

Attachment “A”
Narrative and Justification
Rear Yard Setback and Required Landscape Buffer Variance
Revised May 1, 2023

Background Information:

Parcel Owner: Bald Eagle Property Trust (aka Ehlen Floor Covering)

Address: 800 Bald Eagle Drive, Marco Island, Florida

Legal Description: A MARCO BEACH UNIT 11, REPLAT BLOCK 782 LOT 27

Parcel Size: 0.39 Acres (+/-16,988.4 square feet)

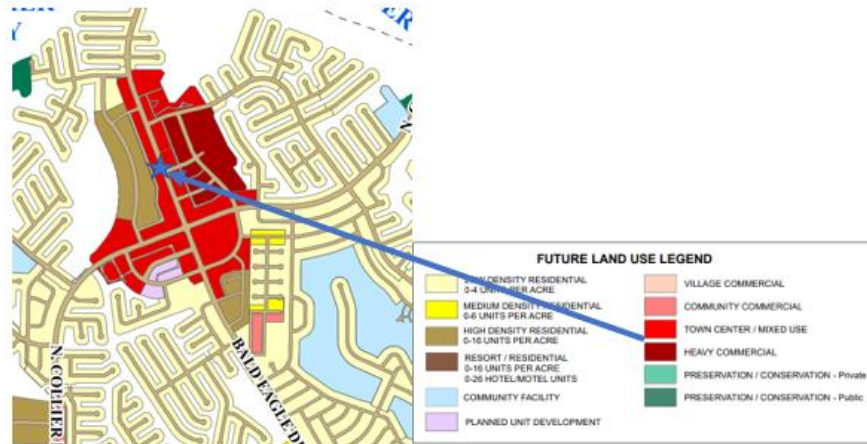


Subject Site - Source Collier County Property Appraiser Website



Zoning: C-4 General Commercial District

The Ehlen Family has owned and operated Ehlen Floor Coverings, located at 790 Bald Eagle Drive, since 1997 (Building Permit 97-2026). Ehlen Floor Coverings building is located immediately adjacent and to the south of the subject lot (800 Bald Eagle Drive). Both parcels are located along Herb Savage Way (a platted 50' wide alley).



Future Land Use Designation: Town Center Mixed Use

When the Deltona Corporation master planned and platted Marco Island, it had the foresight to plat alleys behind most commercial areas. These alleys were then, and are now, intended to provide alternative access to and from commercial development for deliveries, employee parking, emergency vehicles, and for bulk trash removal. In addition, allowing these activities to occur behind commercial buildings, which reduces traffic impacts and provides for a more aesthetically appealing view for motorists and pedestrians along the City's major roadways, in this case, Bald Eagle Drive. (See Plat excerpt below.)



Collier County Plat Book 12, Page 25
Source: Collier County Clerk of Courts

Consistent with the Deltona's intent (for platted alleys behind commercial properties), the existing Ehlen Floor Covering Building provides customer parking in the front of the building, and loading, trash dumpster facilities, and employee parking behind the building directly accessible from the alley (Herb Savage Way).

Several years ago, with approval of the City of Marco Island, the Ehlen family constructed 13 parking spaces within the Herb Savage Way Alley, along with related stormwater drainage improvements, and installed a hedge along the alley edge. At that time, 8 additional spaces were provided along the alley in the rear of the subject parcel, along the lot adjacent and north of the existing Ehlen Floor Covering parcel (see below). The alley spaces are not restricted and can be used by anyone; however, practically speaking, they are used primarily by Ehlen employees. No parking credit may be granted for these spaces (if constructed within the alley per LDC Sec. 30-625. – *Parking credits and pedestrian facilities*, below).

It does not make sense to not allow some credit for parking developed in an alley, if the addition of such parking is completely funded by a private property owner, open to the public for use, and approved by the City of Marco.

On-street parking provided within the right-of-way. Where approved by the city for such parking alternatives, commercial projects and developments may provide some of their off-street parking requirements to be satisfied within the public right-of-way (except alleys). The developer can achieve up to a 50 percent credit for the total amount of required parking spaces provided in the right-of-way. The on-street parking shall be limited to the area located between the intersection of the front yard property lines and the adjacent right-of-way unless otherwise approved through a public hearing by the planning advisory board and the city council. Parking provided in the right-of-way shall be reviewed through the SDP process. Parking provided in the right-of-way shall be available for public use. There shall be no signs prohibiting and/or regulating parking within the public right-of-way unless so authorized or designated by the city.



