peculiar to the property and which are not applicable to other properties in the same zoning district. There are additional commercial establishments along this portion of Lake Worth Road, which comply with all sign regulations, specifically there are no other convenience store with fuel sale uses that have been granted similar variances, all have complied with the parameters of the City Code in regards to signage.

**(2) That special conditions and circumstances do not result from the actions of the applicant.**

**Finding:** There are no special conditions or circumstances that do not result from the actions of the applicant. The recently approved landscape plan was design and submitted by the Applicant. The landscape material can be installed in a manner that does not interfere with the monument sign visibility from the right of way. The need for the additional signage is a desire of the applicant for additional advertising. However, the applicant is permitted to have building signs and the color scheme of the building and canopy are distinctive of RaceTrac gas station, therefore the additional signage and lit stripes are not necessary.

**(3) That granting the variance request will not confer on the applicant any special privilege that is denied by this chapter to the other lands, buildings, or structures in the same zoning district.**

**Finding:** The granting of the variances will confer on the applicant a special privilege that is denied by the sign code to other properties in the same zoning district. The applicable section of the code has been applied to all commercial developments that are located adjacent to the subject property. Allowing the applicant to exceed the allowable height, copy area, number of building signs, LED area and a lit stripe around the canopy would be conferring a special privilege to the applicant that has been denied to all other developments within the same zoning district.

**(4) That the literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter.**

**Finding:** The literal interpretation of the provisions of this chapter would not deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this

chapter. All properties within the CI zoning district must comply with the same development regulations. The applicant is not being deprived of any rights granted to other commercial uses in the CI zoning district.

- (5) **That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.**

**Finding:** The requested variance is not the minimum variance that will make possible the reasonable use of the land. The site is located at the intersection of a major street (Lake Worth Road) and a local street (Sherwood Forest Boulevard) which provides high visibility for pedestrians and automobile traffic. The permitted signs will easily provide sufficient knowledge of the gas station existence. The granting of the taller monument sign far exceeds the minimum signage needed to advertise this business, especially in light of the other signs, that the applicant is permitted.

- (6) **No nonconforming use of neighboring lands, structures or buildings in other districts and no permitted use of land, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.**

**Finding:** No nonconforming lands, structures or buildings have been considered as grounds for the issuance of this variance.

***General Criteria Findings:***

- (1) **A Variance:**

**a: shall not be contrary to the public interest**

The intent of the sign code is to limit the number of signs and size as a means of limiting adverse visual impacts. Thus, granting the variance, as requested, will be contrary to the public interest. Adding more building signs, a taller monument sign with larger LEDs and a lit stripe around the canopy will provide a privilege to the property owner that is not shared by other developments in CI zoning districts.

**b: may be authorized if, where owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary and undue hardship**

As stated above, no unnecessary and undue hardships will be created for the applicant by a literal interpretation of the provisions of Article VI, Division 1, Section 16-985 of the Zoning Code. Unnecessary hardships will not be created by denying these requests. The site will be adequately advertised by the permitted building signs, one (1) free standing sign, and the RaceTrac Company building and color scheme. The combination of all of the permitted signs, as well as the use of the corporate colors and architectural theme will ensure that this business will be well advertised without the need of the requested extra signage.

- (2) **Financial hardship is not to be considered alone as sufficient evidence of a hardship.**

The petitioner has not expressed financial hardship as a justification for being granted the variance.

***Summary of Variance Criteria:***

Based on the preceding analysis, the subject variance does not comply with the variance criteria.

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**ZONING BOARD OF ADJUSTMENTS AND APPEALS ACTION**

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**Dannette Fitzgerald, Chairperson**

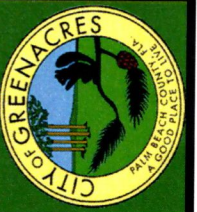
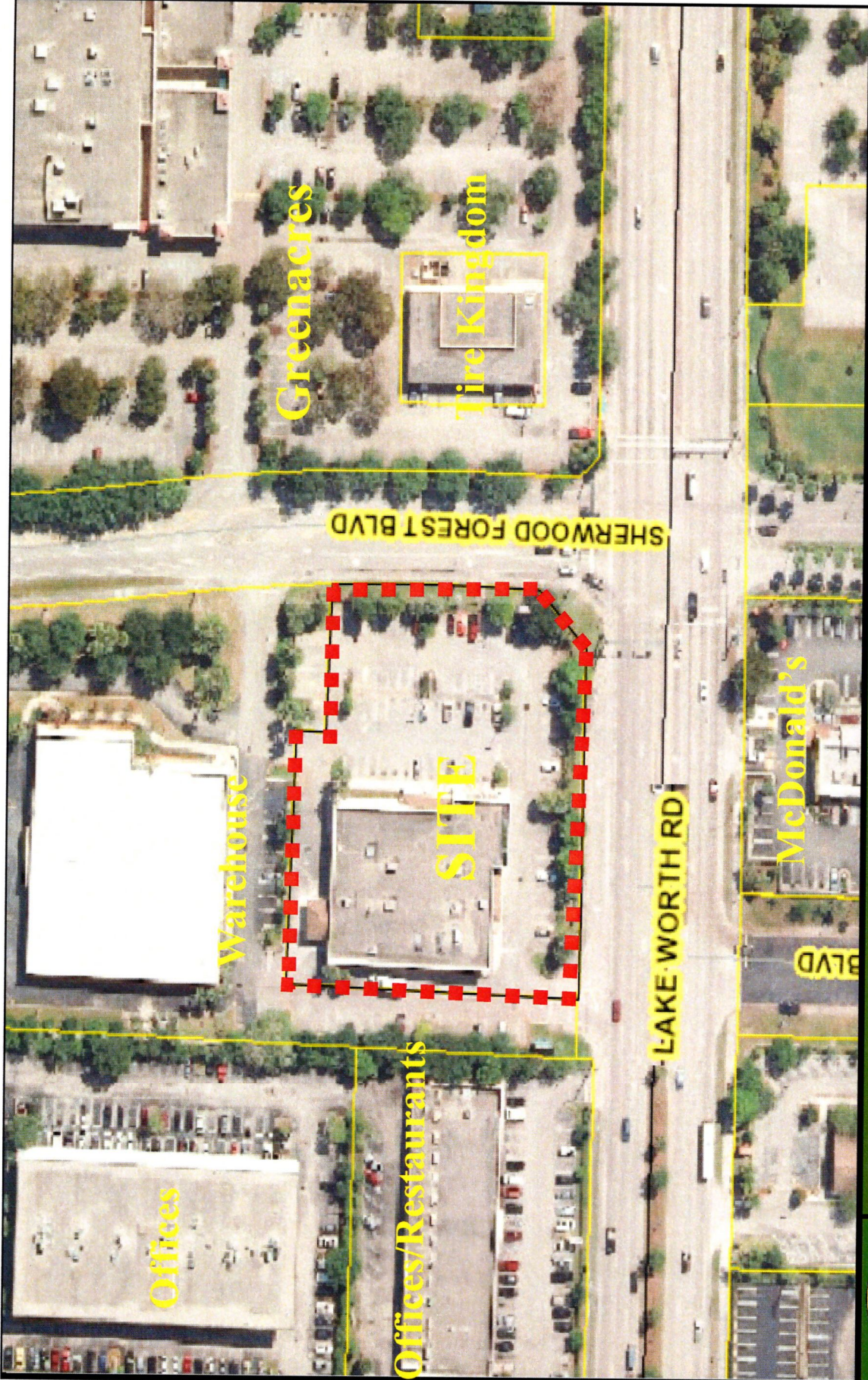
**Attest:**

**Joanna Cunningham, City Clerk**

**Attachments:**

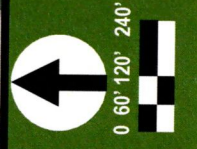
1. Site Plan
2. Aerial Map
3. Petitioner's Justification Statement





**6025 Lake Worth Rd**  
**BA-17-07 and BA-17-08**

Prepared By:  
Planning and Engineering Dept.  
City of Greenacres  
5800 Melaleuca Lane  
Greenacres, FL 33463







**JUSTIFICATION STATEMENT**  
**RaceTrac Market**  
6025 Lake Worth Road  
**Variance Application - Signage**  
*Initial Submittal: May 5, 2017*

**REQUEST**

On behalf of the Applicant, RaceTrac Petroleum, this application requests two variances from the City Of Greenacres Land Development Code for the subject property located at 6025 Lake Worth Road as shown on the aerial in Exhibit 1. Specifically, the requested variances are required for the following:

- Variance from (Sec. 16-985), Identification Signs, to allow greater than permitted for monument signage, building signage, and canopy signage.

**SITE CHARACTERISTICS**

The subject property is located on the northwest corner of Lake Worth Road and Sherwood Forest Boulevard as shown on Exhibit 1. The overall 1.55 acre subject site retains a Future Land Use designation of Commercial (CM) and a Zoning designation of Commercial Intensive (CI) as shown on Exhibits 2 and 3. The subject site is identified as Property Control Number (PCN) 18-42-44-22-52-001-0000.

Currently, the property is a blighted site that contains a vacant structure, which previously operated as a Walgreens Pharmacy. Given the subject property's location at the intersection of Lake Worth Road and Sherwood Forest Boulevard, the future development of the RaceTrac Market and Fueling Station is highly suitable to foster revitalized activity along the Lake Worth Road commercial corridor.

**SURROUNDING USES**

Adjacent Property	Land Use Designation	Zoning Designation	Subdivision/Use(s)	Existing Use(s)
North	COM	CI	Self-Storage	Self-Storage
South (Across Lake Worth Road)	CM	CI CG	Sonny's BBQ McDonalds	Restaurant
East (Across Sherwood Forest Blvd)	CM	CI	Woodlake Plaza	Shopping Center
West	CM	CG	Concord Plaza Office Space	Shopping Center Office Space

## **JUSTIFICATION STATEMENT**

A variance is required from Section (Sec. 16-985) in regards to the signage for the development of a Convenience Store with Fuel Sales on the subject property. Specifically, this variance is requesting relief from the proposed signage, shown in Exhibit 10 on the Location Plan:

- Height of freestanding sign (Exhibit 4 and labeled “N1” on Exhibit 10)
- Copy face SF of freestanding sign (Exhibit 4 and labeled “N1” on Exhibit 10)
- LED digital surface of the freestanding sign (Exhibit 4 and labeled “N1” on Exhibit 10)
- Wall building signs (Exhibit 5 and labeled “A1” & “A2” on Exhibit 10)
- Canopy cloud sign (Exhibit 6 and labeled “I1” on Exhibit 10)
- Lit Stripe on Canopy (Exhibit 7 and labeled “J” on Exhibit 10)

### **Free-Standing Sign Variance Request**

Maximum allowable requirements for freestanding signage, according to the City of Greenacres code Sec. 16-985 (a), is 75 SF copy face, 12 SF LED digital surface, and 12 feet in height. However, the proposed freestanding signage (Exhibit 4) for the subject site is 100 SF copy face, 45 SF LED digital surface, and 14 feet in height. There are multiple issues with having signage that abides by the current code standards, thus why this variance request is being submitted for consideration. Specifically, when approaching the subject site, westbound, via Lake Worth Road, the speed limit is 45 mph and is slated to contain dense vegetation due to existing vegetation shown on Exhibit 8, and proposed landscaping required by the current approved landscape plan as shown on Exhibit 9. The City of Greenacres code requires a high threshold for landscaping, as shown on the approved landscape plan (Exhibit 9), and designates many large trees, palms, and shrubs in the sight line of the signage—as there is not much space to locate the approved landscape material elsewhere on site. With the high rate of speed combined with the dense, mature vegetation on site, the current sign maximum thresholds will not give the subject site adequate visibility. Therefore, permitting a slight increase in sign threshold maximums will enable passing motorists to clearly see the signage through the heavily vegetated existing and proposed landscaping for the site, and not slam on brakes due to a delay in seeing a smaller sign at right before the site’s access. Permitting the variance for the freestanding sign will not cause any adversity to the property or surrounding properties.

### **Wall Building Sign Variance Request**

According to the City of Greenacres code Sec. 16-985 (b3), the wall building signs are not permitted to be box signs. The Applicant proposes the wall building signs to be shown as back lit channel letters on a cabinet (a.k.a a box sign), as shown in Exhibit 5 and is integral to their brand identification as all signs on stores are constructed this way.

### **“Lit Strip” Lighting and Canopy Sign Variance Request**

In the City of Greenacres code, lit stripes are not prohibited upon review, but nonetheless, was interpreted as being prohibited by city planning staff. Since there is no exposed tube lighting, as clearly prohibited by the sign code, this application requests the City to permit the non-exposed lighted tub strip that is consistent with the applicant’s logo and trademark brand identification needs and is illustrated in detail in Exhibit 7, and proposed at the locations labeled “J” on Exhibit 10.

Additionally, the applicant is requesting relief to canopy sign standards where words are prohibited. We respectfully request the City to allow the applicant’s ‘RaceTrac’ trademarked logo and style that is signature and integral to the applicant’s brand recognition as highlighted in Exhibits 6 and 11. The applicant’s request would



not set a precedent for this request, as most petroleum brands differ from Racetrac in that they employ symbols, which are permitted on canopies, in their brand recognition strategies such as Shell Gasoline stores have a shell symbol, Texaco stores uses a star symbol logo, and BP stores use a yellow and green flower logo. Since Racetrac does not have a traditional logo symbol like other fuel companies, and only uses the logo of "Racetrac" white letters on a red and blue parallelogram shape background as shown in Exhibit 11, the applicant respectfully requests they be permitted to use their unique, trademarked logo on the canopy as shown at "11" locations on Exhibit 10.

## **VARIANCE STANDARDS**

Compliance with each specific variance standard, per Section 16-106, is addressed as follows:

**A. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.**

This variance request is particular and specific to the subject signage size and type, and not applicable to other lands, structures, or buildings in the same district. The zoning regulations prohibit the signage for to be a certain height, square footage and type, and do not consider site constraints or requirements issues, that may result from this standard. As outlined in this justification statement, there are numerous issues that arise from the City of Greenacres code requirements that don't allow the applicant to have appropriate visual signage due to existing landscape on the site, which will be significantly exacerbated by the additional new and required landscaping. Furthermore, since the City's stringent landscape standards require retention of existing landscaping on the site, it constrains the applicant from having suitable visibility of the signage and is not the fault of the applicant. Permitting the small increase of height, copy area, and digital sign face will significantly assist the applicant in mitigating the landscape visibility issue.

Additionally, the proposed canopy cloud sign contains as the word 'RaceTrac', and is considered the applicant's trademarked logo and is utilized as the only logo for the company's brand marketing strategies, thus should be permitted for visibility on the canopy like other similar company's use with their logo symbols. The lit strip will comply lighting tube exposure requirements and is also utilized as the applicant's logo.

**B. That special conditions and circumstances do not result from the actions of the applicant.**

The special conditions and circumstances outlined in this application do not result from the actions of the applicant. The applicant seeks to help create a more visible and safer site with signage and light accents. Providing more light resources through signage and visible signage from the major roadway will enhance visibility and safety for the site.

**C. That granting the variance request will not confer on the applicant any special privilege that is denied by the Zoning Code to the other lands, buildings, or structures in the same zoning district.**

Approving this variance will not deny other lands, buildings, or structures in the CI district the use of Convenience Stores with Fuel Sales. Since this application seeks relief from the regulations based on signage, not land use, additional development of Convenience Stores within the CI District will not be denied based upon the approval of this variance application.

- D. That literal interpretation of the provisions of the Zoning Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Zoning Code.**

Literal interpretation of the provisions of the ULDC would deprive the Applicant of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant. The literal interpretation of the provisions of the ULDC, requiring the freestanding signage to be a required 75 SF copy face, 12 SF LED digital surface, and 12 feet in height, prohibiting the box sign for the wall building signage, as well as the canopy cloud and lit stripe, presents multiple aforementioned concerns, as well as decreases the visibility and safety of the site to the active commercial intersection of Sherwood Forest Blvd and Lake Worth Road. Prohibiting the applicant from putting the proposed signage on the site would work unnecessary and undue hardship on the Applicant.

- E. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.**

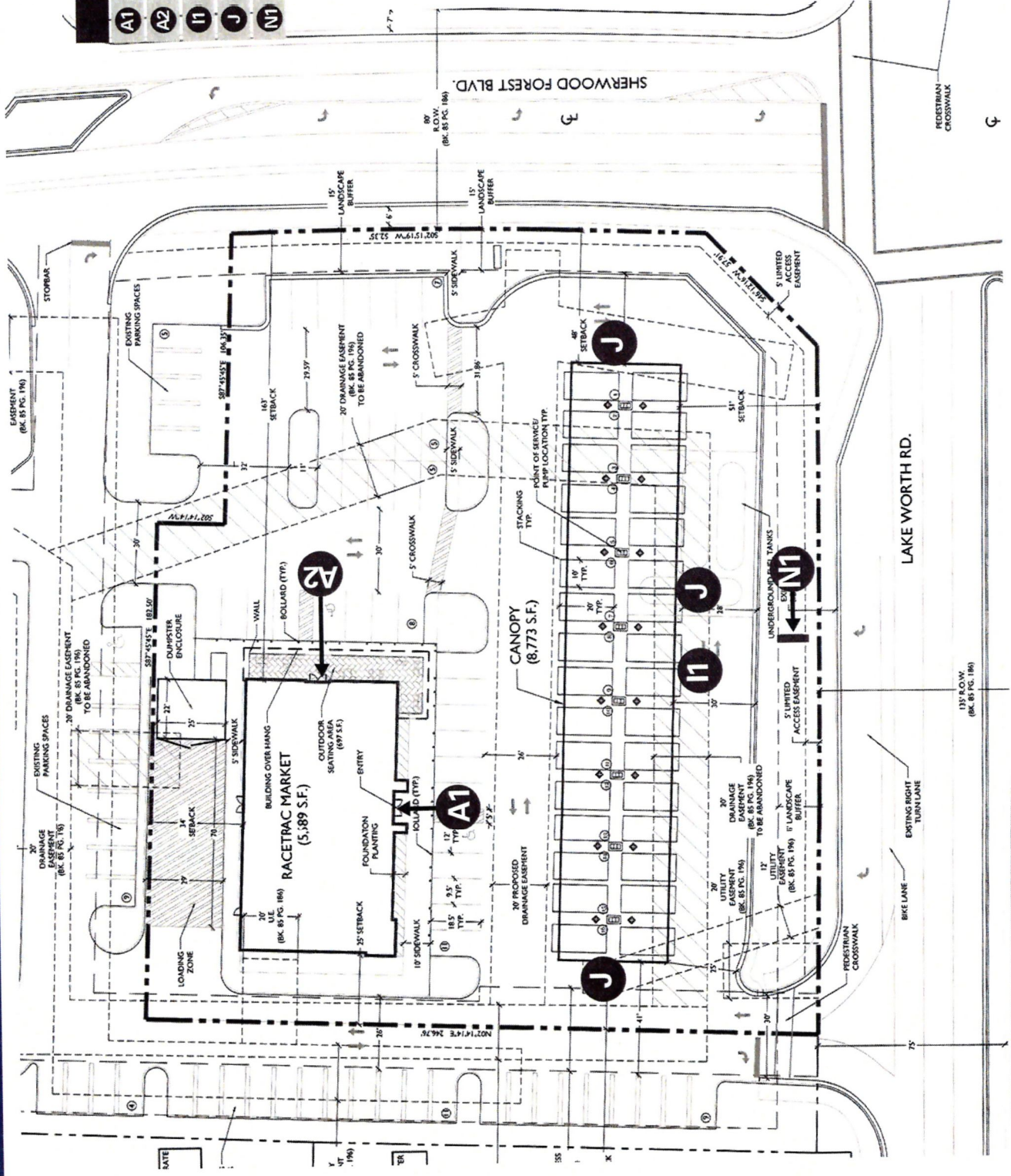
This variance is the minimum variance that will allow the Applicant to make reasonable, affective use of the subject property. The applicant is asking for only the minimum variance that will make possible the reasonable use of the subject property.

***Based on the above justification and attached information, the Applicant respectfully requests approval of the Variance request.***



# Site Plan

	Sign Legend
A1	Tower Sign
A2	Tower Sign
I1	Canopy Cloud Sign
J	Lit Stripe
N1	Price Sign



6025 Lake Worth Rd.  
Greenacres, FL 33463



GENERAL NOTE: ALL WORK SHALL BE IN COMPLIANCE WITH RECOGNIZED INDUSTRY STANDARDS, MANUFACTURER RECOMMENDATIONS AND ALL APPLICABLE STATE AND LOCAL CODES. NO SUBSTITUTIONS ALLOWED.



