

PZ-16-318



City of Venice
401 West Venice Ave., Venice, FL 34285
941-486-2626

DEVELOPMENT SERVICES - PLANNING & ZONING
VARIANCE APPLICATION

16-06 VZ

VARIANCE

Project Name: Aqua Doc Pool
Parcel Identification No.: 0408010059
Address: 448 VENICE AVE. E. AREA G.
Parcel Size: 5000 SQ FT
FLUM designation: SEA BOARD SECTOR PLANNING
Zoning Map designation: CI - COMMERCIAL INTENSIVE
Property Owner's Name: AQUA DOC LLC
Telephone: 941 485 1766
Fax: 941 412 0743
E-mail: AQUADOCmanager@gmail.com
Mailing Address: 448 VENICE AVE E
Project Manager: Michael MEACOCK
Telephone: 941 485 1766
Mobile / Fax: 412 0743
E-mail: aqua doc manager @ gmail . com
Mailing Address: 448 VENICE AVE E
Project Engineer : _____
Telephone: _____
Mobile / Fax: _____
E-mail: _____
Mailing Address: _____
Project Architect: _____
Telephone: _____
Mobile / Fax: _____
E-mail: _____
Mailing Address: _____

Incomplete applications cannot be processed - See reverse side for checklist

Revised 03/15

Applicant Signature / Date:

John G. [Signature]

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Required documentation (provide one copy of the following, unless otherwise noted):

- ☐ **Statement of Ownership & Control**
- ☐ **Signed, Sealed and Dated Survey of Property**
- ☐ **Agent Authorization Letter**
- ☐ **Narrative describing the petition**

The planning commission shall, based upon substantial and competent evidence, make an affirmative finding on each of the following in granting a variance petition:

- o Special circumstances exist in relation to the land, structures, or buildings as compared to other land, structures, or buildings in the same zoning district and the special circumstances are not the fault of the applicant; and,
- o The literal interpretation of the provisions of this chapter would result in unnecessary and undue hardship to the property; and,
- o The variance, if granted, is the minimum variance necessary to meet the requested use of the land, building or structure; and,
- o The grant of the variance will be in harmony with the general intent and purpose of this chapter, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

You must restate and address each of the preceding as an attachment to the project narrative.

Fees

Application filing fee \$400.

Public notice fee in excess of \$50 will be billed to applicant and is not included in application fee.

Aqua Doc Pool Clinic
448 Venice Ave E
Venice, FL 34285
941-485-1766

October 28, 2016

Dear Sirs,

This letter is regarding the attached variance application and in reference to the Parcel ID 0408010059.

- **Special circumstances exist in relation to the land, structures, or building as compared to other land, structures, or buildings in the same zoning district and the special circumstances are not the fault of the applicant; and,**

Aqua Doc Pool Clinic has been in business for 35 years and has a great reputation in the community for quality service. We rely on the bleach in the tank we have, to continue to provide our customers with the best possible service. The tank has been installed and in use since 2004 at this location. Unfortunately, and we apologize, we had been unaware that a permit or variance had been required only moving a short distance from previous accommodation on Warfield Ave and having a tank in use at that location for the prior 4 years. And being aware that other bleach tanks are located within close proximity of our location. There has never been any issues or complaints previously with the bleach tank in either location. We have many safety measures in place to assure the tank is safe. The building and business has been recently sold and that is how this issue was brought to our attention.

- **The literal interpretation of the provisions of this chapter would result in unnecessary and undue hardship to the property; and,**

As a pool maintenance company, we rely solely on being able to use bleach on a daily basis for use in our customer's pools. We provide service to approximately 800 customers in the Venice area. We also have over 20 employees who rely on the income our business generates. If our ability to have the bleach tank is taken away, the business and employees would suffer immensely, being unable access the chemicals necessary to provide the service to our customers. Our technicians use the bleach tank everyday both morning and evening to get the bleach they use for their route. We have never had an issue or problem concerning the tank and request that the city allow us to resume having a tank onsite so our business can function as it has for the previous 12 years. We have many safety measures already in place to avoid any issues that may arise.