Alley Parking (Constructed by Ehlen Family with City Approval)

Section 30-624, Design Regulations, subsection (p) Off-street parking, subparagraph (1)e, reads as follows:

Location—Alleys. Parking spaces that take direct access from an alley right-of-way shall be separated from the side yard property line by a ten-foot- wide landscape buffer island. A five-foot wide (minimum) landscape buffer shall be placed along the front of these spaces when parking is directly accessed from the alley. These landscaping requirements shall not apply to

the Elkcam Circle Zoning Overlay. Parking spaces shall be provided entirely on the subject property and shall not encroach into the alley right-of-way. (See illustration 4.16.1.e, on file in the office of the city clerk.)

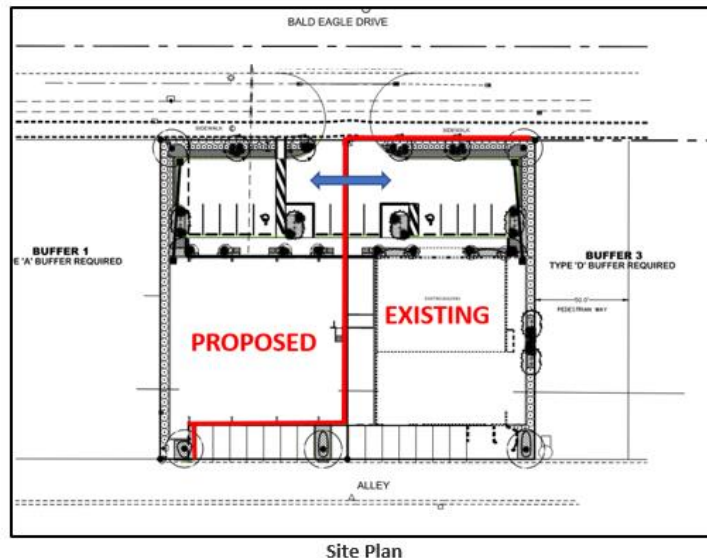
In addition, LDC **Sec. 30-245. Dimensional standards, Paragraph (3), Minimum yard requirements** (for C-4 zoning) requires the following rear yard setback:

- c. *Rear yard: Ten feet. Principal and accessory buildings shall be setback a minimum of 25 feet from an alley right-of-way when vehicular parking spaces take direct access from the alley, or ingress/egress is provided into the building.*

Nature of this Variance Request:

On behalf of the Ehlen Family, Hole Montes submitted an application for Site Development Plan approval on 12-22-2022 (SDP 22-000289). The initial staff review indicated that per LDC Section 30-245, when vehicular parking spaces take direct access from the alley, or ingress/egress is provided into the building, a minimum of 25 feet from an alley right-of-way. There is also a 5' landscapestriprequired between the alley paring spaces and the building.

However, it makes a great deal more sense to develop the adjacent lot following the front and rear building lines of the existing building as closely as possible. There will be a slight jog (+/-2') in the rear of the new building to allow for a "loading" space (which is required to have a 20-foot depth). The alley parking spaces will be 18' deep, and entirely located within the subject parcel. This design allows for a consistent parking and drive aisle design in the front of the building, between the existing and proposed parking and drive aisle in front of the addition (see below). In addition, a five-foot wide unimpeded sidewalk is necessary along the new (and existing) building's access in order to comply with ADA access design requirements (see below). In order to maintain the front façade line, provide ADA compliance, and the necessary columns supporting matching designed covered entrances, a 5-foot variance from the required 15-foot-wide landscape buffer along Bald Eagle Drive is necessary.