[illegible]

LANDSCAPE REQUIREMENTS CHART		PROPOSED REQUIREMENTS
15' LANDSCAPE BUFFER (SOUTH & EAST) - WALL	15' TALL HEDGEBURST HEDGE	15' TALL HEDGEBURST HEDGE INTERIOR LANDSCAPE REQUIREMENT - 47 TREES CONTINUOUS 24' HEDGE
INTERIOR LANDSCAPE	100% OF VERTICAL FACE - 10' TALL TREES PER 100 L.F. OF INTERIOR LANDSCAPE 24 TREES PER 100 L.F. OF INTERIOR LANDSCAPE 180 - 330 L.F.	5,579 S.F.
FOUNDATION PLANTING		260 L.F. 3 TREES - 29 ADDITIONAL TREES LOCATED IN INTERIOR LANDSCAPE

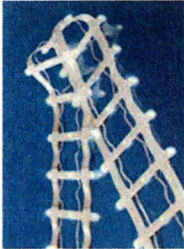
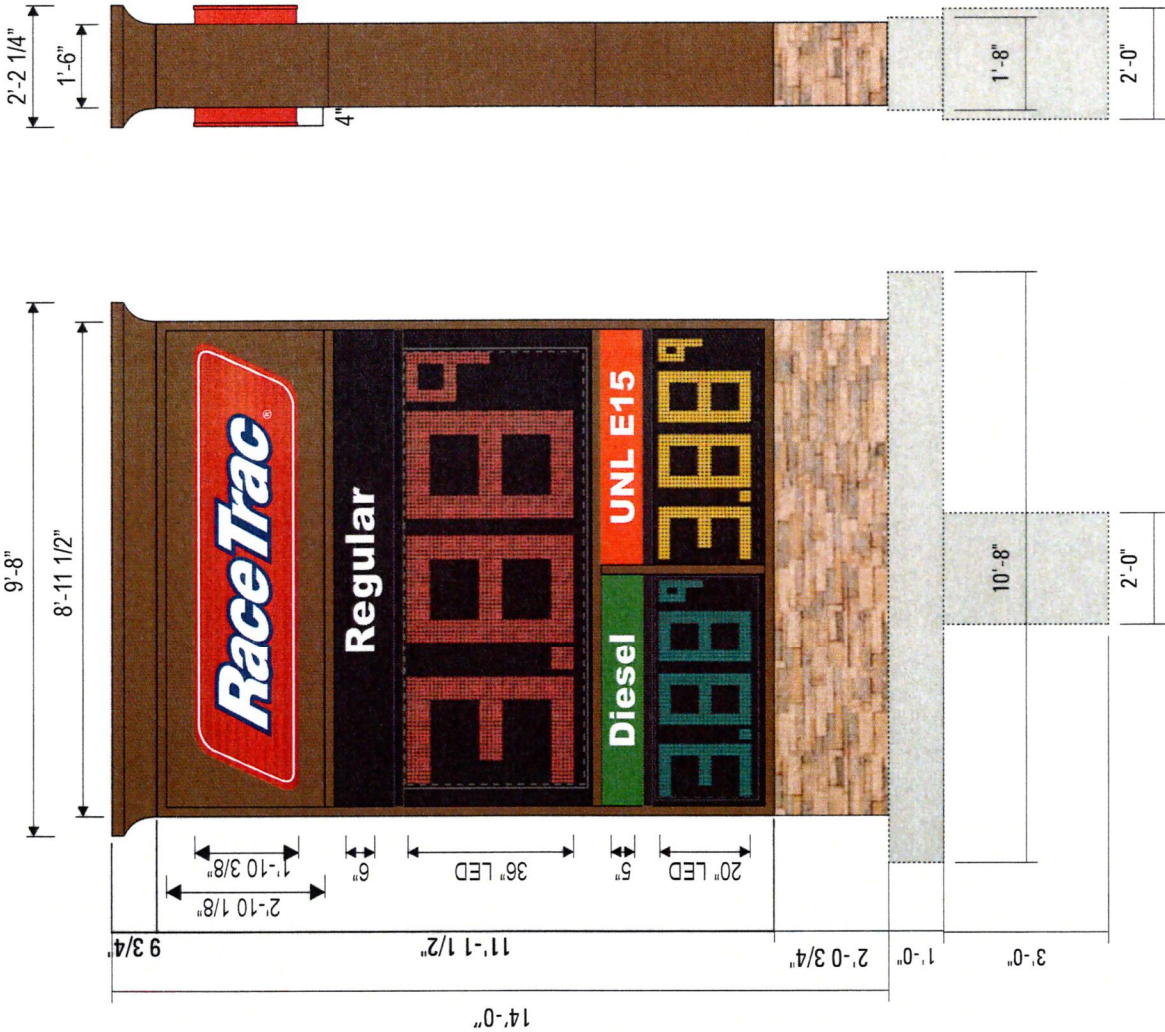


\*All sign components to be UL listed. All wiring to conform to UL specifications. Installation to be per NEC requirements. All signs to bear UL labels.

STAMPED, SEALED ENGINEERING REQUIRED

FOUNDATION INFORMATION PROVIDED BY RACETRAC. MANUFACTURER RESPONSIBLE FOR HAVING A LICENSED ENGINEER VALIDATE FOUNDATION DESIGN PRIOR TO INSTALL

DOUBLE FACED  
QUANTITY 1



Sloan Sign Box II  
LED Interior Illumination

Specifications:

Sign Faces:

- Logo panel: Aluminum panel painted Akzo Sign 31356-Bronze with parallelogram mounted to the surface. Parallelogram to be channel letter-type construction with .177" thick Polycarbonate face panels with 2nd surface applied translucent vinyl graphics. Parallelogram copy to be digitally printed red background stripes and white border with blue area of logo graphic also printed. Cabinet and trim cap to be red to match Akzo Nobel #SIGN91780.
- Regular Unleaded Product Panel: Solar Grade Polycarbonate; Background to be 1st surface applied 3M vinyl opaque 180C-22 Matte Black; "Regular" to be show-through white or 1st surface applied 3M vinyl translucent 3630-020 White.
- Diesel Product Panel: Solar Grade Polycarbonate; Background to be 1st surface applied 3M vinyl translucent 3630-26 Green; "Diesel" to be show-through white or 1st surface applied 3M vinyl translucent 3630-020 White.
- UNL E15 Product Panel: Solar Grade Polycarbonate; background to be 1st surface applied Oracal 8500-323 Coral Red "E85" white text color.

Interior Illumination: Sloan Sign Box II LED Interior Illumination powered by low voltage power supplies. This is behind fuel grade panels, only.  
Sign Frame: 2" x 2" x .25" steel tube with .063 aluminum cladding painted Akzo Sign 31356-Bronze.  
Extruded aluminum 1-1/2" wide Divider Bars installed to retain sign panels. Face dividers and retainer to be painted Akzo Sign 31356-Bronze.  
Sign Support: Internal steel pipe support to be welded to steel saddle bracket at top and bottom of sign frame.  
External steel sign support to meet building and local sign codes. Size of steel and footing as required per site requirements.

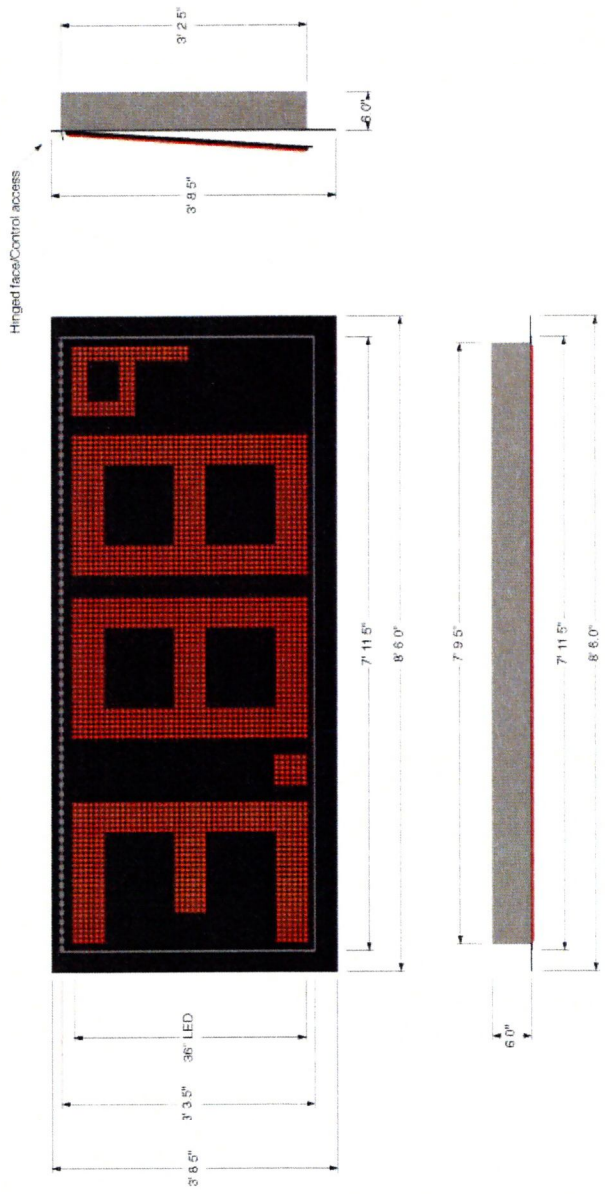





<b>SUNSHINE<sup>®</sup></b> ELECTRONIC DISPLAY CORPORATION		316 S. 6TH ST. • SAINT JOSEPH, MISSOURI 64501 800-821-9013 • OF: 816-232-5913 • SUNSHINE.US.COM	
CLIENT: RaceTrac		SALES REP: Mark Allaman	JOB #:
CLIENT CONTACT INFO:	SHIP TO LOCATION:	INSTALL LOCATION: 100 sq ft vertical pylon sign	DATE: Sept 11, 2013
CUSTOMER APPROVAL:		DATE:	

## RTV\_100SF\_36r\_20ga

For install help call: 800-821-9013 ext. 4216

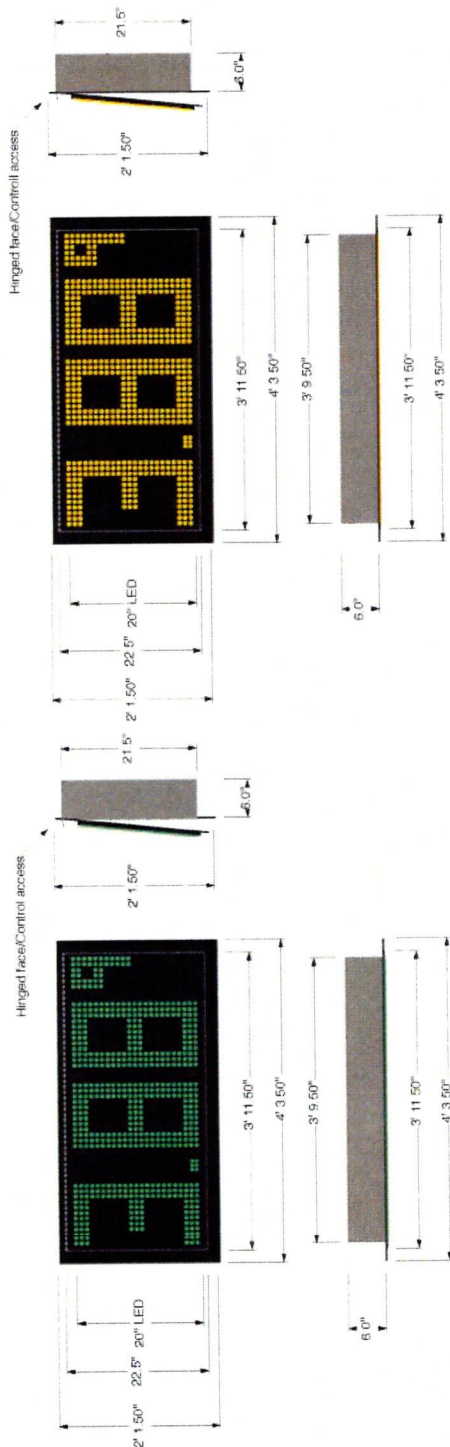


<b>CABINET &amp; DIGIT SPECS:</b>	<b>LABEL SPECS:</b>	<b>OTHER:</b>
<b>Digit Size &amp; Style:</b> 36" LED  <b>Digit Color:</b> Red  <b>Overall Cabinet Size:</b> 38.5" h x 86" w x 6" d  <b>Cabinet Color:</b> Black  <b>Single or Double Face:</b> Double	NA	<ul style="list-style-type: none"> <li>• Warranty, 2 year on-site parts/labor</li> <li>• Control: Wireless POS with Handheld backup</li> <li>• Constant Hot AC Power must be provided by 'others'</li> <li>• Crane truck/crew must be provided by 'others'</li> </ul>

 <b>SUNSHINE<sup>®</sup></b> ELECTRONIC DISPLAY CORPORATION		316 S. 6TH ST. • SAINT JOSEPH, MISSOURI 64501 800.821.9013 • (F) 816.242.5915 • SUNSHINE.US.COM	
CLIENT: RaceTrac	SALES REP: Mark Allaman		
CUSTOMER APPROVAL:	SHIP TO LOCATION:		
	INSTALL LOCATION:		
	100 sq ft vertical pylon sign		
		JOB #:	
		DATE: Sept 11, 2013	
		REVISIONS:	DATE:
		21.5 h x 43.5 w	Sept 12, 2013

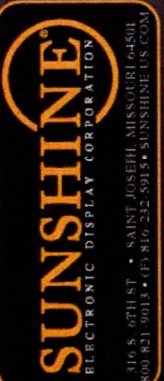
## RTV\_100SF\_36r\_20ga

For install help call: 800-821-9013 ext. 4216



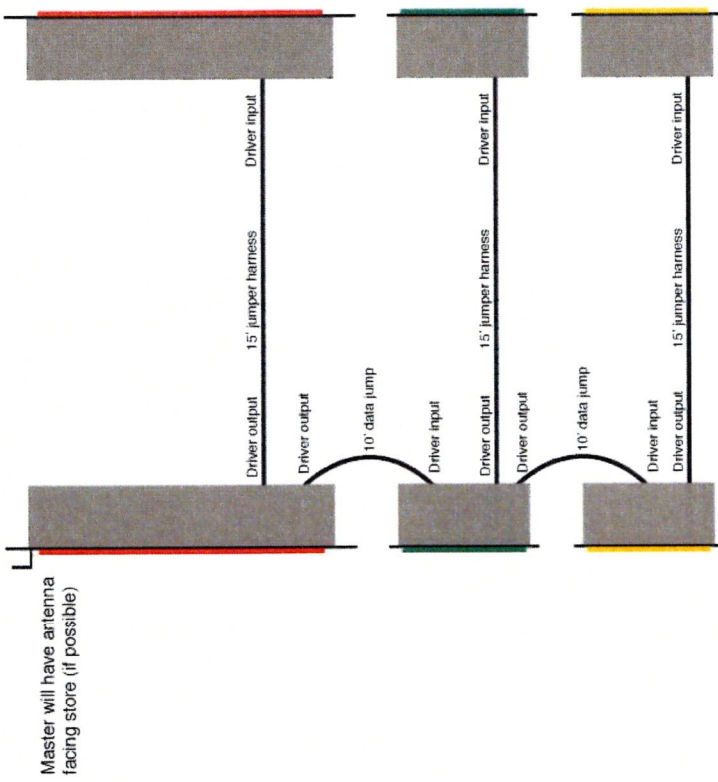
<b>CABINET &amp; DIGIT SPECS:</b>	<b>LABEL SPECS:</b>	<b>OTHER:</b>
<b>Digit Size &amp; Style:</b> 20" LED Green & Amber <b>Digit Color:</b> 2"1.5" h x 1"3.5" x 6" d <b>Overall Cabinet Size:</b> Black <b>Cabinet Color:</b> Double	NA	<ul style="list-style-type: none"> <li>• Warranty: 2 year on-site parts/labor</li> <li>• Control: Wireless POS with Handheld backup</li> <li>• Constant Hot AC Power must be provided by 'others'</li> <li>• Crane truck/crew must be provided by 'others'</li> </ul>



 <p><b>SUNSHINE</b> ELECTRONIC DISPLAY CORPORATION 316 S. 6TH ST. • SAINT JOSEPH, MISSOURI 64501 800.821.5013 • (F) 816.242.5915 • SUNSHINE.US.COM</p>		<p>CLIENT: RaceTrac</p> <p>SALES REP: Mark Allaman</p>
<p>CLIENT CONTACT INFO:</p>	<p>SHIP TO LOCATION:</p>	<p>INSTALL LOCATION: 100 sq ft vertical pylon sign</p>
<p>CUSTOMER APPROVAL:</p>		<p>DATE:</p>
<p>JOB #:</p>		<p>DATE: Sept 10, 2013</p>
<p>PERSON'S add wiring</p>		<p>DATE: Sept 13, 2013</p>

## RTV\_100SF\_36r\_20ga

For install help call: 800-821-9013 ext. 4216



POS wireless board mounted in store



15 amp 120V circuit on 24 hours connected to each box.

Junction boxes located inside cabinet

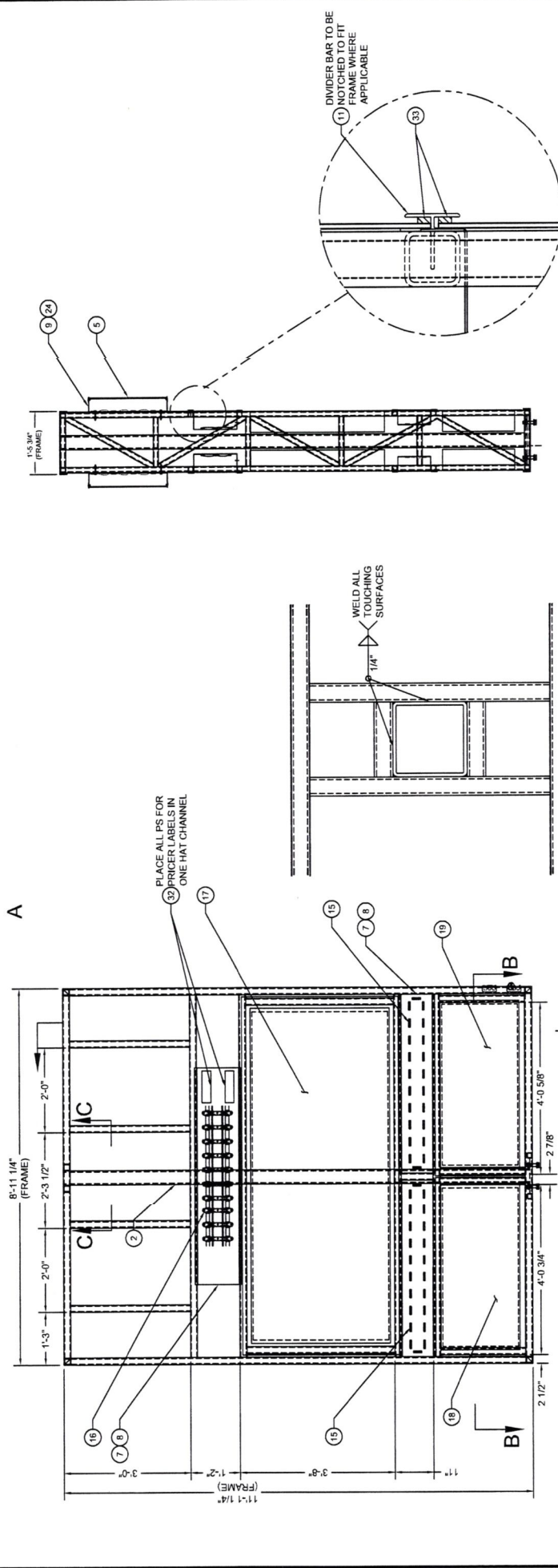
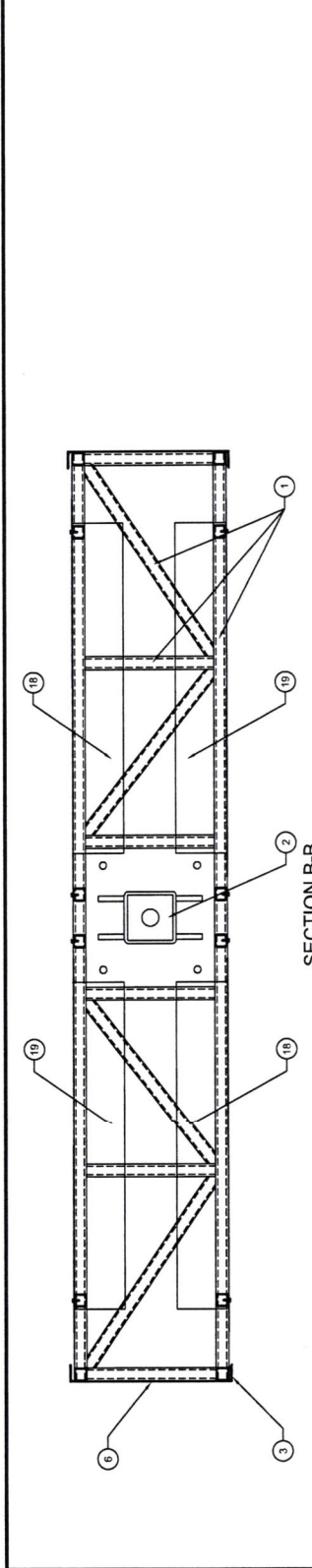
Must be dedicated circuit and have their own neutral and ground