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- **The variance, if granted, is the minimum variance necessary to meet the requested use of the land, building or structure; and,**

Leaving the tank where it currently is would be the minimum variance necessary. It would require no extra labor or parts necessary to move the tank. There would be zero effort required by all parties involved. We have never had any issues or complaints in the last 12 years. Everything can go on as normal.

- **The grant of the variance will be in harmony with the general intent and propose of this chapter, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.**

The referenced tank we have used on site has been installed by our supplier Brenntag Mid-South, under their strict guidelines and is leased yearly. We have many safety measures already in place to avoid any issues that may arise. It is checked and monitored Monday-Friday during our open hours. It remains locked and accessible only by our technicians during that time. At nighttime and weekends, it is locked and secure. The tank itself is installed within a collector tank, just in case of any rupture. Its location is discrete and unobtrusive from any public areas and not close to any residential neighborhoods. The tank is only visible from the rear of the building. Across the street is a storage warehouse with no windows on the side facing the tank. The tank is over 10 feet from the road. Photos are included. Although the street at the rear of the shop is a second frontage, it is not used this way as all units use Venice Ave East frontage as retail and offices. The rear entry is used only for deliveries and trash pickup, which the tank does not interfere with. There is no risk to public safety.

Sincerely,



Michael Meacock



Josh Kantor

1 TITLE COMMITMENT

THE TITLE DESCRIPTION AND SCHEDULE B ITEMS HEREON ARE BASED ON FIDELITY NATIONAL TITLE INSURANCE COMPANY COMMITMENT # 5914024, DATED JULY 22, 2016 AT 6:00 AM. REV B (AUGUST 16, 2016 NJP)

2 LEGAL DESCRIPTION

PARCEL 1:
LOTS 14 AND 15, BLOCK 201, EDGEWOOD SECTION OF VENICE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 166, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA.

THE PROPERTY SHOWN ON THIS SURVEY IS THE SAME AS THAT REFERENCED IN THE FIDELITY NATIONAL TITLE INSURANCE COMPANY COMMITMENT # 5914024, DATED JULY 22, 2016 AT 6:00 AM. REV B(AUGUST 16, 2016 NJP)

3 SCHEDULE 'B-II' ITEMS

6. OIL, GAS, MINERAL AND RIGHT-OF-WAY RESERVATIONS AS SET FORTH IN THAT CERTAIN CONVEYANCE RECORDED IN DEED BOOK 238, PAGE 113, AS AFFECTED BY INSTRUMENT RECORDED IN DEED BOOK 565, PAGE 485, ALL OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA. THE RIGHT OF ENTRY FOR MINING AND EXPLORATION IN SAID RESERVATIONS HAS BEEN RELEASED BY SECTION 270.11 F.S. BLANKET IN NATURE. NOTHING TO PLOT.