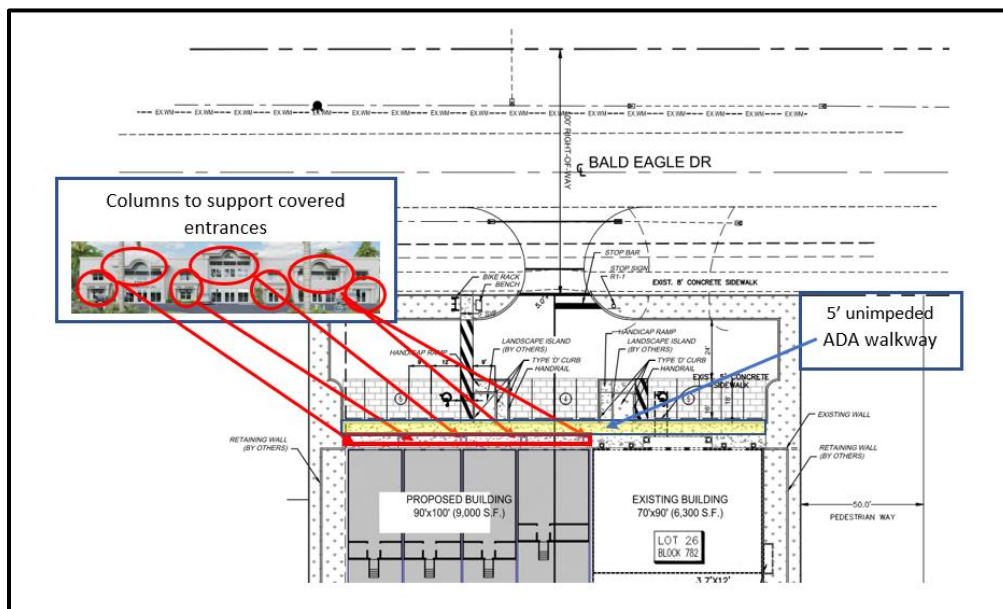


EHLEN FLOOR COVERING ADDITION

790 BALD EAGLE DRIVE
MARCO ISLAND, FL



Street/Front View Rendering of Existing and Proposed Building



Conclusion:

In summary, given the existing conditions, it makes a great deal more sense from a design perspective, as well as from an aesthetic perspective, to design the site for the proposed addition, to be consistent with the design used for the existing building. To do so, the following two variances are requested:

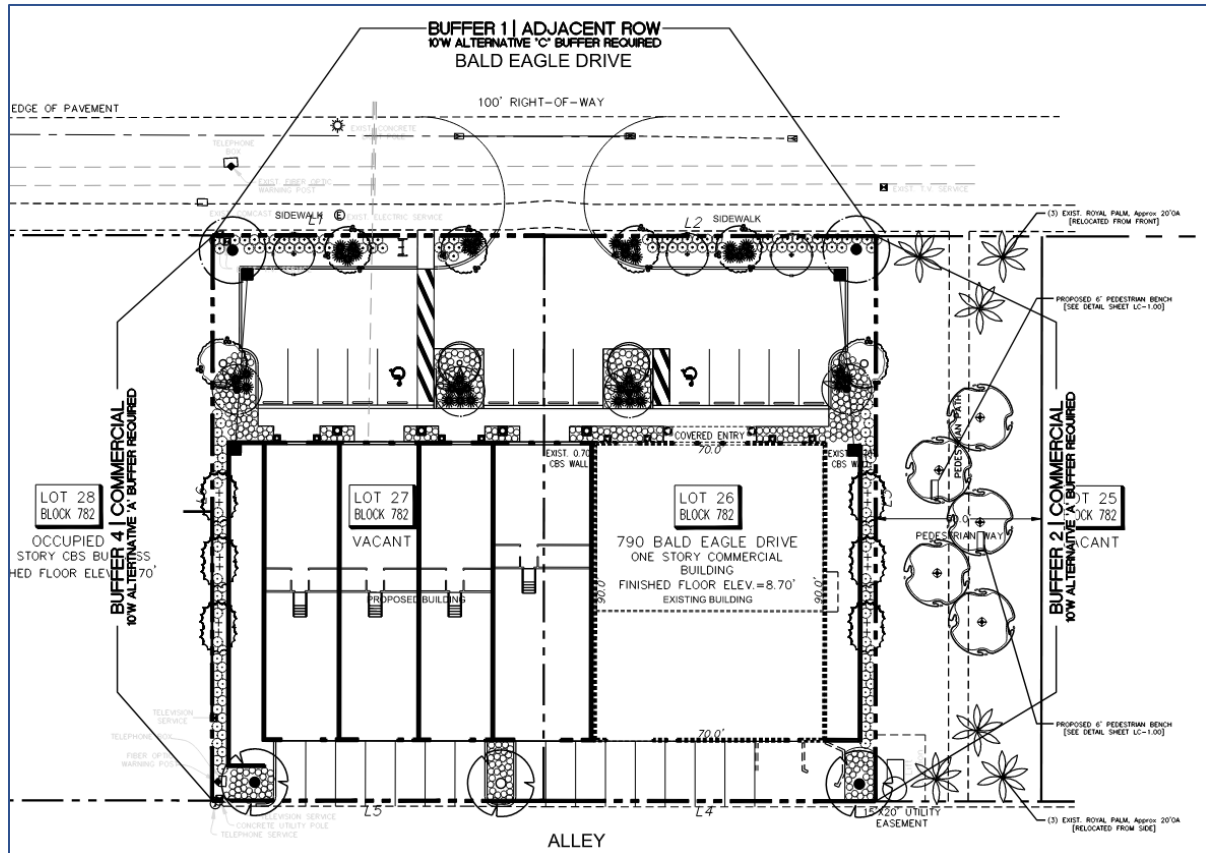
1. A variance from Sec. 30-245, Dimensional standards, Paragraph (3), Minimum yard requirements [for C-4 zoned properties], subparagraph (c) rear yards, to allow for a setback of 18 feet, rather than 25 feet, from an alley right-of-way, when vehicular parking spaces take direct access from the alley, or ingress/egress is provided into the building.
2. A variance from LDC Section 30-48(d), which requires a 5-foot landscape buffer along the front of the spaces, along the alley, to instead not require the 5 foot landscape buffer.
3. A variance from LDC Sec. Sec. 30-441. – Minimum landscape buffering and screening between uses, Alternative C, which requires a 15-foot-wide buffer along Bald Eagle Drive to allow for a 10-foot-wide **enhanced** buffer along Bald Eagle Drive, with a midstory planting in addition to the required