<p>CABINET &amp; DIGIT SPECS:</p>	<p>LABEL SPECS:</p>	<p>OTHER:</p> <ul style="list-style-type: none"> <li>Warranty 2 year on-site parts/labor</li> <li>Control: Wireless POS with Handheld backup</li> <li>Constant Hot AC Power must be provided by others</li> <li>Crane truck/crow must be provided by others</li> </ul>
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COLOR SCHEDULE	
PANEL/LOGO SIGN COLOR SCHEDULE:	
FACE MATERIAL: WHITE (1/16" THK. CLEAR POLYCARBONATE)	
BACKING MATERIAL: 1/16" THK. CLEAR POLYCARBONATE	
BACKING MATERIAL: 1/16" THK. ALUMINUM SHEET	
PAINT TREATMENT: 100% TINT "C2" - ADOZ NOBEL SIGN 3156L SEMI-GLOSS	
TRIM: GAY COLOR PAINT TO MATCH RED PAINT "C1" - ADOZ NOBEL SIGN 9176L SEMI-GLOSS	
WITHIN COLOR: RED PAINT "C1" - ADOZ NOBEL SIGN 9176L SEMI-GLOSS	
"Regular" PRICER FACE COLOR SCHEDULE:	
FACE MATERIAL: WHITE (1/16" THK. 4739 WHITE POLYCARBONATE)	
FACE TREATMENT: 3M 4739-22 MATTE BLACK OPAQUE VINYL APPLIED FIRST SURFACE	
"Dense" PRICER FACE COLOR SCHEDULE:	
FACE MATERIAL: WHITE (1/16" THK. 4739 WHITE POLYCARBONATE)	
FACE TREATMENT: 3M 4739-22 GREEN TRANSLUCENT VINYL APPLIED FIRST SURFACE	
"Tess" PRICER FACE COLOR SCHEDULE:	
FACE MATERIAL: WHITE (1/16" THK. 4739 WHITE POLYCARBONATE)	
FACE TREATMENT: 3M 4739-22 YELLOW TRANSLUCENT VINYL APPLIED FIRST SURFACE	
FACE TREATMENT: 3M 4739-22 MATTE BLACK LETTERING APPLIED FIRST SURFACE	
"Tess" PRICER FACE COLOR SCHEDULE:	
FACE MATERIAL: WHITE (1/16" THK. 4739 WHITE POLYCARBONATE)	
FACE TREATMENT: 3M 4739-22 MATTE BLACK LETTERING APPLIED FIRST SURFACE	





SECTION A-A

SECTION C-C

FRONT ELEVATION A

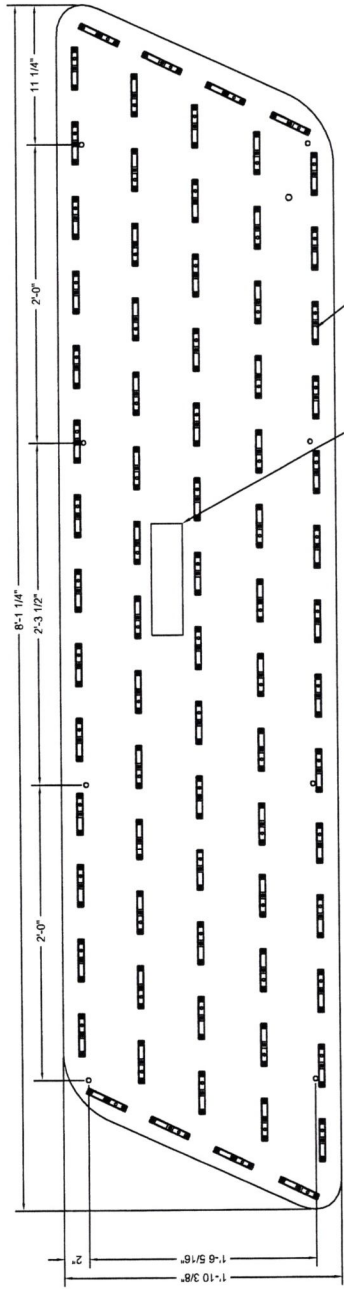
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	CLIENT:	100 SQFT-VERTICAL PYLON/MONUMENT 145 MPH IBC 2012	
	DESCRIPTION:	100 SQFT-VERTICAL PYLON/MONUMENT 145 MPH IBC 2012	
	Project Number:	RaceTrac	
	Drawing Number:	B360023	
NOTE: All designs and plans indicated on this drawing are the sole property of The InSite Group. The client agrees to indemnify and hold The InSite Group harmless from all claims, damages, and expenses, including reasonable attorneys' fees, arising from the use of these designs and plans for any purpose other than the specific project and site indicated on this drawing. The client agrees to provide The InSite Group with all necessary information enclosed within, without content of owner, is a violation of intellectual property and shall not be tolerated.	BY:	JPR	DATE: 5/25/16
	SHT. OF	2	5

7675 Oak Ridge Highway  
 Knoxville, Tennessee 37931  
 Phone: 865.538.5300  
 Fax: 865.538.5311

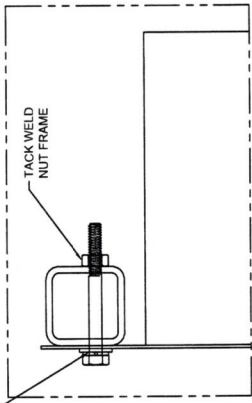
ELECTRICAL CHART			
LTR.	WHITE LED	TRANSFORMER	AMPS 20AMP
PARL 1	75 MODS	1	1.0
PARL 2	75 MODS	1	1.0
REG	6 LF	1	1.0
DES	52 MODS	1	1.0
EBS	52 MODS	1	1.0
TOTAL			
8	4	4.0	1
PRICER MODULES			
SIZE/CL	QTY	AMP PER MOD	AMPS 15AMP
36" RD	2 MOD	2.83A	5.66
20" GR	2 MOD	1.04A	2.08
20" YL	2 MOD	0.71A	1.42
TOTAL			
6	9.16	1	1

ELECTRICAL NOTE:  
THIS SIGN REQUIRES:  
• (1) 20 AMP DEDICATED CIRCUIT FOR THE PARALLELOGRAM AND PRICER GRADES  
• (1) 15 AMP DEDICATED CIRCUITS FOR THE PRICER MODULES (PER SUNSHINE)

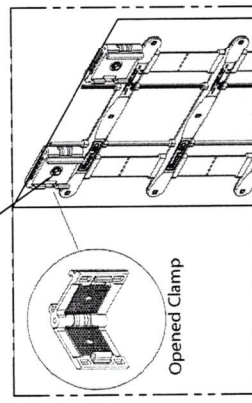


PARALLELOGRAM DETAIL

PLACE MODULE IN RELATIVE LOCATION. PRE-DRILL HOLES THRU PRICER MODULE INTO FRAME.



PRICER MODULE MOUNTING DETAIL



SIGN BOX II MOUNTING DETAIL

SECURE THE SIGN BOX II LED'S INTO CLAMPS PRIOR TO MOUNTING TO INSIDE OF HATCH CHANNEL

TYPICAL SECTION @ PARALLELOGRAM

THE InSite Group  
7675 Oak Ridge Highway  
Knoxville, Tennessee 37931  
Voice: 865.342.8200  
Fax: 865.539.6311

Project Number: RaceTrac  
Drawing Number: B360023

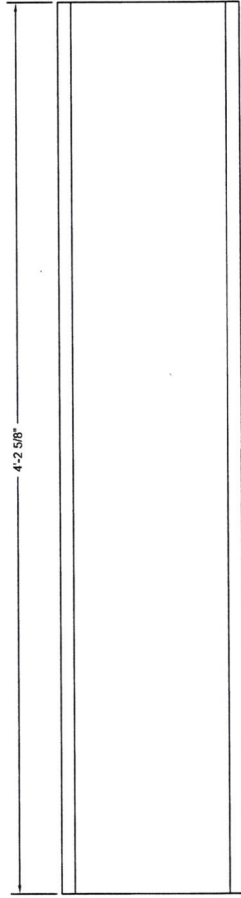
BY: JPR  
DATE: 5/25/16

100 SQFT-VERTICAL PYLON/MONUMENT  
145 MPH IBC 2012

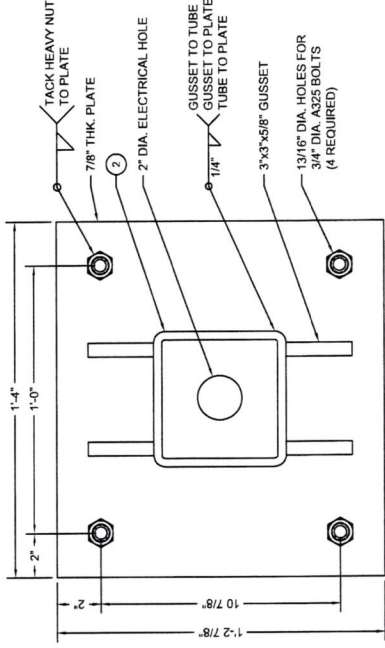
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CLIENT:

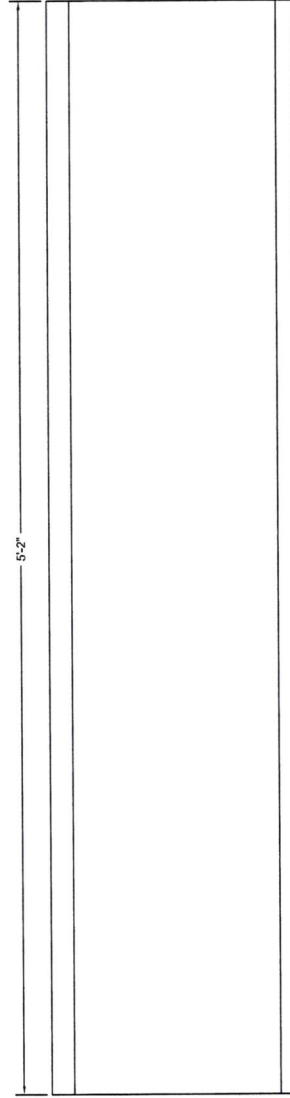




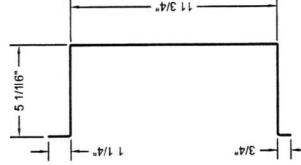
⑦ "DIESEL" AND "E85" HAT CHANNEL DETAIL





③① MATCH PLATE DETAIL



⑦ "REGULAR" HAT CHANNEL DETAIL

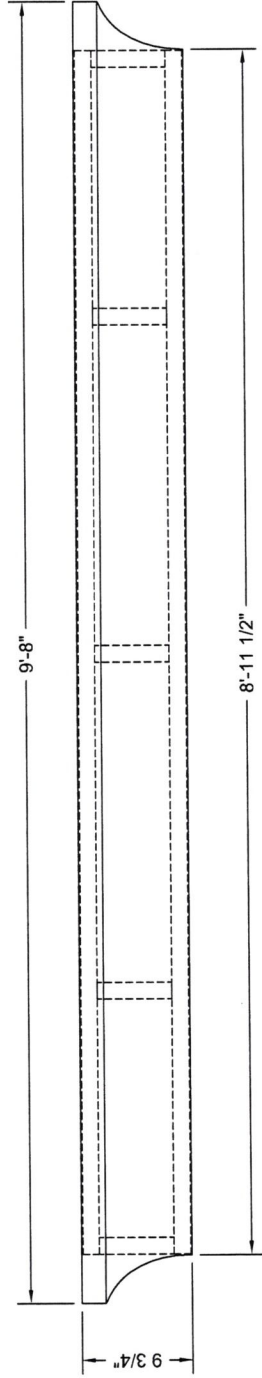


<div>  </div> <div> <p>CLIENT:</p> <p>DESCRIPTION:</p> <p>100 SQFT-VERTICAL PYLON/MONUMENT 145 MPH IBC 2012</p> </div>	<div> <p>NOTE:</p> <p>All designs and plans indicated on this drawing are the sole property of The InSite Group and are created specifically for the sole purpose of the project. Use of these designs or plans for any purpose other than the intended project is prohibited. The InSite Group disclaims any liability for the use of this information without the written consent of The InSite Group. Disclosure of any of the information enclosed within, without consent of owner, is a violation of intellectual property and shall not be tolerated.</p> </div> <div> <p>PROJECT NUMBER:</p> <p>RaceTrac</p> <p>DRAWING NUMBER:</p> <p>B360023</p> </div>
<div> <p>BY:</p> <p>JPR</p> </div> <div> <p>DATE:</p> <p>5/25/16</p> </div>	<div> <p>SHT.</p> <p>4</p> <p>OF</p> <p>5</p> </div>



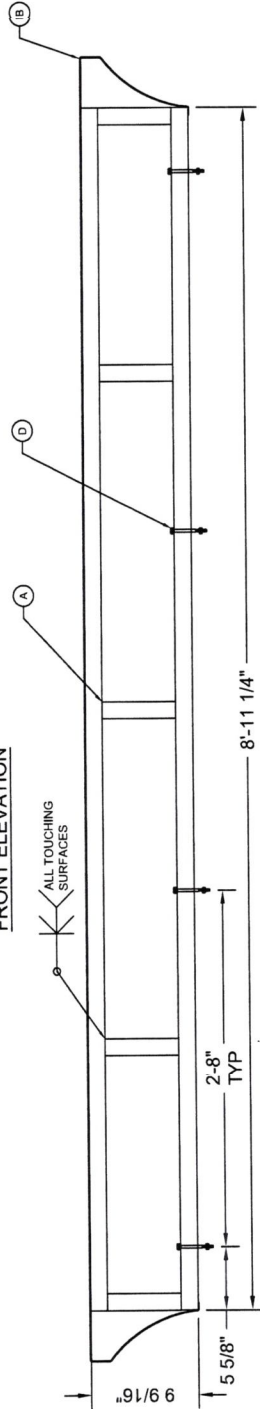
7675 Oak Ridge Highway  
Newville, TN 37361  
Voice: 865.532.8200  
Fax: 865.538.6311

FABRICATED CORNICE BOM		TOTAL QUANTITY
PART #	DESCRIPTION	
A	1 1/2" X 1 1/2" X 1/4" THK STEEL TUBE FRAME	AR
B	260° THK BREAK FORMED ALUMINUM SKIN	AR
C	NO 10 TEK SCREW @ 8" O.C.	AR
D	3/8" DIA X 1 1/2" LONG MOUNTING HARDWARE FOR CORNICE	8



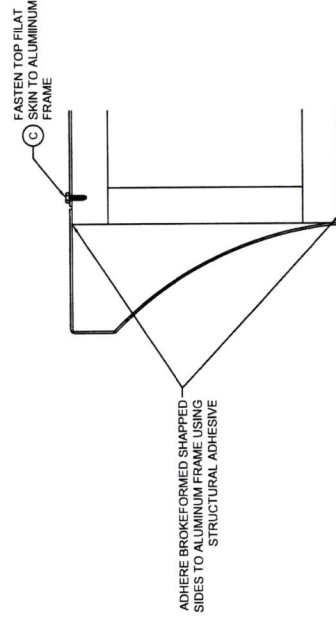
FABRICATED ALUMINUM CORNICE  
FRONT ELEVATION

FABRICATED ALUMINUM CORNICE  
SIDE ELEVATION




FABRICATED ALUMINUM CORNICE  
FRONT FRAMING ELEVATION

FABRICATED ALUMINUM CORNICE  
SIDE FRAMING ELEVATION



SKIN ATTACHMENT DETAIL

	DESCRIPTION: 100 SQFT-VERTICAL PYLON/MONUMENT 145 MPH IBC 2012	BY: JPR DATE: 5/25/16	SHEET: 5 OF 5	Project Number: B360023 Drawing Number: B360023	<b>THE InSite Group</b> 7675 Oak Ridge Highway Knoxville, Tennessee 37931 Voice: 865.342.8200 Fax: 865.539.6311

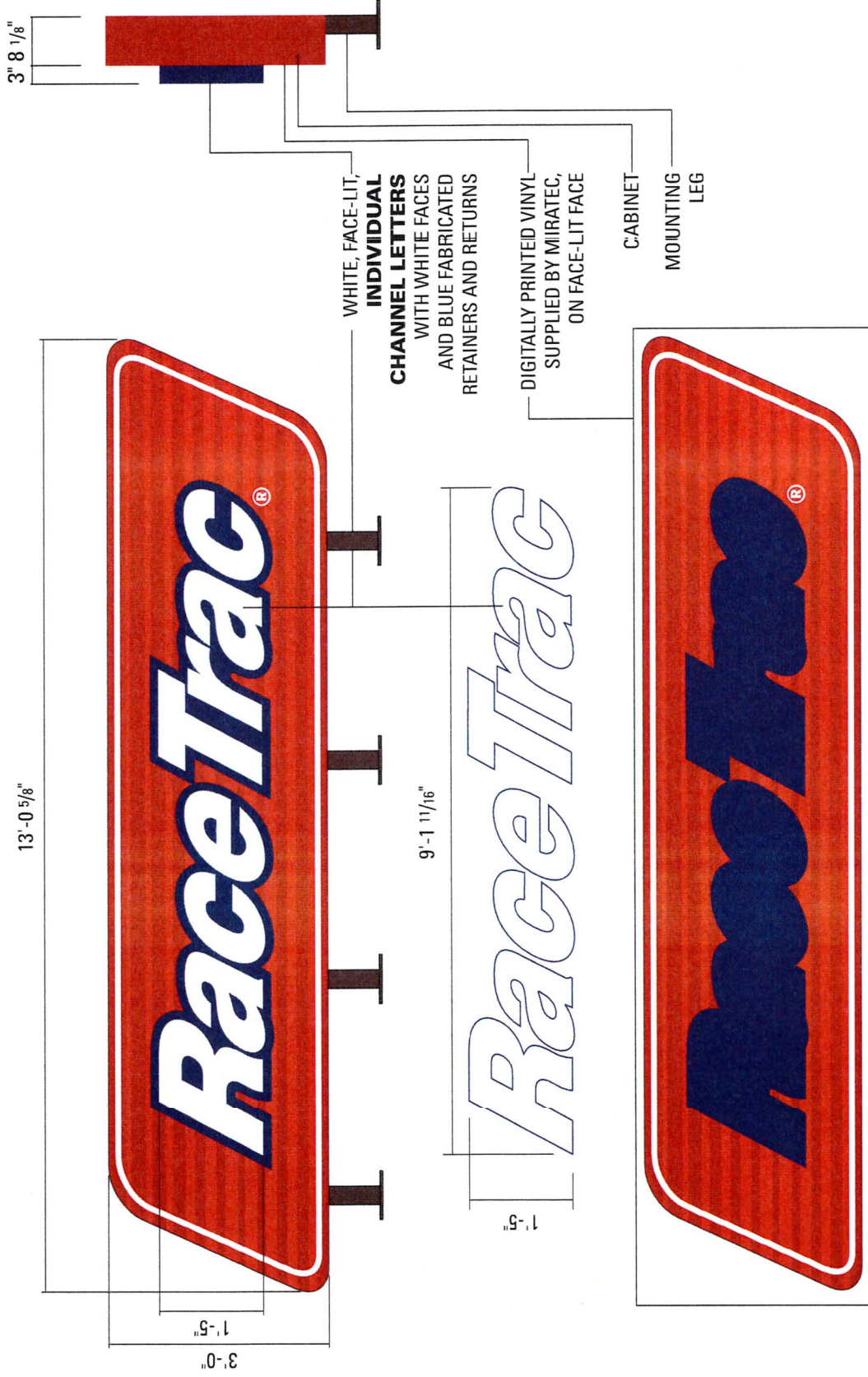
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Main Identification Sign - A1

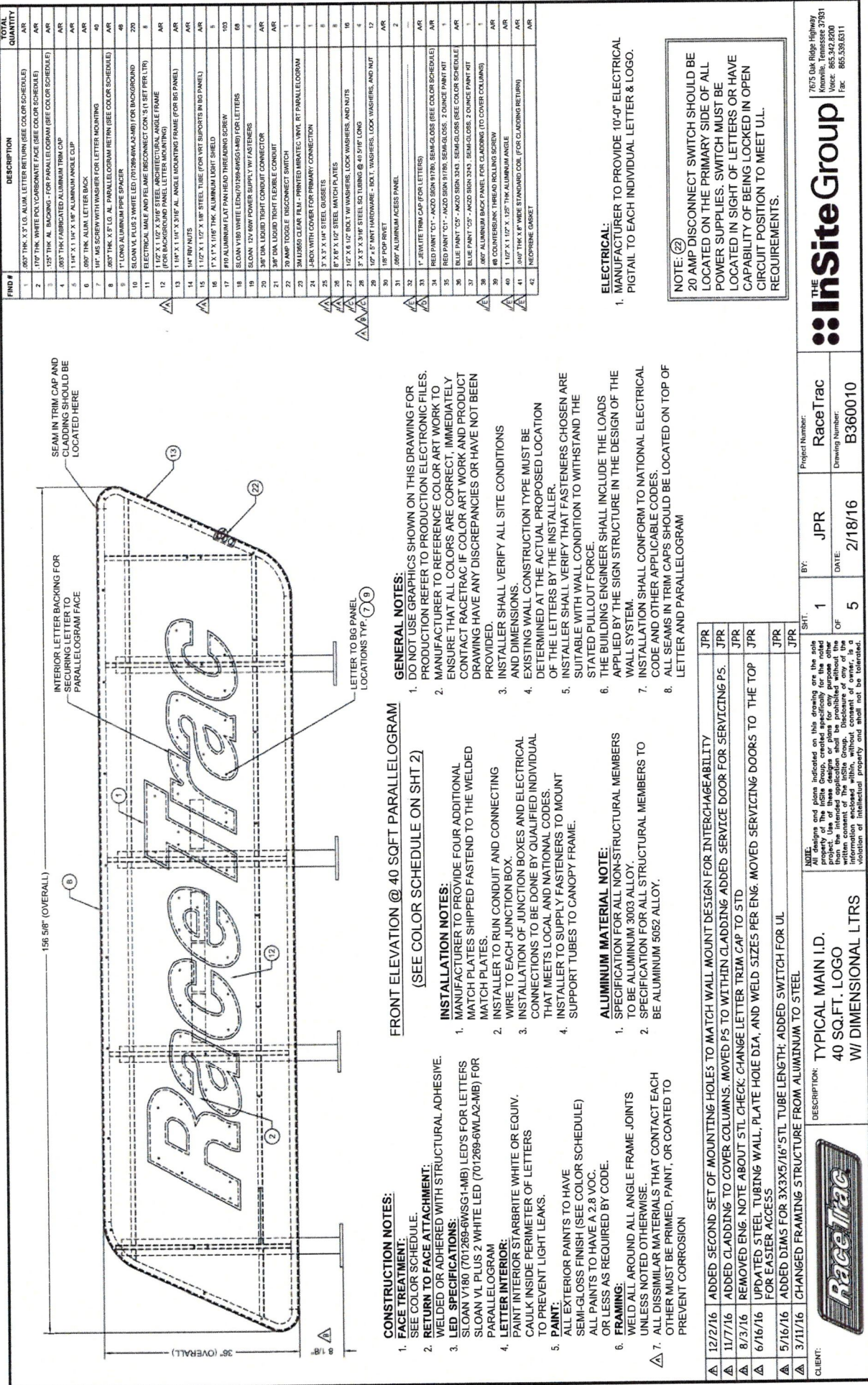
SINGLE FACED

QUANTITY 1

40 SqFt Total







6025 Lake Worth Rd.  
Greenacres, FL 33463

See Color Schedule on Page 2

GENERAL NOTE: ALL WORK SHALL BE IN COMPLIANCE WITH RECOGNIZED INDUSTRY STANDARDS, MANUFACTURER'S RECOMMENDATIONS AND ALL APPLICABLE STATE AND LOCAL CODES. NO SUBSTITUTIONS ALLOWED.