4 SURVEYOR'S NOTES

1. UNDERGROUND UTILITIES, INSTALLATIONS OR IMPROVEMENTS, LOCATED AS A PART OF THIS SURVEY, ARE SHOWN ONLY BY OBSERVED EVIDENCE AND NO REQUEST WAS SUBMITTED TO ANY UTILITY COMPANY, 811 UTILITY LOCATION, OR SIMILAR AUTHORITY.
2. OWNERSHIP OF THIS PROPERTY IS SUBJECT TO OPINION OF TITLE AND IS NOT EXPRESSED OR IMPLIED BY THIS SURVEY.
3. THIS SURVEY SHOWS ONLY DEDICATIONS, RESTRICTIONS AND EASEMENTS CONTAINED IN THE ABOVE-MENTIONED TITLE COMMITMENT AND PROVIDED TO THE SURVEYOR. IT IS POSSIBLE THERE ARE OTHER RECORDED INSTRUMENTS, WHICH MAY AFFECT THIS PROPERTY.
4. BEARINGS AND DISTANCES ARE RECORD AND MEASURED UNLESS OTHERWISE NOTED.
5. THIS SURVEY WAS PREPARED EXPRESSLY FOR THE ENTITIES NAMED. NO OTHER PERSON OR ENTITY IS ENTITLED TO RELY UPON THIS SURVEY FOR ANY PURPOSE WHATSOEVER WITHOUT THE EXPRESS WRITTEN CONSENT OF AMERICAN SURVEYING, INC.
6. ALL STATEMENTS WITHIN THE CERTIFICATION, AND OTHER REFERENCES LOCATED ELSEWHERE HEREON, RELATED TO: UTILITIES, IMPROVEMENTS, STRUCTURES, BUILDINGS, PARTY WALLS, PARKING, EASEMENTS, SERVITUDES, AND ENCROACHMENTS; ARE BASED SOLELY ON ABOVEGROUND, VISIBLE EVIDENCE, UNLESS ANOTHER SOURCE OF INFORMATION IS SPECIFICALLY REFERENCED HEREON.
7. THE ZONING INFORMATION SHOWN HEREON WAS OBTAINED BY THIS SURVEYOR IN THE FORM OF A ZONING LETTER FROM THE CITY OF VENICE PLANNING & ZONING DIVISION, DATED SEPTEMBER 19, 2016, PREPARED BY JEFF SHRUM, AICP, DEVELOPMENT SERVICES DIRECTOR.
8. THE WORD "ENCROACHMENT" SHOWN ON THE FACE OF THE SURVEY OR NOTED IN THE SURVEYOR'S CERTIFICATION DOES NOT IMPLY THAT THIS SURVEYOR IS EXPRESSING A LEGAL OPINION, BUT MERELY NOTING THAT THE CONDITIONS EXIST THAT COULD BE CONSIDERED A POSSIBLE ENCROACHMENT BY THOSE AUTHORIZED TO MAKE SAID LEGAL OPINION.
9. NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
10. NO OBSERVABLE EVIDENCE OF CHANGES IN STREET RIGHT OF WAY LINES COMPLETED, AND AVAILABLE FROM THE CONTROLLING JURISDICTION AND NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
11. THE PROPERTY HAS DIRECT ACCESS TO VENICE AVENUE AND CALLE DEL SOL, BOTH DEDICATED PUBLIC RIGHT OF WAYS AS SHOWN.
12. THE ENTIRE PARCEL AS DEPICTED LIES ENTIRELY WITHIN LOTS 14 AND 15. LOTS ARE CONTIGUOUS ALONG THEIR COMMON BOUNDARIES WITHOUT ANY GAPS, GORES OR OVERLAPS.

5 INFORMATION BOX

AMERICAN SURVEYING INC. ASI L.B. #7168 4847 NORTH FLORIDA AVENUE TAMPA, FLORIDA 33603 TELEPHONE (813)234-0103 • FAX (813)234-0108		FIELD DATE 08/09/16 CREW CHIEF AF DWN. BY GCT APRVD. BY RJB DWG. NO. 08000316 SCALE 1"=20' DATE REVISIONS 08/09 NEW TITLE ADDED 08/23 CLIENT COMMENTS 08/26 CLIENT COMMENTS 08/29 CLIENT COMMENTS 9/26 CLIENT COMMENTS 9/27 CLIENT COMMENTS 12/08 TANK OFFSET MEASUREMENTS
Prepared For: AQUA DOC POOL REAL ESTATE LLC	Project Name: COMMERCIAL STORE	
	Project Address: 448 EAST VENICE AVENUE	
Job Order Number: 08000316	Project Location: VENICE, FLORIDA	

ALTA SURVEY KEY			
1	TITLE COMMITMENT	10	PARKING NOTES
2	LEGAL DESCRIPTION	11	SURVEYORS CERTIFICATION
3	SCHEDULE B-II ITEMS	12	BEARING BASIS
4	SURVEYORS NOTES	13	BUILDING AREA
5	INFORMATION BOX	14	BUILDING HEIGHT
6	FLOOD ZONE INFORMATION	15	PROPERTY AREA
7	CEMETERY NOTE	16	LEGEND
8	ZONING INFORMATION	17	VICINITY MAP
9	POSSIBLE ENCROACHMENT	18	DRAWING SCALE

6 FLOOD ZONE INFORMATION

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED IN ZONE "C" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 125154 00050, WHICH BEARS AN EFFECTIVE DATE OF 05/18/92. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE AND THIS SURVEYOR MAKES NO GUARANTEES AS TO THE ACCURACY OF THE ABOVE INFORMATION. THE LOCAL F.E.M.A. AGENT SHOULD BE CONTACTED FOR VERIFICATION.