trees and hedges and no utilization of that buffer for stormwater utilization (conveyance, retention, or treatment).

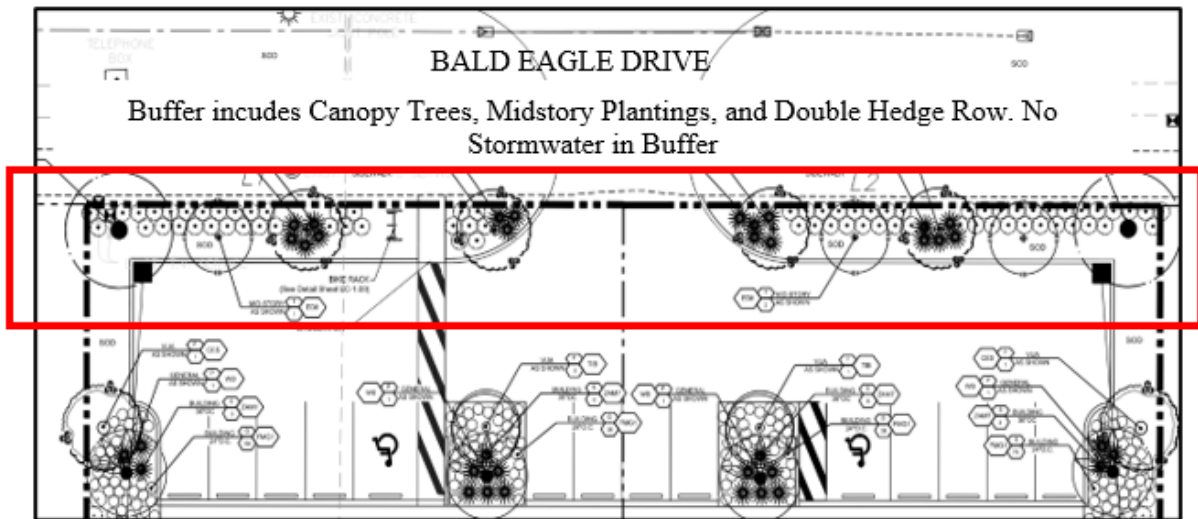
Mitigation:

In order to mitigate for the variance to reduce the width of the Type C buffer along Bald Eagle from 15 feet to 10-feet, we are agreeing to the following landscape enhancements:

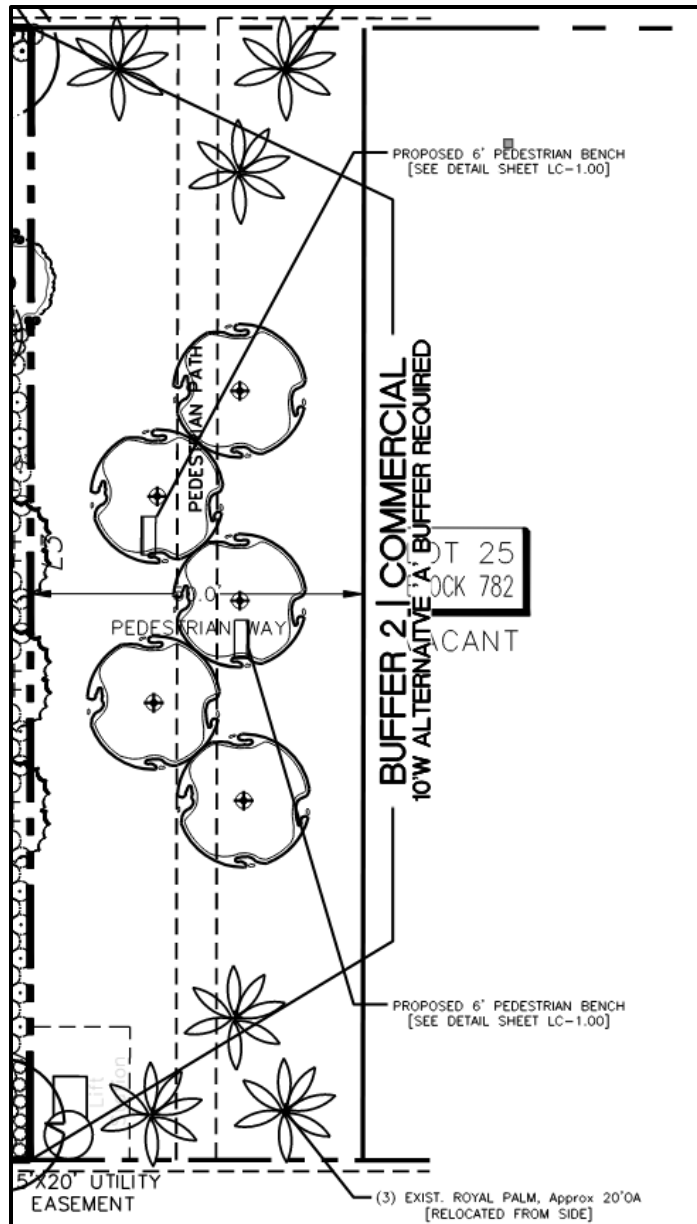
1. Providing extra “mid-story” plantings in addition to the required hedge and canopy trees in the front buffer landscape along Bald Eagle Drive.
2. Agreeing to design this buffer such that none of it is utilized for stormwater storage, leaving the entire 10-foot buffer width as planting area. [Note: The LDC allows for water management systems, including retention and detention areas, swales, and subsurface installations, to be permitted within a required buffer, not to exceed 50 percent of the square footage of any required landscape buffer and 70 percent of the buffer width. For example, for this project the length of the buffer along Bald Eagle is +/- 80 feet. This would yield a buffer area of 1,200 square feet; however, 600 square feet can be used for stormwater facilities, leaving a planting area of 600 square feet. While the request is to reduce the buffer width from 15’ to 10’ feet, 100% of the buffer or 800 square feet will be used to buffer plantings. Moreover, midstory plantings are provided for (see 1., above), such that the perspective of this buffer from the pedestrian or passing motorist point of view, will be that of a full and lush buffer.
3. There are 6 Royal Palm trees currently on the Ehlen Floor Covering property that will need to be removed. The Applicant agrees to relocate these to the adjacent 50’ wide platted pedestrian way. In addition, the applicant agrees to plant additional canopy trees along the pedestrian way, in order to provide shade and to enhance the aesthetics of the pedestrian way.
4. Installing two benches along the platted pedestrian way, which along with the canopy trees and royal palms will create a linear park feel.



Site Plan with Landscaping Including Landscaping of 50' Wide Platted Pedestrian Easement



Detail: Proposed 10' Wide "Enhanced" Permitter Buffer Along Bald Eagle Dr.



**Detail: Proposed Ped Easement Landscaping:
2 Benches, 5 Canopy Trees, 6 Royal Palms**