**THE InSite Group**

1675 Oak Ridge Highway  
Fort Worth, TX 76104  
Voice: 817.342.8200  
Fax: 817.342.8311

Project Number:  
RaceTrac  
Drawing Number:  
B360010

BY: JPR  
DATE: 2/18/16

1  
OF 5

DESCRIPTION:  
TYPICAL MAIN I.D.  
40 SQ.FT. LOGO  
W/ DIMENSIONAL LTRS



CLIENT:

DATE	DESCRIPTION
12/2/16	ADDED SECOND SET OF MOUNTING HOLES TO MATCH WALL MOUNT DESIGN FOR INTERCHANGEABILITY
11/7/16	ADDED CLADDING TO COVER COLUMNS. MOVED P5 TO WITHIN CLADDING ADDED SERVICE DOOR FOR SERVICING P5.
8/3/16	REMOVED ENG. NOTE ABOUT STL CHECK. CHANGE LETTER TRIM CAP TO STD JPR
6/16/16	UPDATED STEEL TUBING WALL, PLATE HOLE DIA. AND WELD SIZES PER ENG. MOVED SERVICING DOORS TO THE TOP FOR EASTER ACCESS JPR
5/16/16	ADDED DIMS FOR 3X3X5/16" STL TUBE LENGTH. ADDED SWITCH FOR UL JPR
3/11/16	CHANGED FRAMING STRUCTURE FROM ALUMINUM TO STEEL JPR

**ELECTRICAL:**  
1. MANUFACTURER TO PROVIDE 10'-0" ELECTRICAL PITGAL TO EACH INDIVIDUAL LETTER & LOGO.

**NOTE: (2)**  
20 AMP DISCONNECT SWITCH SHOULD BE LOCATED ON THE PRIMARY SIDE OF ALL POWER SUPPLIES. SWITCH MUST BE LOCATED IN SIGHT OF LETTERS OR HAVE CAPABILITY OF BEING LOCKED IN OPEN CIRCUIT POSITION TO MEET UL REQUIREMENTS.

- GENERAL NOTES:**
- DO NOT USE GRAPHICS SHOWN ON THIS DRAWING FOR PRODUCTION REFER TO PRODUCTION ELECTRONIC FILES.
  - MANUFACTURER TO REFERENCE COLOR ART WORK TO ENSURE THAT ALL COLORS ARE CORRECT. IMMEDIATELY CONTACT RACE TRAC IF COLOR ART WORK AND PRODUCT DRAWING HAVE ANY DISCREPANCIES OR HAVE NOT BEEN PROVIDED.
  - INSTALLER SHALL VERIFY ALL SITE CONDITIONS AND DIMENSIONS.
  - EXISTING WALL CONSTRUCTION TYPE MUST BE DETERMINED AT THE ACTUAL PROPOSED LOCATION OF THE LETTERS BY THE INSTALLER.
  - INSTALLER SHALL VERIFY THAT FASTENERS CHOSEN ARE SUITABLE WITH WALL CONDITION TO WITHSTAND THE STATED PULLOUT FORCE.
  - THE BUILDING ENGINEER SHALL INCLUDE THE LOADS APPLIED BY THE SIGN STRUCTURE IN THE DESIGN OF THE WALL SYSTEM.
  - INSTALLATION SHALL CONFORM TO NATIONAL ELECTRICAL CODE AND OTHER APPLICABLE CODES.
  - ALL SEAMS IN TRIM CAPS SHOULD BE LOCATED ON TOP OF LETTER AND PARALLELOGRAM

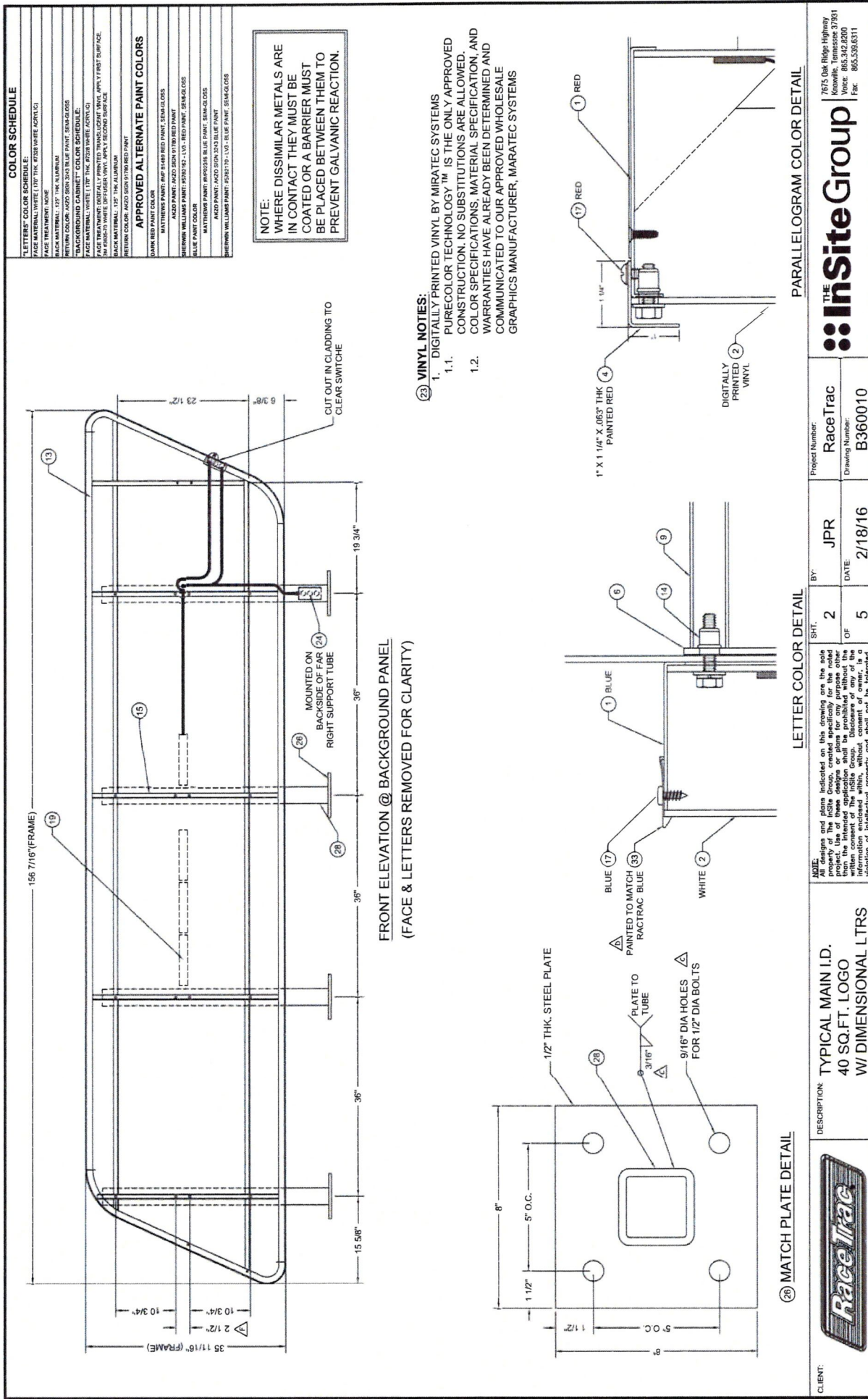
**FRONT ELEVATION @ 40 SQFT PARALLELOGRAM**  
(SEE COLOR SCHEDULE ON SHT 2)

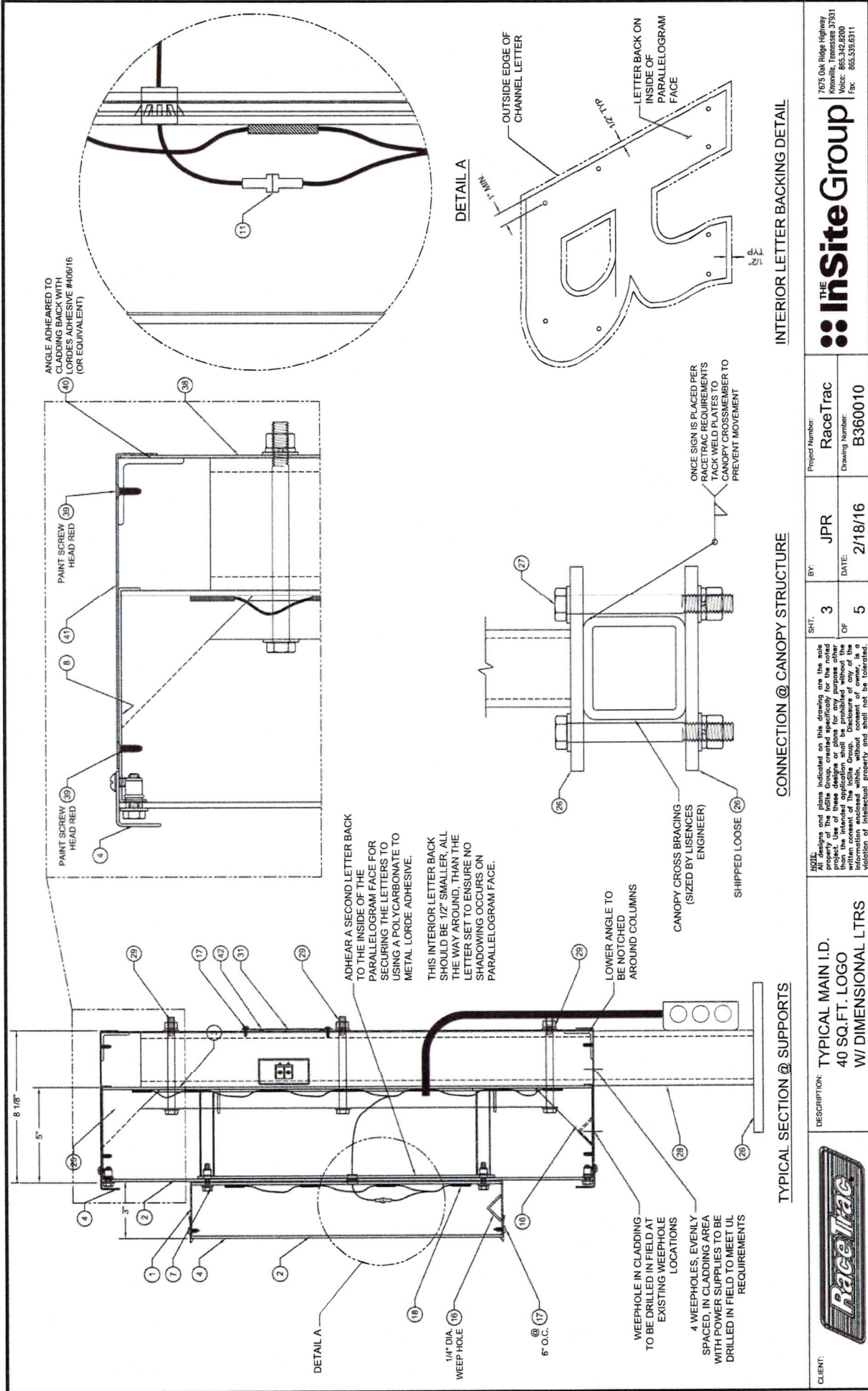
- CONSTRUCTION NOTES:**
- FACE TREATMENT:**  
SEE COLOR SCHEDULE.
  - RETURN TO FACE ATTACHMENT:**  
WELDED OR ADHERED WITH STRUCTURAL ADHESIVE.
  - LED SPECIFICATIONS:**  
SLOAN V180 (701269-6WSG1-MB) LED'S FOR LETTERS  
SLOAN VL PLUS 2 WHITE LED (701269-6WL A2-MB) FOR PARALLELOGRAM
  - LETTER INTERIOR:**  
PAINT INTERIOR STARBRITE WHITE OR EQUIV.  
CAULK INSIDE PERIMETER OF LETTERS TO PREVENT LIGHT LEAKS.
  - PAINT:**  
ALL EXTERIOR PAINTS TO HAVE SEMI-GLOSS FINISH (SEE COLOR SCHEDULE)  
ALL PAINTS TO HAVE A 2.8 VOC.  
OR LESS AS REQUIRED BY CODE.
  - FRAMING:**  
WELD ALL AROUND ALL ANGLE FRAME JOINTS  
UNLESS NOTED OTHERWISE.  
ALL DISSIMILAR MATERIALS THAT CONTACT EACH OTHER MUST BE PRIMED, PAINT, OR COATED TO PREVENT CORROSION

- INSTALLATION NOTES:**
- MANUFACTURER TO PROVIDE FOUR ADDITIONAL MATCH PLATES SHIPPED FASTENED TO THE WELDED MATCH PLATES.
  - WIRE TO EACH JUNCTION BOX.
  - INSTALLATION OF JUNCTION BOXES AND ELECTRICAL CONNECTIONS TO BE DONE BY QUALIFIED INDIVIDUAL THAT MEETS LOCAL AND NATIONAL CODES.
  - INSTALLER TO SUPPLY FASTENERS TO MOUNT SUPPORT TUBES TO CANOPY FRAME.

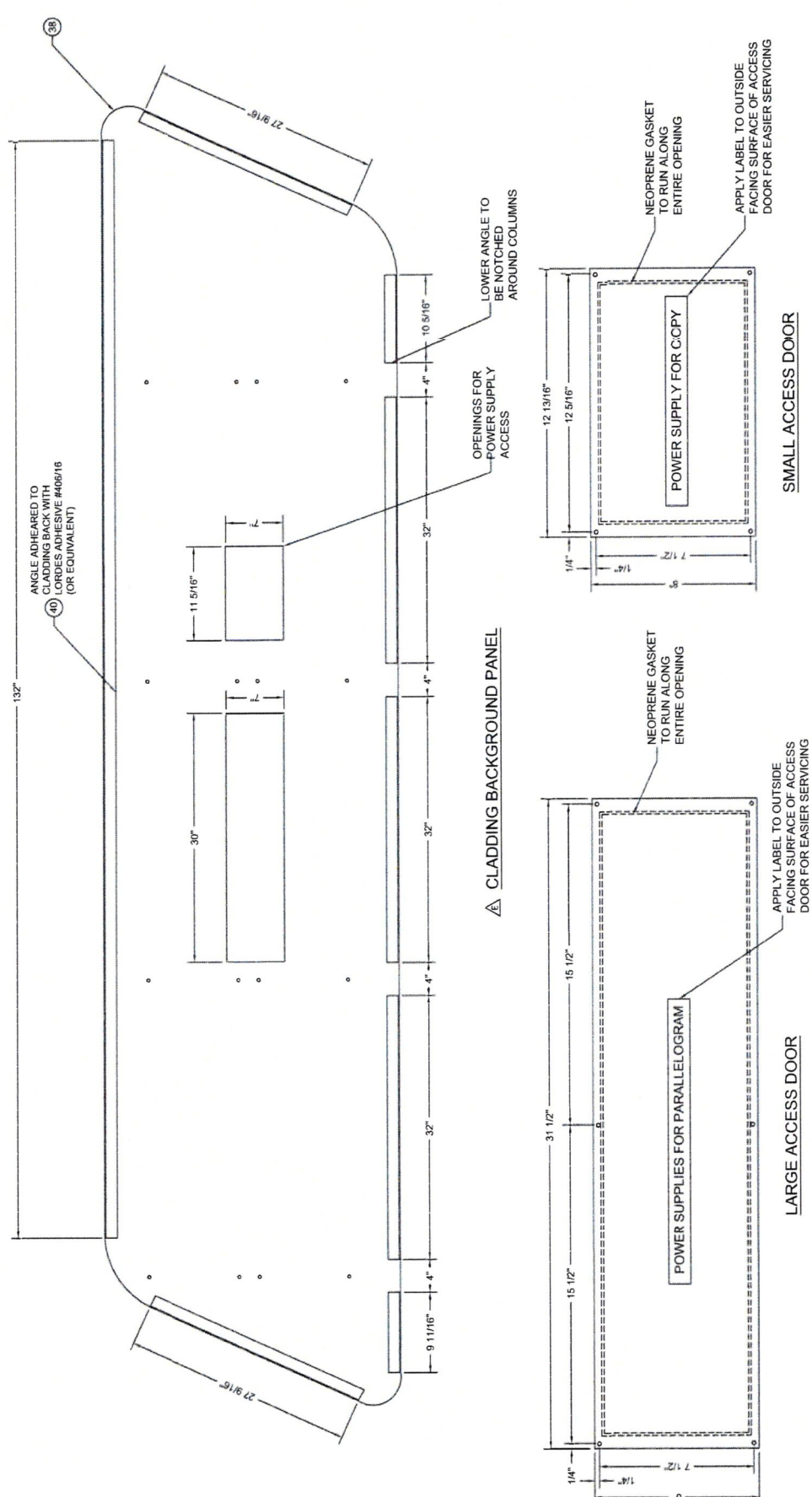
- ALUMINUM MATERIAL NOTE:**
- SPECIFICATION FOR ALL NON-STRUCTURAL MEMBERS TO BE ALUMINUM 3003 ALLOY.
  - SPECIFICATION FOR ALL STRUCTURAL MEMBERS TO BE ALUMINUM 5052 ALLOY.