7 CEMETERY NOTE

NO VISIBLE EVIDENCE OF HUMAN CEMETERIES OR BURIAL GROUNDS WAS FOUND ON SITE AT TIME OF SURVEY.

8 ZONING INFORMATION

THE ZONING INFORMATION SHOWN HEREON WAS OBTAINED BY THIS SURVEYOR FROM IN THE FORM OF A ZONING LETTER FROM THE CITY OF VENICE PLANNING & ZONING DIVISION, DATED SEPTEMBER 19, 2016, PREPARED BY JEFF SHRUM, AICP, DEVELOPMENT SERVICES DIRECTOR.

ZONING DESIGNATION: C1 (COMMERCIAL INTENSIVE)
BULK RESTRICTIONS
MINIMUM LOT AREA: NONE
MINIMUM LOT WIDTH: NONE
MAXIMUM BUILDING HEIGHT: 35'

BUILDING SETBACKS
FRONT: 20'
SIDE: (SEE BELOW)
REAR: 10' (PER ZONING LETTER, DOUBLE FRONTAGE RESULTS IN A 20 FT FRONT SETBACK ON CALLE DEL SOL.)

PER SECTION 86-93(1)(1)b, THE C1 DISTRICT MINIMUM SIDE YARD SETBACKS ARE AS FOLLOWS:
SIDE YARD:
1. FIRE-RESISTIVE CONSTRUCTION: BUILDINGS MAY BE:
i. SET TO THE SIDE PROPERTY LINE; OR
ii. SET NOT LESS THAN EIGHT FEET BACK FROM THE SIDE PROPERTY LINE.
2. NON-FIRE-RESISTIVE CONSTRUCTION: BUILDINGS MUST BE SET BACK NOT LESS THAN EIGHT FEET FROM THE SIDE PROPERTY LINE.

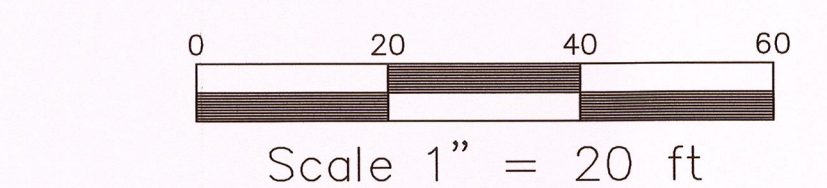
9 POSSIBLE ENCROACHMENTS

- ① CONCRETE PAD HOLDING HYDROCHLORIDE SOLUTION TANK 1.1' AND 1.2' SOUTH OF 20' SETBACK LINE, AS SHOWN
- ② HYDROCHLORIDE SOLUTION TANK IS SITUATED AT 4.2 FT FROM BUILDING AND 8.8 FT FROM ROAD RIGHT OF WAY.