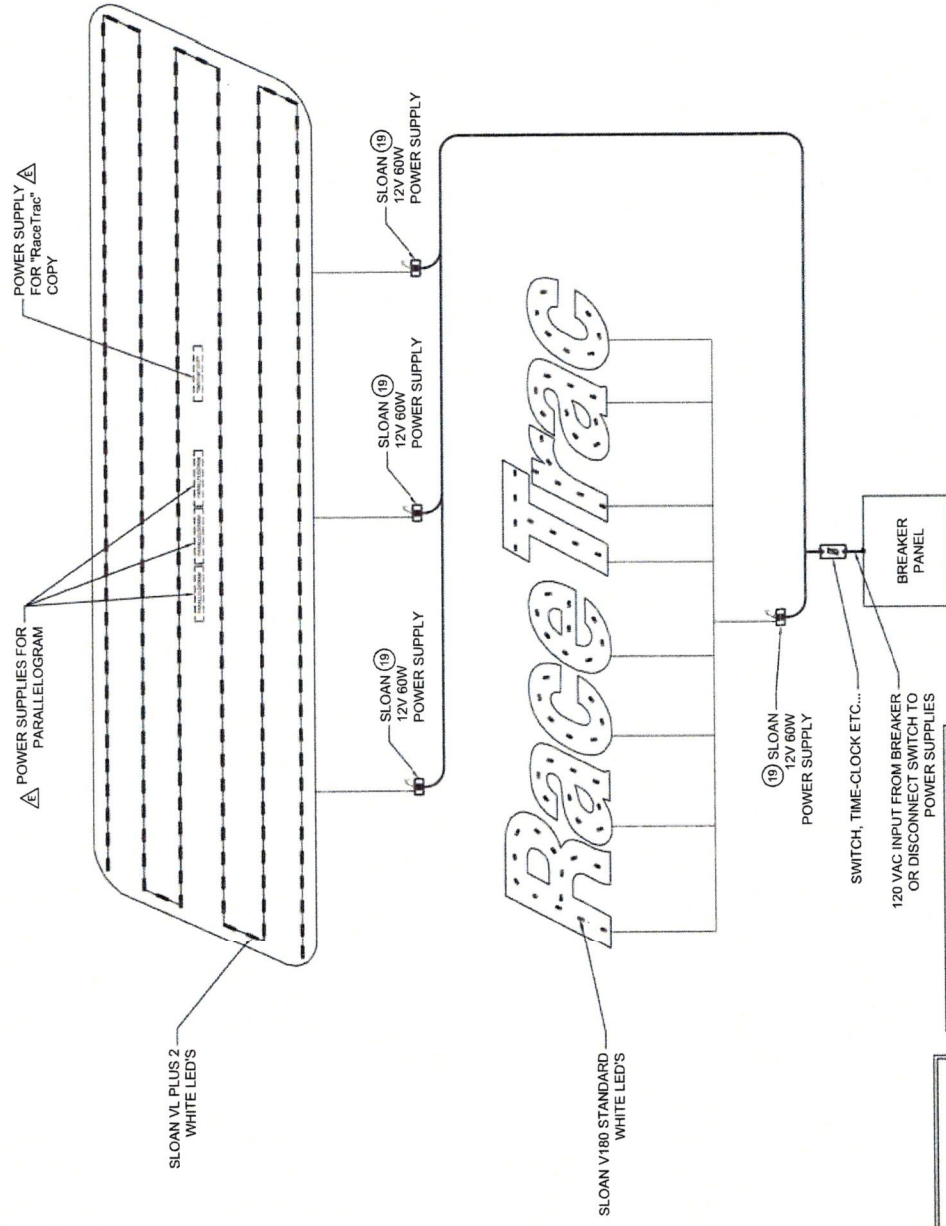


CLIENT:	DESCRIPTION:	TYPICAL MAIN I.D. 40 SQ.FT. LOGO W/ DIMENSIONAL LTRS	SHT. 4 OF 5	BY: JPR	DATE: 2/18/16	Project Number: RaceTrac Drawing Number: B360010	THE InSite Group 7675 Oak Ridge Highway Knoxville, Tennessee 37931 Voice: 865.342.8200 Fax: 865.339.6311





NOTE:  
EACH INDIVIDUAL LETTER TO BE  
GROUNDED



LED ELECTRICAL CHART			
LTR.	WHITE LED	TRANSFORMER	AMPS 20 AMP
BG PNL	220	3	3.0
R	8		
a	7		
c	4		
e	8	1	1.0
T	8		
r	8		
a	4		
c	4		
TOTAL	9	4	4.0

NOTE:  
(4) SLOAN 60W 120-277V  
POWERSUPPLIES @ 1.0AMPS  
EACH ARE REQUIRED. THIS SIGN  
HAS A TOTAL OF 4.0 AMPS. AND  
WILL REQUIRE (1) 20 AMP CIRCUIT

ELECTRICAL INSTALLATION KIT  
AN ELECTRICAL INSTALLATION KIT TO BE  
INCLUDED WITH ALL LETTERSETS SHIPPED.  
THESE SHALL INCLUDE:  
1. (1) MOUNTING PATTERN  
2. (30') WATERPROOF CONDUIT  
3. (2) JUNCTION BOXES  
4. (20) CONDUIT CONNECTORS  
5. (1+) TRANSFORMER BOX WITH  
POWER SUPPLIES

NOTE:  
MANUFACTURER TO FOLLOW LED  
LAYOUT EXACTLY. PLEASE USE  
18 GAUGE WIRE FOR LED JUMPS  
WHEN NEEDED. THIS IS TO ENSURE  
PROPER EVEN ILLUMINATION.

FRONT ELEVATION @ LED LAYOUT  
(SEE ELECTRICAL CHART)

CLIENT:	DESCRIPTION:	BY:	SHT:	DATE:	Project Number:	THE InSiteGroup		7675 Oak Ridge Highway Greenwood, MS 39220 Voice: 865.392.8200 Fax: 865.539.6311
	TYPICAL MAIN I.D. 40 SQ.FT. LOGO W/ DIMENSIONAL LTRS	JPR	5	2/18/16	RaceTrac			
			OF		Drawing Number:			
					B360010			

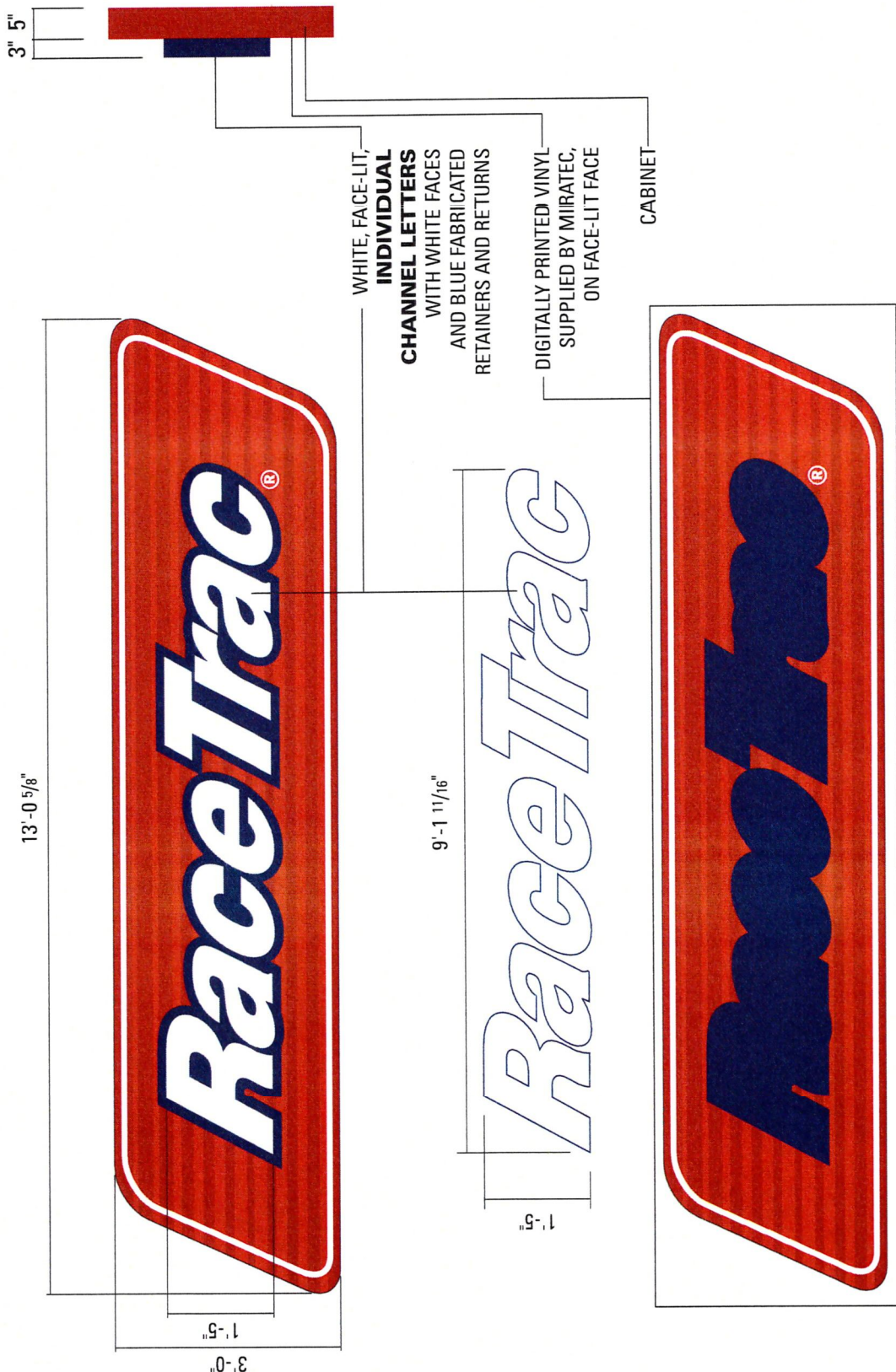


6025 Lake Worth Rd.  
Greenacres, FL 33463

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RECOMMENDATIONS AND ALL APPLICABLE STATE AND LOCAL CODES. NO SUBSTITUTIONS ALLOWED.

# Secondary Identification Sign - A2

SINGLE FACED  
QUANTITY 1  
40 SqFt Total



6025 Lake Worth Rd.  
Greenacres, FL 33463



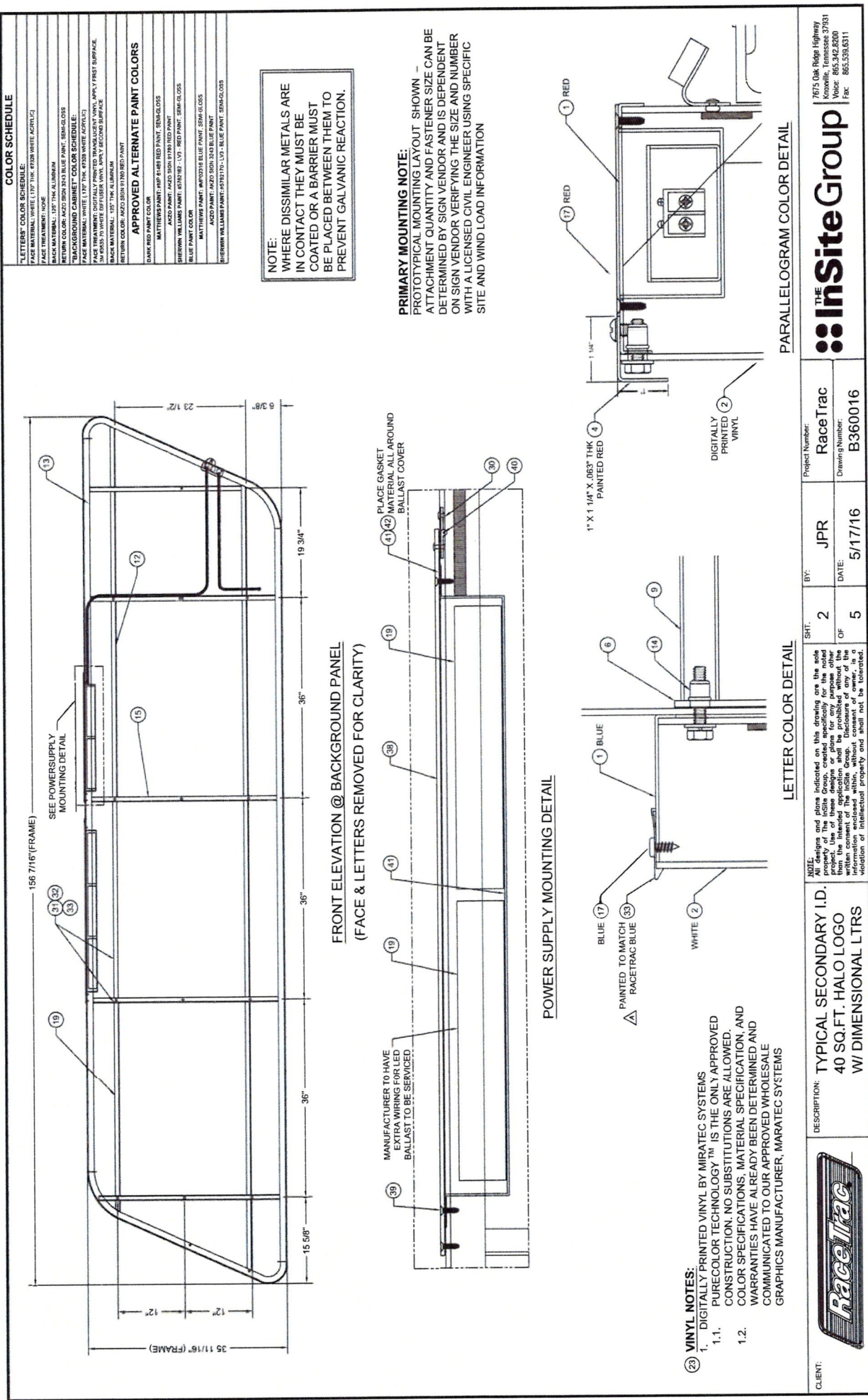
See Color Schedule on Page 2

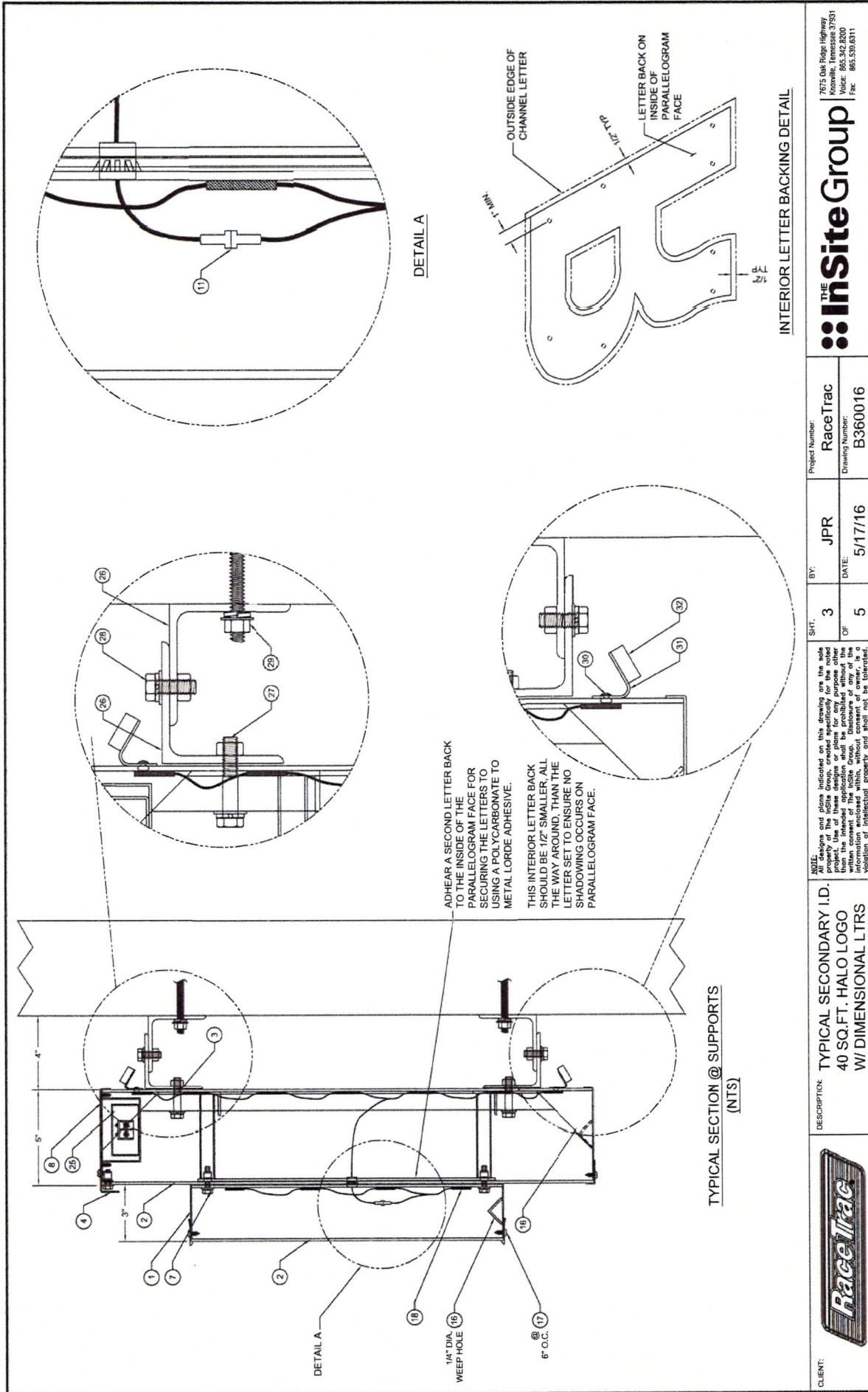
GENERAL NOTE: ALL WORK SHALL BE IN COMPLIANCE WITH RECOGNIZED INDUSTRY STANDARDS, MANUFACTURER'S RECOMMENDATIONS AND ALL APPLICABLE STATE AND LOCAL CODES. NO SUBSTITUTIONS ALLOWED.











CLIENT: RACE TRAC  
DESCRIPTION: TYPICAL SECONDARY I.D.  
40 SQ.FT. HALO LOGO  
W/ DIMENSIONAL LTRS

BY: JPR  
DATE: 5/17/16  
SHEET: 3 OF 5

Project Number: RaceTrac  
Drawing Number: B360016

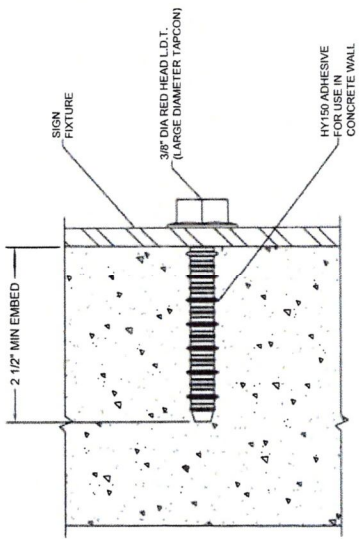
THE InSite Group

7675 Oak Ridge Highway  
P.O. Box 17501  
Voice: 865.242.8800  
Fax: 865.539.6311

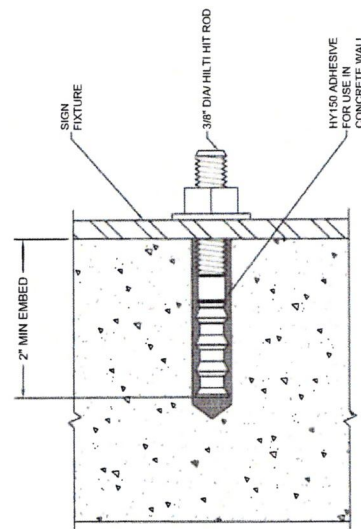




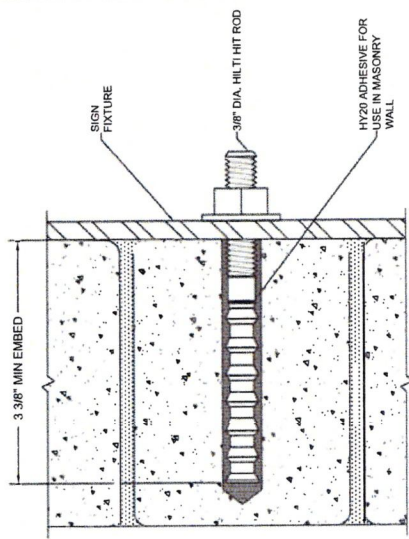
FASTENER SCHEDULE  
GENERAL ATTACHMENT DETAILS



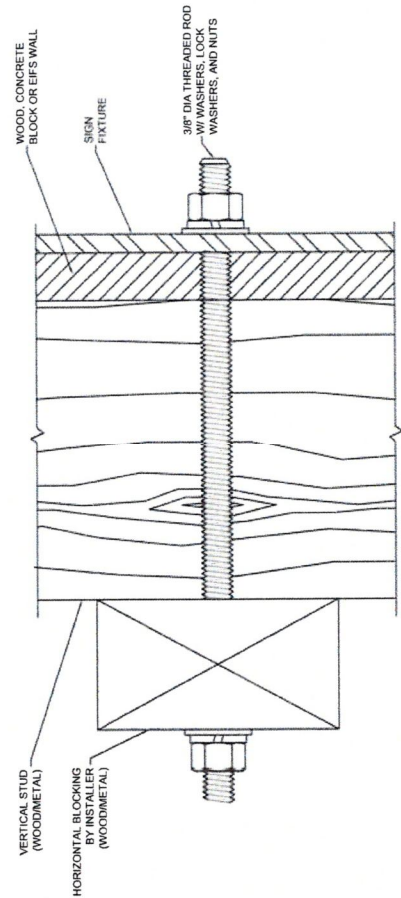
CONCRETE BLOCK/BRICK/CONCRETE WALL DETAIL



CONCRETE WALL DETAIL

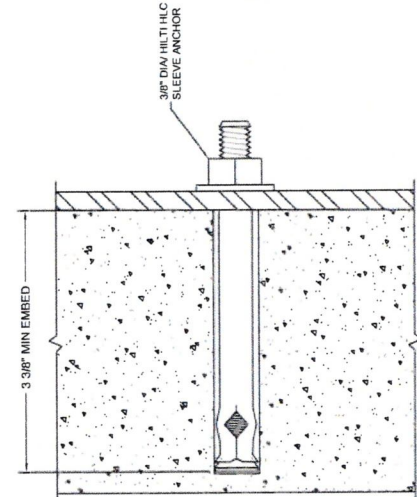


MASONRY/BRICK WALL DETAIL

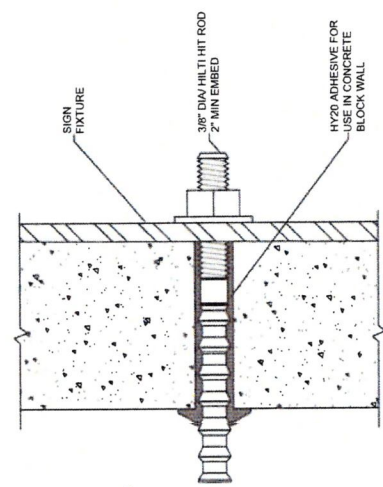


THRU-BO-T WALL DETAIL



**NOTE:**  
FOR ALL OTHER WALL CONDITIONS THAT ARE NOT ON THE APPROVED FASTENER SCHEDULE, INSTALLER TO DETERMINE A SUITABLE METHOD OF ATTACHMENT FOR SIGNAGE AND OBTAIN APPROVAL FROM THE INSITE GROUP. IF INSTALLER IS UNSURE OF A METHOD, THE INSITE GROUP MUST BE CONSULTED. FOR ALL ATTACHMENT METHODS, INSTALLER MUST ADHERE TO GUIDELINES ON USE AND SITE PREPARATION PUT FORTH BY FASTENER MANUFACTURER.



CONCRETE/MASONRY/BRICK WALL DETAIL



CONCRETE BLOCK WALL DETAIL

	CLIENT:	DESCRIPTION:	TYPICAL SECONDARY I.D. 40 SQ.FT. HALO LOGO W/ DIMENSIONAL LTRS	NOTE: All designs and plans indicated on this drawing are the sole property of The InSite Group, created specifically for the noted project. Use of these designs or plans for any purpose other than the project noted herein is strictly prohibited. The InSite Group, its subsidiaries, affiliates, and its licensors, shall not be held liable for any information enclosed within, without consent of owner, is a violation of intellectual property and shall not be tolerated.	SHT: 4 OF 5	BY: JPR DATE: 5/17/16	Project Number: RaceTrac Drawing Number: B360016		7675 Oak Ridge Highway Greenacres, FL 33463 Voice: 888.342.8200 Fax: 888.536.6311

6025 Lake Worth Rd.  
Greenacres, FL 33463



See Color Schedule on Page 2

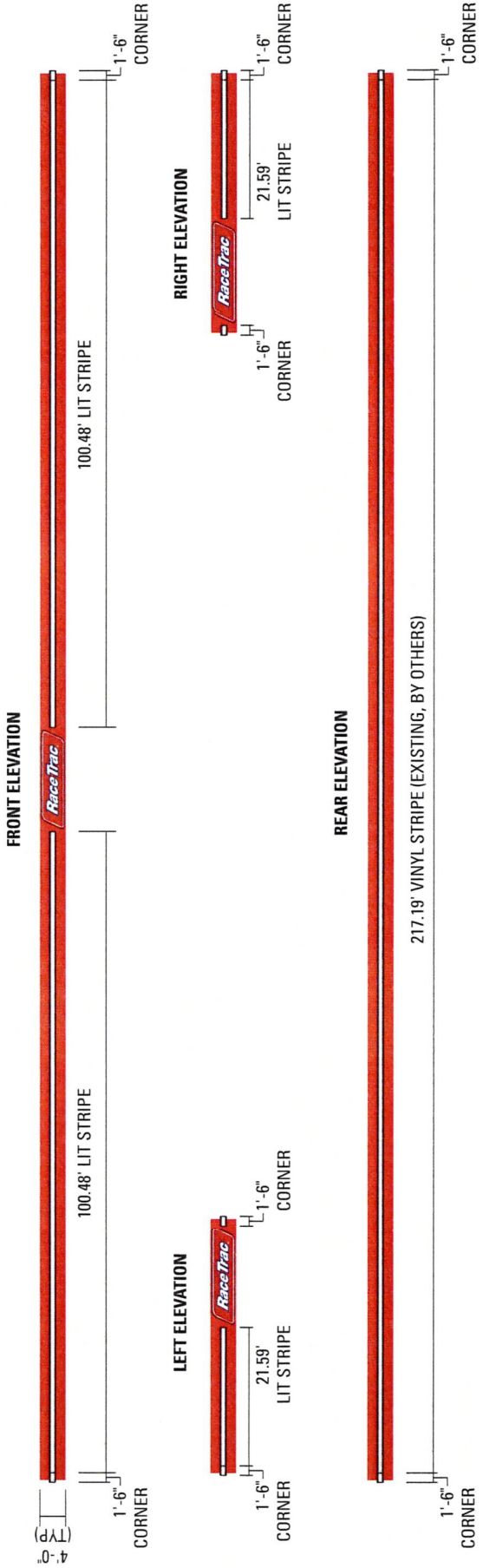
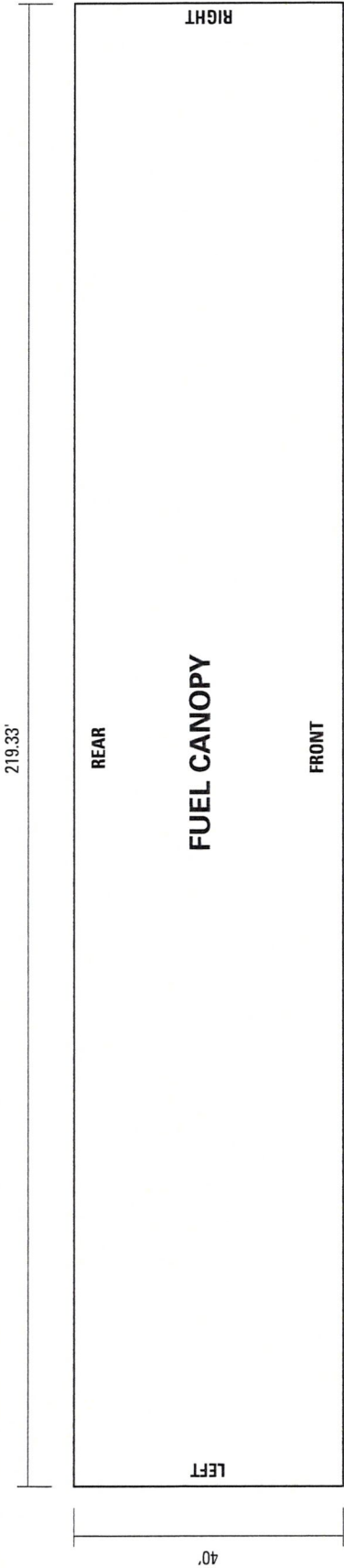
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CANOPY FRONT	ITEM	SQ. FT.	LIN. FT.	CANOPY RIGHT	ITEM	SQ. FT.	LIN. FT.	ENTIRE CANOPY	SQ. FT.	LIN. FT.
	CLOUD SIGN	55	15.4		CLOUD SIGN	55	15.4			
	LIT STRIPE CORNER (2)	2	3		LIT STRIPE CORNER (2)	2	3		335.8	302.4
	LIT STRIPE	134	201		LIT STRIPE	14.4	21.59			
TOTAL FRONT		191	219.4	TOTAL RIGHT		71.4	40			

CANOPY LEFT	ITEM	SQ. FT.	LIN. FT.	CANOPY REAR	ITEM	SQ. FT.	LIN. FT.
	CLOUD SIGN	55	15.4		LIT STRIPE CORNER (2)	2	3
	LIT STRIPE CORNER (2)	2	3				
	LIT STRIPE	14.4	21.59	TOTAL REAR		2	3
TOTAL RIGHT		71.4	40				



# 55 SqFt Canopy LED Cloud Sign (I1)

SINGLE FACED  
QUANTITY 1

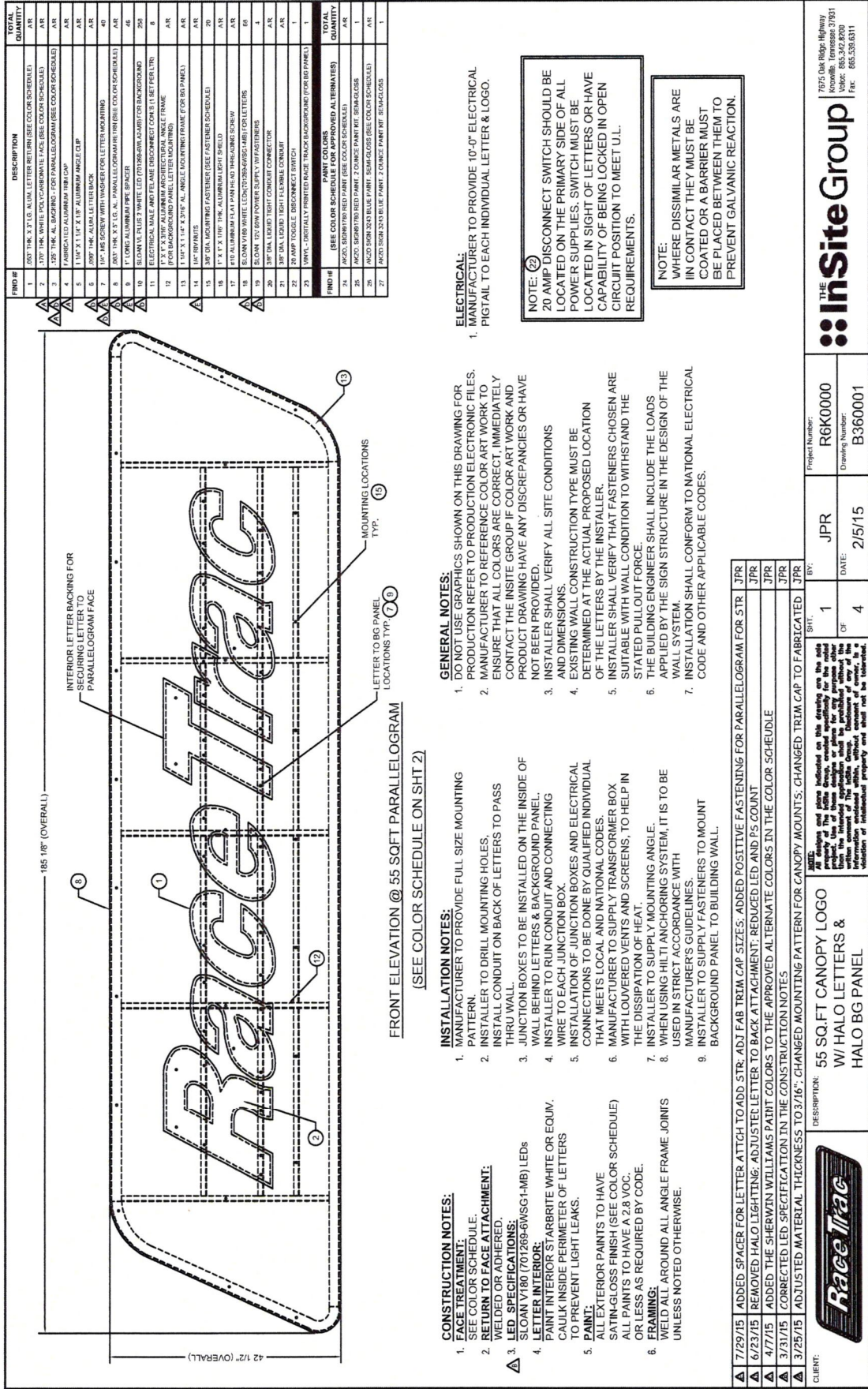


6025 Lake Worth Rd.  
Greenacres, FL 33463

See Color Schedule on Page 2

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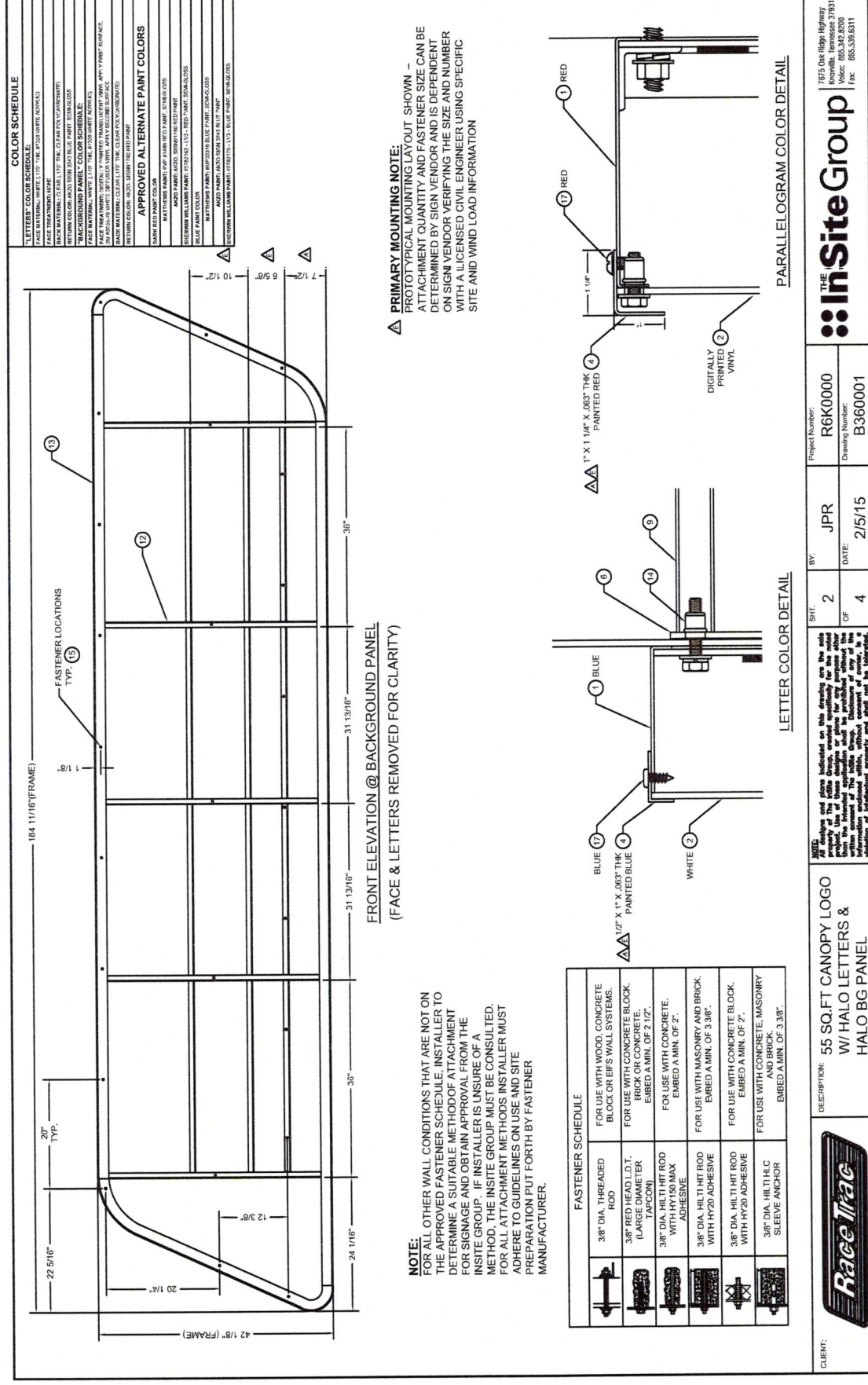
6025 Lake Worth Rd.  
Greenacres, FL 33463

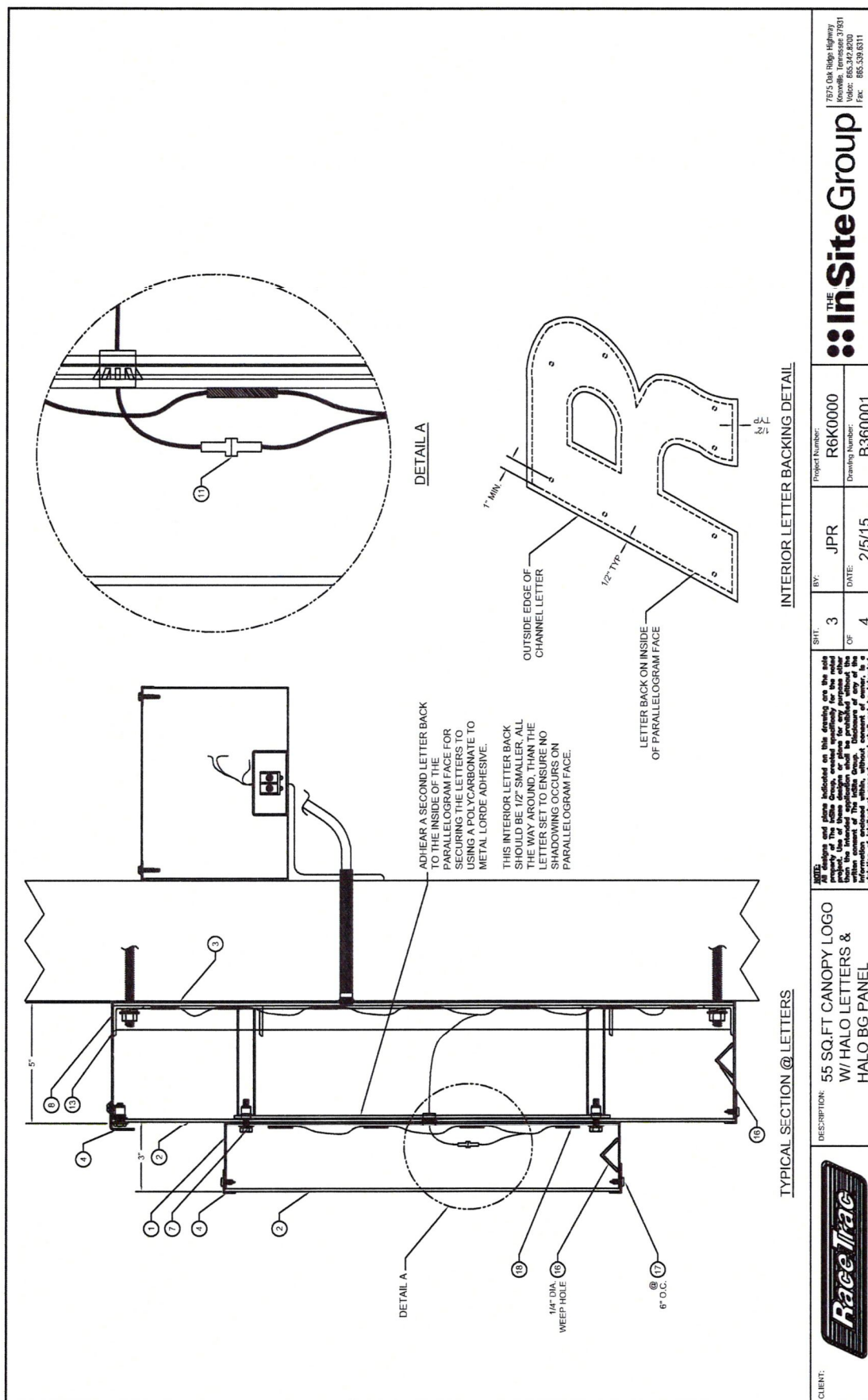


See Color Schedule on Page 2

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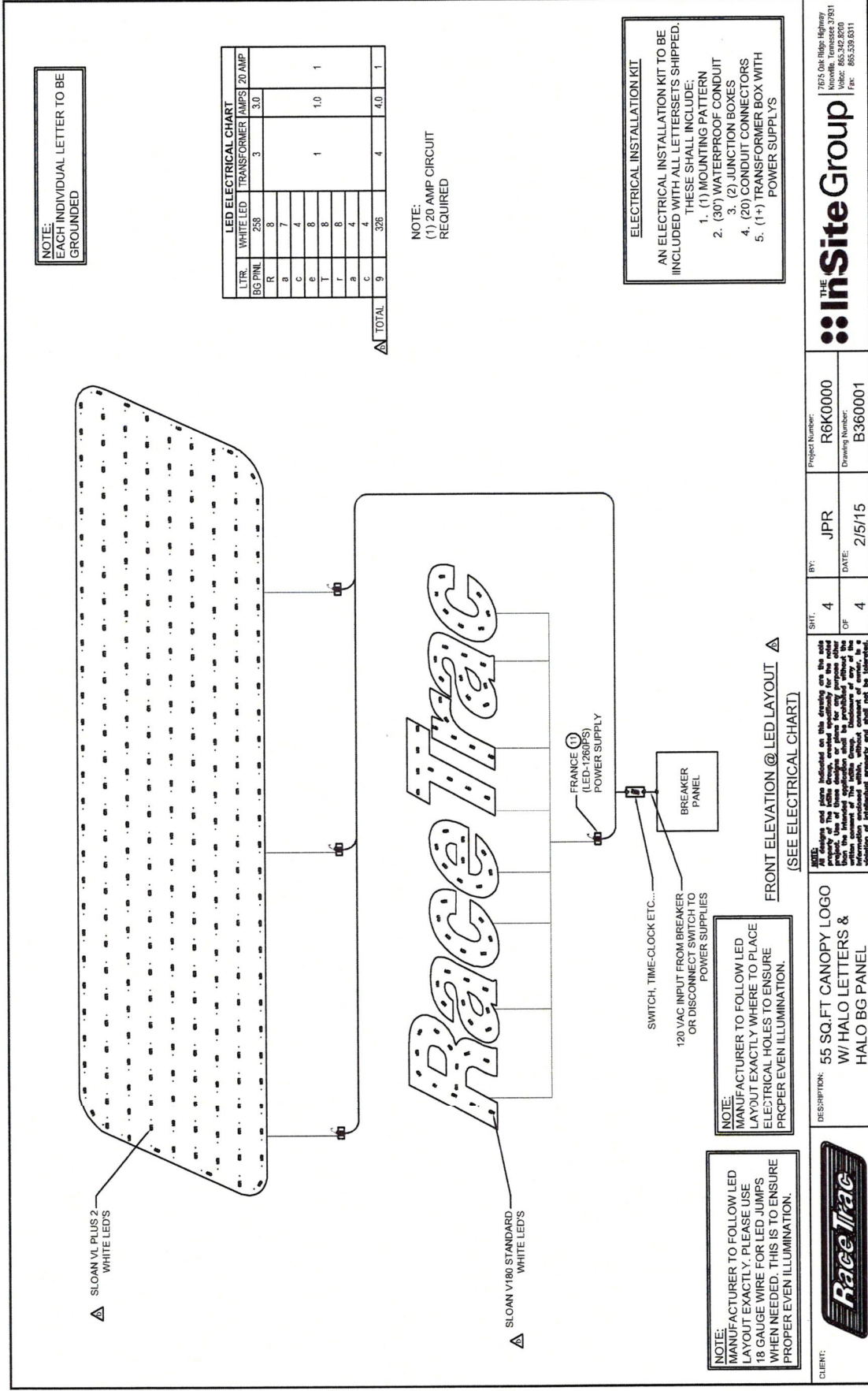
6025 Lake Worth Rd.  
Greenacres, FL 33463



**See Color Schedule on Page 2**

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## LAND DEVELOPMENT STAFF REPORT AND RECOMMENDATION

### I. Project Description:

**Project:** RaceTrac at Sherwood Plaza

**Petitioner:** Wantman Group, Inc. (WGI)  
2035 Vista Parkway  
West Palm Beach, Florida 33411  
Agent for the owners:  
RaceTrac Petroleum, Inc.