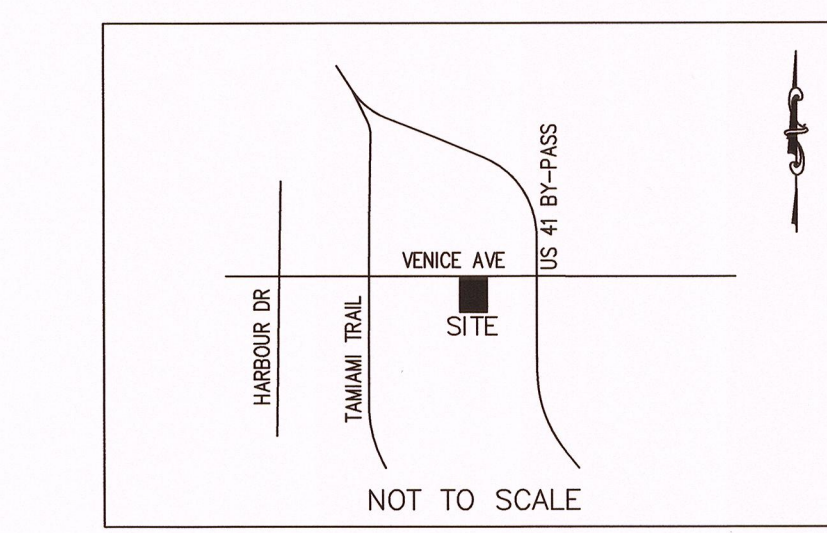
10 PARKING NOTES

- PARKING COUNT
- 4 REGULAR SPACES
- 0 HANDICAP SPACES
- 4 TOTAL SPACES

18 DRAWING SCALE



17 VICINITY MAP



16 LEGEND

- | | |
|--------------------------------|---------------------------------|
| ⑥ = SANITARY SEWER MANHOLE | FCM = FOUND CONCRETE MONUMENT |
| ⑦ = DRAINAGE MANHOLE | SIR = SET 5/8" IRON ROD LB 7168 |
| ⑧ = TELEPHONE MANHOLE | FIR = FOUND IRON ROD |
| ⑨ = ELECTRIC MANHOLE | FIP = FOUND IRON PIPE |
| ⑩ = WATER METER | SN&D = SET NAIL AND DISK |
| ⑪ = WATER VALVE | FN&D = FOUND NAIL AND DISK |
| ⑫ = GAS METER | (TYP) = TYPICAL |
| ⑬ = GAS VALVE | COV = COVERED |
| ⑭ = TELECOMMUNICATIONS RISER | BLDG = BUILDING |
| ⑮ = CABLE TELEVISION BOX | (D) = DEED MEASUREMENT |
| ⑯ = TRAFFIC CONTROL BOX | (P) = PLAT MEASUREMENT |
| ⑰ = GRATE TOP INLET | (F) = FIELD MEASUREMENT |
| ⑱ = TRAFFIC SIGN | O.R. = OFFICIAL RECORDS BOOK |
| ⑲ = UTILITY POLE | D.B. = DEED BOOK |
| ⑳ = GUY WIRE | R/W = RIGHT OF WAY |
| ㉑ = GUY POLE | CONC = CONCRETE |
| ㉒ = LIGHT POLE | P.B. = PLAT BOOK |
| ㉓ = FIRE HYDRANT | PG. = PAGE |
| ㉔ = ELECTRIC SWITCH BOX | SQ. FT. = SQUARE FEET |
| ㉕ = SEWER CLEAN OUT | EOP = EDGE OF PAVEMENT |
| ㉖ = SEWER VALVE | CLF = CHAIN LINK FENCE |
| ㉗ = FIRE DEPARTMENT CONNECTION | — UL — = OVERHEAD UTILITY LINE |
| ㉘ = ELECTRIC METER | — X — = CHAIN LINK FENCE LINE |
| ㉙ = PARKING COUNT | |

15 PROPERTY AREA

LAND AREA = 4,992.03± SQUARE FEET
OR
0.115± ACRES

14 BUILDING HEIGHT

BUILDING HEIGHT = 14.6'

13 BUILDING AREA

BUILDING AREA = 1,500.00 SQ. FT.

12 BEARING BASIS

BEARINGS ARE BASED ON THE NORTHERLY RIGHT-OF-WAY OF CALLE DEL SOL (20' ALLEY) BEARING N90°00'00"E (ASSUMED).

11 SURVEYORS CERTIFICATION

CERTIFIED TO:
AQUA DOC POOL REAL ESTATE LLC, A FLORIDA LIMITED LIABILITY COMPANY;
FIDELITY NATIONAL TITLE INSURANCE COMPANY;
SHUMAKER, LOOP & KENDRICK, LLP;
USAMERIBANK;
U.S. SMALL BUSINESS ADMINISTRATION;
SHUTTS & BOWEN, LLP;

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(A)(B), 7(A)(B)(C), 8, 9, 13, 16, AND 17 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 08/09/16.

DATE OF PLAT OR MAP: 08/16/16

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ROBERT J. BREEDLOVE
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION # 7040
RBREEDLOVE@AMERICANSURVEYING.COM
NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER OR ITS ELECTRONIC EQUIVALENT