**Request:** A variance request from Article VIII, Section 16-1335 (9) (b) of the Zoning Code to allow sanitation vehicle to traverse loading space to access the dumpster area.

**Location:** Northwest corner of Lake Worth Rd and Sherwood Forest Blvd at 6025 Lake Worth Road within the Sherwood Plaza.



### II. Site Data:

<b>Existing Use:</b>	Vacant (former Walgreens Pharmacy)
<b>Proposed Use:</b>	Full service fuel station
<b>Parcel Control Number:</b>	18-42-44-22-52-001-0000
<b>Parcel Size:</b>	1.55 acres
<b>Future Land Use Designation:</b>	Commercial (CM)
<b>Zoning District:</b>	Commercial Intensive (CI)

<b>Table 1: Surrounding Existing Land Use, Future Land Use, Zoning District:</b>			
<b>Direction</b>	<b>Existing Land Use</b>	<b>Future Land Use</b>	<b>Zoning District</b>
<i>North</i>	Villages of Woodlake	Residential (RS-MD)	Residential Medium (RM-2)
<i>South</i>	McDonalds	Commercial (CM)	Commercial General (CG)
<i>East</i>	Woodlake Plaza	Commercial (CM)	Commercial Intensive (CI)
<i>West</i>	Concord Plaza/Shopping Center	Commercial (CM)	Commercial General/Planned Shopping Center Overlay (CG/PSC)

### **III. Annexation/Zoning History:**

On January 29, 1994, the property was annexed into the City of Greenacres as petition ANX 93-03. Concurrently, the City Council approved a zoning district designation of Commercial Intensive (CI) and an underlying land use of Commercial (CM). The designation was for both Phase I & II, which together amounted to a 4.33-acre parcel. Phase I is the southernmost site and contains a total land area of 67,518 square feet (1.55 acres); Phase II is the northernmost site and contains a total land area of 116,830 square feet (2.68 acres).

### **IV. Applicable City Code Provisions:**

**Sec. 16-101 through 16-107** pertaining to the Zoning Board of Adjustments and Appeals.

**Sec. 16-1335(9)(b)** pertaining to the dumpster location and access.

### **V. Staff Analysis:**

#### ***Background:***

On January 19, 1999, the Greenacres City Council approved a special exception (SE-98-04) and site and development plan (SP-98-07) for the subject property. The site and development plan approval was for the commercial development of a 4.3-acre site as two buildings totaling 38,780 square feet. The site was granted approval for a 15,120 square foot Walgreen's Pharmacy with a drive-thru window, and a 23,660 square foot retail building. On August 5, 2002, the City of Greenacres City Council approved a special exception and site plan amendment for the conversion of the 23,660 square foot retail building to a 50,900 square foot self-storage/mini-warehouse facility on the 2.68-acre north parcel of the site. Both sites were developed according to the approved plans.

On November 29, 2016, the Zoning Board of Adjustments and Appeals approved variance requests from Article III, Division 11, Section 16-499 (17) (f) and Section 16-499 (19) a. and b. to allow a Convenience Store with Fuel Sales within 500 feet from a Movie Theater and House of Worship, and 1,500 feet from a Service Station. On March 6, 2017, the City Council approved a special exception to allow a Convenience Store with Fuel Sales and a site and development plan approval to demolish the Walgreens Pharmacy building, which is currently vacant, and redevelop the site with a 5,589 square foot convenience store, 697 square feet of outdoor seating area and eight (8) fuel pumps with sixteen (16) fueling stations on the 1.55 acre south parcel of the development.

The applicant is requesting a variance from the Zoning Code to allow a sanitation vehicle to traverse the loading space to access the dumpster area. The variances requested are from the following Code provision:



- 1) Article VIII, Section 16-1335(9) (b): The location of a dumpster and access thereto shall not interfere with the internal circulation pattern of the *site*, nor shall the location require a maintenance or sanitation vehicle to traverse any parking or loading space to gain access to the dumpster area.

On June 15 and 22, 2017, the Land Development Staff reviewed this petition and recommended denial.

***Land Development Staff Comments:***

Planning and Engineering Dept.:	Incorporated into the staff report.
Building Department:	No objections.
PBSO District 16:	No objections.
Public Works Department:	No objections.

**VI. Variance Findings of Fact:**

The Zoning Board of Adjustments and Appeals shall have the power to authorize a variance from the terms of the Zoning Code. In order to be granted a variance from the Zoning Code, the petitioner must meet the six specific criteria findings and the general criteria listed in the Code. The following is a list of those criteria and an analysis of whether or not the subject variance request meets the criteria.

***Specific Criteria Findings:***

- (1) **That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.**

***Finding:*** No special conditions and circumstance exist which are peculiar to this site which are not applicable to other lands in the same zoning district. The subject site and development plan was approved by the City Council on March 6, 2017 complying with all requirements for dumpster location and access. The applicant had ample opportunity to provide minor modification to the site design that could have potentially eliminated this request. The dumpster could be relocated on site or shifted slightly to the west reducing the proposed loading area to allow the truck maneuver around the landscape island. The loading area dimension would not be affected since is approximately 70-feet long, which is substantially longer than the minimum code allowed of 35-feet for a loading zone.

- (2) **That special conditions and circumstances do not result from the actions of the applicant.**

***Finding:*** As previously discussed, the applicant can mitigate this variance by additional design of this site. The variance request is a direct result of the applicant's desire to place the dumpster facing west. There are no land related hardships or circumstances that do not result from the actions of the applicant.

- (3) **That granting the variance request will not confer on the applicant any special privilege that is denied by this chapter to the other lands, buildings, or structures in the same zoning district.**

***Finding:*** The granting of the variance will confer on the applicant a special privilege that is denied by the code to other properties in the same zoning district. The applicable section of the code



has been applied to all commercial developments within the City. Allowing the applicant to locate the dumpster behind a loading zone would go against the intent of the code and would interfere with the internal circulation pattern of the site.

- (4) **That the literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter.**

**Finding:** The literal interpretation of the provisions of this chapter would not deprive the applicant of rights commonly enjoyed properties in the same zoning district. All properties within the CI zoning district must comply with the same development regulations. As previously stated, the site can easily be designed to comply with current Code.

- (5) **That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.**

**Finding:** The requested variance is not the minimum variance that will make possible the reasonable use of land. The applicant can still develop the site since there are no land related hardships.

- (6) **No nonconforming use of neighboring lands, structures or buildings in other districts and no permitted use of land, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.**

**Finding:** None of the above were used as a basis for review of the variance.

**General Criteria Findings:**

- (1) **A Variance:**

- a: shall not be contrary to the public interest**

Granting the variance, as requested, will be contrary to the public interest. The underlying goals of the Zoning Code to protect the health, safety and welfare of the public will not be satisfied due to the potential nuisance of backed up vehicular traffic on-site or accumulation of trash if the sanitation vehicle cannot access the dumpster at time of arrival.

- b: may be authorized if, where owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary and undue hardship**

As detailed above, no unnecessary and undue hardships will be created for the applicant by a literal interpretation of the provisions of Article VIII, Section 16-1335 (9) (b) of the Zoning Code.

- (2) **Financial hardship is not to be considered alone as sufficient evidence of a hardship.**

The petitioner has not expressed financial hardship as a justification for being granted the variance.

***Summary of Variance Criteria:***

Based on the preceding analysis, the subject variance does not comply with the variance criteria.

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**ZONING BOARD OF ADJUSTMENTS AND APPEALS ACTION**

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\_\_\_\_\_  
**Dannette Fitzgerald, Chairperson**

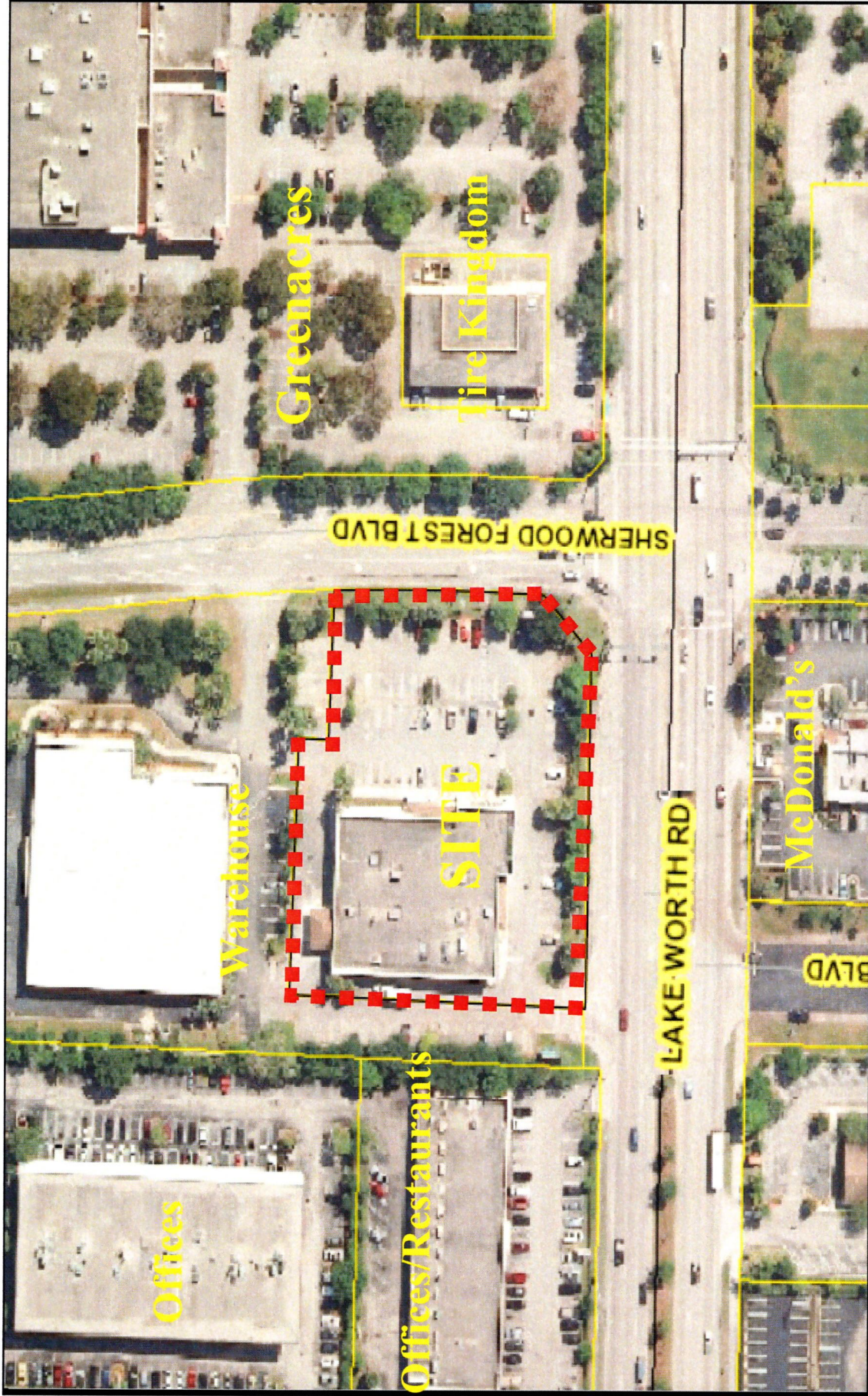
**Attest:**

\_\_\_\_\_  
**Joanna Cunningham, City Clerk**

**Attachments:**

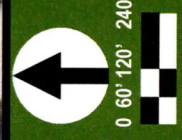
1. Aerial Map
2. Approved Site Plan
3. Proposed Site Plan
4. Petitioner's Justification Statement



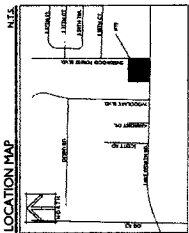


# 6025 Lake Worth Rd BA-17-07 and BA-17-08

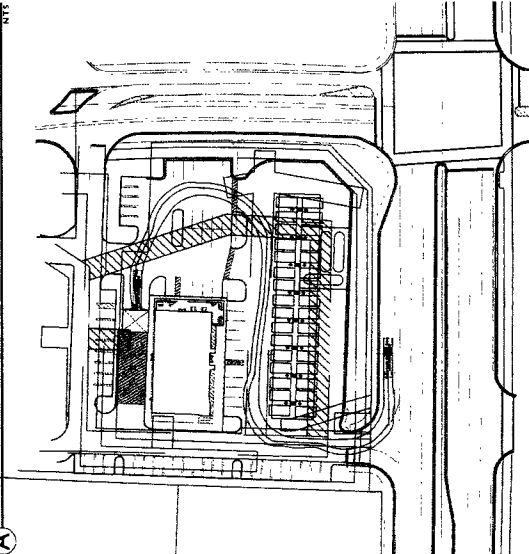
Prepared By:  
Planning and Engineering Dept.  
City of Greenacres  
5800 Melaleuca Lane  
Greenacres, FL 33463





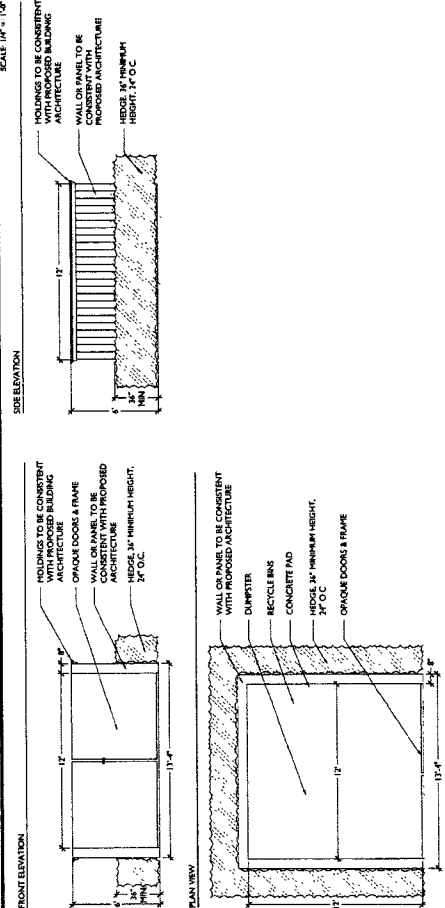


A TRUCK HANDEYER DETAIL



B

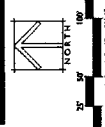
TYPICAL 12' X 12' DUMPSTER DETAIL



SCALE 1/4" = 1'-0"

REVISION DATA	
NO.	DATE
1	10/1/07
2	10/1/07
3	10/1/07
4	10/1/07
5	10/1/07
6	10/1/07
7	10/1/07
8	10/1/07
9	10/1/07
10	10/1/07

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DRAWN BY: JPS  
CHECKED BY: JPS  
DATE: 10/1/07  
FILE: PRP.J

SHEET #  
PRP.J

RECEIVED BY  
CITY OF WHEELING  
DATE: 5/2/07  
PLANNING & ENGINEERING









**JUSTIFICATION STATEMENT**  
**RaceTrac Market**  
6025 Lake Worth Road  
**Variance Application - Dumpster**  
*Initial Submittal: May 5, 2017*

**REQUEST**

On behalf of the Applicant, RaceTrac Petroleum, this application requests two variances from the City Of Greenacres Land Development Code for the subject property located at 6025 Lake Worth Road as shown on the aerial in Exhibit 1. Specifically, the requested variances are required for the following:

- Variance from (Sec. 16-1335 (9b)), Dumpster Location and Access, to allow the location of the dumpster and access to traverse the loading space to gain access to the dumpster area.

**SITE CHARACTERISTICS**

The subject property is located on the northwest corner of Lake Worth Road and Sherwood Forest Boulevard as shown on Exhibit 1. The overall 1.55 acre subject site retains a Future Land Use designation of Commercial (CM) and a Zoning designation of Commercial Intensive (CI) as shown on Exhibits 2 and 3. The subject site is identified as Property Control Number (PCN) 18-42-44-22-52-001-0000.

Currently, the property is a blighted site that contains a vacant structure, which previously operated as a Walgreens Pharmacy. Given the subject property's location at the intersection of Lake Worth Road and Sherwood Forest Boulevard, the future development of the RaceTrac Market and Fueling Station is highly suitable to foster revitalized activity along the Lake Worth Road commercial corridor.

**SURROUNDING USES**

Adjacent Property	Land Use Designation	Zoning Designation	Subdivision/Use(s)	Existing Use(s)
North	COM	CI	Self-Storage	Self-Storage
South (Across Lake Worth Rd)	CM	CI CG	Sonny's BBQ McDonalds	Restaurant
East (Across Sherwood Forest Blvd)	CM	CI	Woodlake Plaza	Shopping Center
West	CM	CG	Concord Plaza Office Space	Shopping Center Office Space

## **JUSTIFICATION STATEMENT**

A variance is required from Section (Sec. 16-1335 (9b)) in regards to the dumpster located on the subject site for the development of the Convenience Store with Fuel Sales. Specifically, this variance is requesting relief for the location of the dumpster, as it traverses the loading zone. The code section states:

*"The location of a dumpster and access thereto shall not interfere with the internal circulation pattern of the site, nor shall the location require a maintenance or sanitation vehicle to traverse any parking or loading space to gain access to the dumpster area."*

Currently, the dumpster access on approved site plan, shown in Exhibit 4, is gained from the east and the loading zone is located and accessed from the west. However, after testing the site's access from Sherwood Forest Blvd. using CAD "AutoTurn" software, Exhibits 5 and 6 demonstrate that multiple tight turns in various circulation patterns to serve the approved eastern-facing dumpsters is not physically feasible. In multiple scenarios, when the dumpster is accessed from Sherwood Forest Blvd., the tight turning radii are inadequate for the refuse management truck to enter the dumpster access area at the correct, perpendicular angle for as shown on Exhibits 5 and 6 without colliding with curbs.

While the eastern-facing dumpsters can be adequately accessed from Lake Worth Road, required circulation for ingress and egress to the approved eastern facing dumpster presents multiple, significant safety conflicts with vehicular and pedestrian traffic as shown on Exhibit 7. Given the multiple refuse management truck circulation conflicts with both high traffic pedestrian and vehicular traffic areas, in very close proximity to fueling stations, an accident could cause an explosion, thus have catastrophic consequences. Additionally, the eastern facing dumpster presents a visual, audible and odorous nuisance to patrons utilizing the outdoor patio food court space immediately south of the approved dumpster access. Subsequently, the approved access for the eastern-facing dumpster is in conflict with many of the pedestrian-oriented place-making urban design principles outlined in The City of Greenacres Charrette book developed by Treasure Coast Regional Planning Council.

To address the multiple turning radius conflicts, co-locating the dumpster access and loading zone access from the west, as shown on the proposed site plan in Exhibit 9, is the only feasible option. To alleviate the conflicts between loading zone vehicles and refuse management vehicles attempting to conduct business at the same time, utilizing the same access space, RaceTrac Operations department will coordinate a schedule with their delivery vendors and refuse service to only access the site during their respective, separately assigned shared access usage times, ensuring there are no conflicts. Moreover, relocating access to the west side will significantly enhance the RaceTrac food and beverage patron experience in the unique, outdoor patio space without encountering the loud, odorous impacts of a refuse management vehicle. The safe, refuse management truck access and circulation for the proposed western-facing dumpster orientation is illustrated on Exhibit 8.

## **VARIANCE STANDARDS**

Compliance with each specific variance standard, per Section 16-106, is addressed as follows:

- A. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.**

This variance request is particular and specific to the subject site's size and access, and not applicable to other lands, structures, or buildings in the same district. The zoning regulations prohibit the dumpster access and loading zones to be shared, and do not consider site constraints or other ancillary safety



issues, that may result from this standard. As outlined in this justification statement, there are numerous safety concerns and issues that arise from the approved easterly-facing dumpster access as shown on Exhibit 7. Given the access needs, commercial use, required setbacks and property size, it is not feasible to locate the dumpster or loading zone elsewhere on the site

The Greenacres Charrette Report by Treasure Coast Regional Planning Council emphasizes the importance of encouraging development that provides street-facing pedestrian “placemaking” amenities that positively contribute to the community character and public realm. The location of the outdoor patio space is the most suitable location to help achieve these design objectives on the subject site, as utilizing a shared access for both loading zone and refuse management on the opposite side of the building—where it is not a nuisance to the outdoor patio patrons—will better implement the pedestrian experience as outlined by the Charrette Report.

**B. That special conditions and circumstances do not result from the actions of the applicant.**

The special conditions and circumstances outlined in this application do not result from the actions of the applicant. The applicant seeks to help foster vibrant, active pedestrian-oriented character along the Lake Worth Road Commercial Corridor, as desired and described in the City of Greenacres Comprehensive Plan. The outdoor pedestrian patio space, with a proposed western-facing dumpster, would minimize safety multiple concerns and enhance the pedestrian and public realm activity nodes on the subject site. Additionally, the site’s two access points are existing, and both problematic from a functional and safety standpoint in accessing an eastern-facing dumpster on site.

**C. That granting the variance request will not confer on the applicant any special privilege that is denied by the Zoning Code to the other lands, buildings, or structures in the same zoning district.**

Approving this variance will not deny other lands, buildings, or structures in the CI district the use of Convenience Stores with Fuel Sales. Since this application seeks relief from the regulations based on dumpster access location, due to multiple safety concerns—not land use, additional development of Convenience Stores within the CI District will not be denied based upon the approval of this variance application.

**D. That literal interpretation of the provisions of the Zoning Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Zoning Code.**

Literal interpretation of the provisions of the ULDC would deprive the Applicant of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant. The literal interpretation of the provisions of the ULDC, requiring the dumpster access to be separate from the loading zone, presents multiple aforementioned safety concerns, as well as decreases the “placemaking” of the site with subsequent odors and visibility of the refuse management vehicles from the outdoor patio and the active commercial intersection of Sherwood Forest Blvd and Lake Worth Road.

**E. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.**

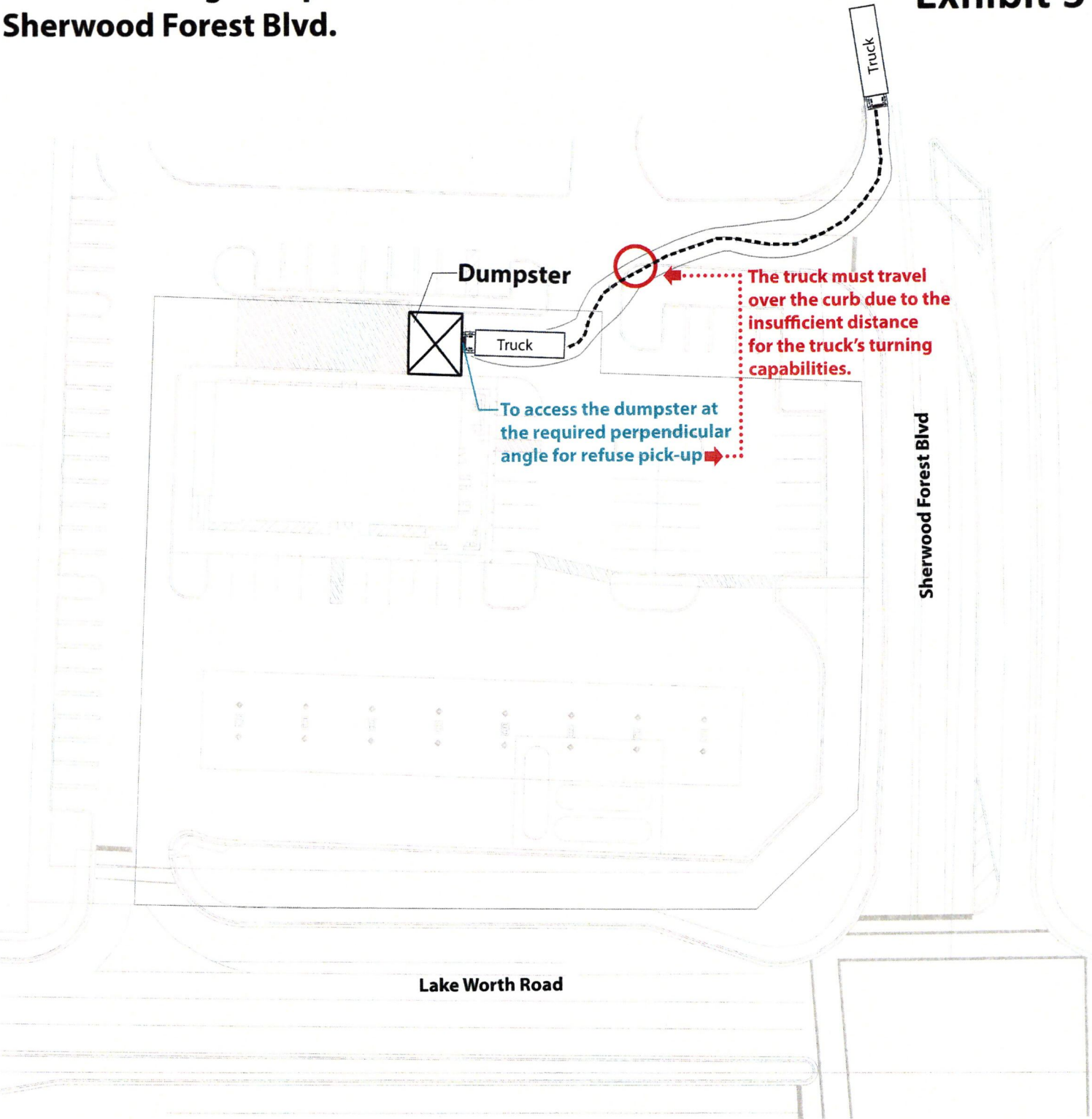
This variance is the minimum variance that will allow the Applicant to make reasonable, safe use of the subject property by both patron vehicles, pedestrians, deliveries, and refuse management vehicles. The

applicant is asking for only the minimum variance that will make possible the reasonable use of the subject property.

***Based on the above justification and attached information, the Applicant respectfully requests approval of the Variance request.***

**Eastern-Facing Dumpster Access from  
Sherwood Forest Blvd.**

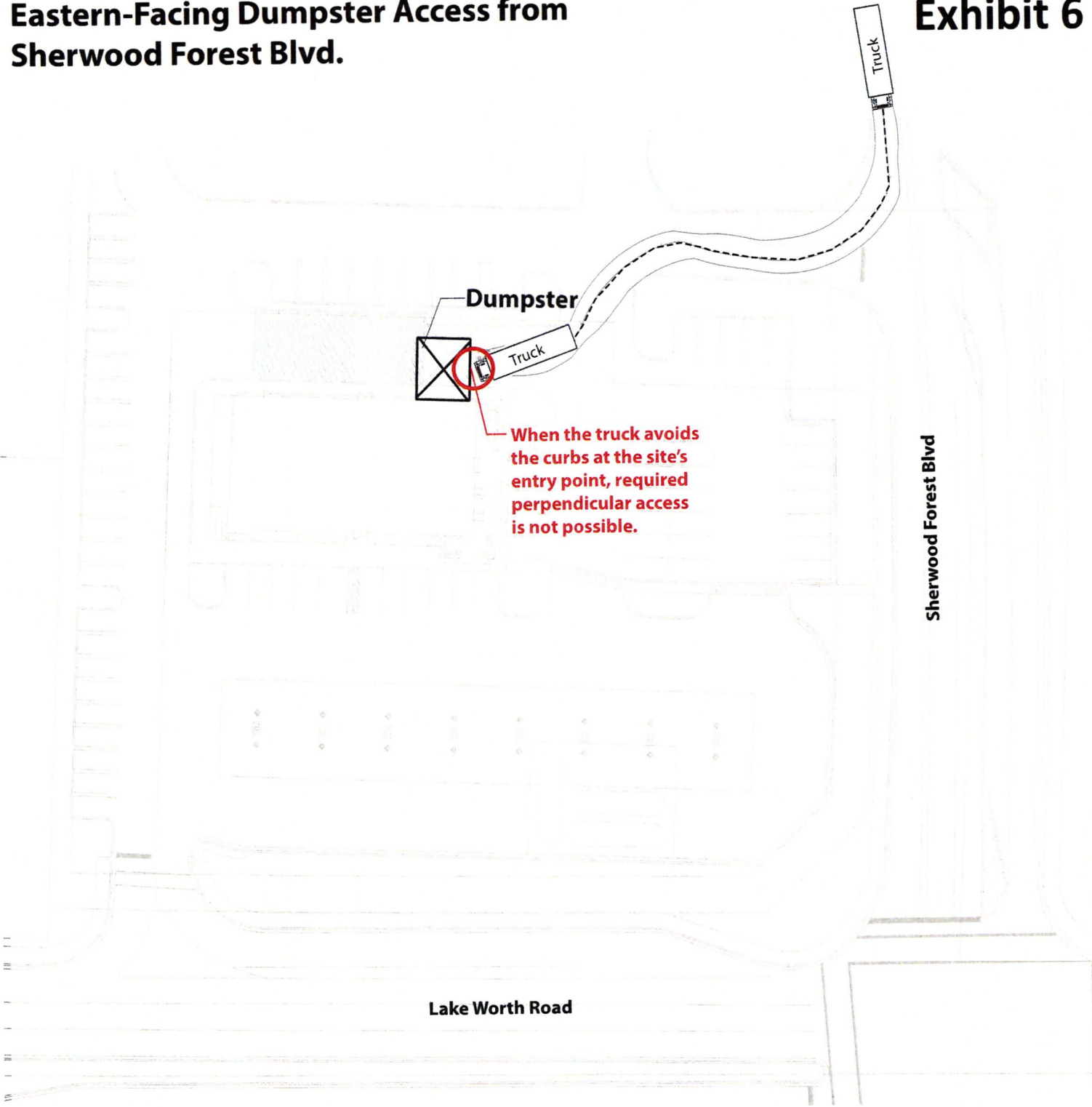
**Exhibit 5**





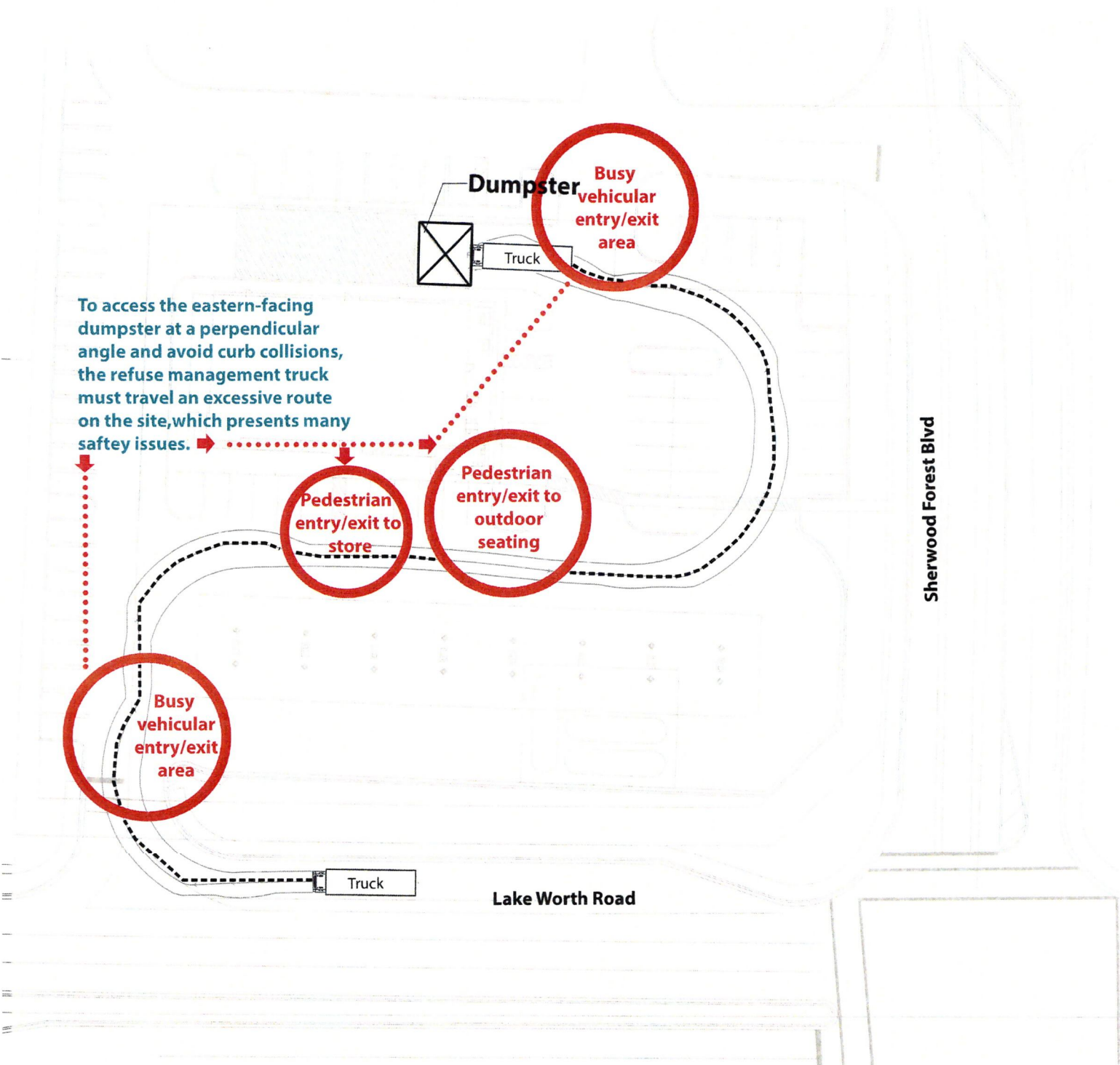
**Eastern-Facing Dumpster Access from  
Sherwood Forest Blvd.**

**Exhibit 6**



Eastern-Facing Dumpster Access from Lake Worth Rd.

Exhibit 7





June 6, 2017

Kara Irwin, Planning Director  
City of Greenacres Planning Department  
5800 Melaleuca Lane  
Greenacres, FL 33463

RE: RaceTrac Site Loading Access & Operations

Dear Ms. Irwin,

This letter seeks to serve as a guarantee that delivery vehicles will be scheduled on different days and/or times than refuse pick-up vehicles, to ensure there are no traffic or access conflicts between the two operations. At this time, before the fuel service station is operational, the refuse company, Advanced, will not establish specific times or days of the week they will provide service. Upon construction of the facility, RaceTrac Operations shall work with Advanced to solidify a pick-up schedule for the site as it will be serviced along an existing route with consistent pick-up times each week.

RaceTrac Operations is in full control of the site delivery schedule for both fuel and food/beverage deliveries for the Convenience Store. Subsequently, upon coordination with Advanced, RaceTrac will develop a delivery schedule for all site vendors to eliminate all potential conflicting use of the loading zone.

To ensure the intent of this letter is followed, RaceTrac would be willing to work with staff on a condition of approval requiring documentation of the final delivery schedule and monitoring of the loading zone. If you have any additional questions, please contact me at 770-431-1600 Ext 1834.

Sincerely,

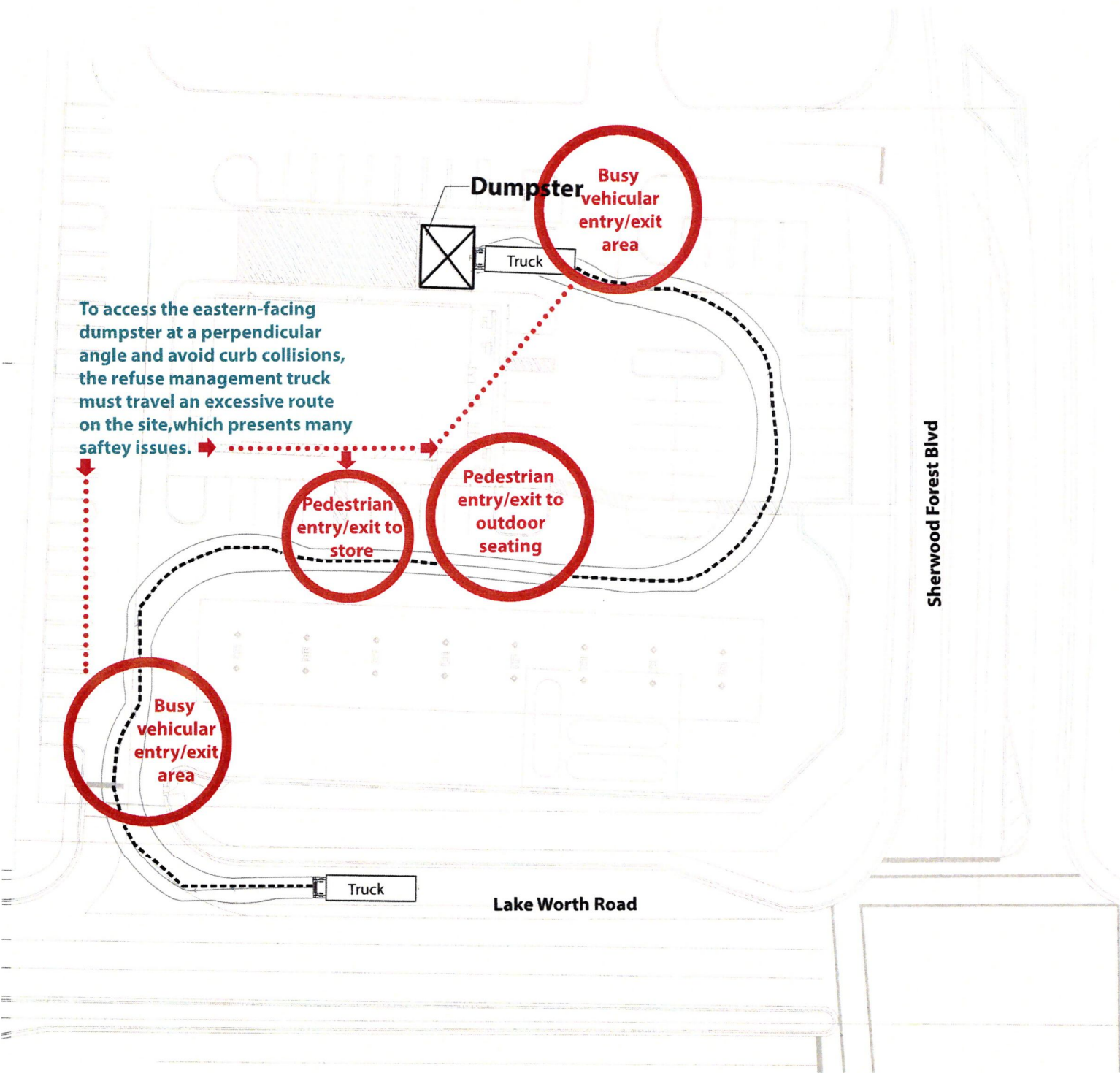
A handwritten signature in blue ink, appearing to read "Brett Connor", is written over a light blue horizontal line.

Brett Connor  
Director of Supply Chain  
RaceTrac Petroleum, Inc.



Eastern-Facing Dumpster Access from  
Lake Worth Rd.

Exhibit 7



## Western-Facing Dumpster Access from Lake Worth Rd.

## Exhibit 8

