



CITY OF MARIANNA
MUNICIPAL DEVELOPMENT DEPARTMENT
Post Office Box 936
Marianna, FL 32447
(850) 482-4353
Email: kdennis@mariannafli.city

Memo

To: Planning & Zoning Board
From: Kay Dennis, Director *KD*
Date: 09/26/2022
Re: Variance Request for Jackson County School Board - Irrigation

Summary: The applicant is requesting a variance from *Marianna City Code, Land Development Code, Sections 4-3.5(2)*, which addresses maintenance of landscaped areas.

The applicant has requested approval of a variance from the irrigation portion of the landscaping maintenance requirements since only 20 trees will be scattered around this portion of the 83.27-acre site, and there are other variance requests from other landscaping requirements.

Nature of Variance Requests: *Marianna City Code, Land Development Code, Sections 4-3.5(2)* requires developments to provide maintenance of landscaping, including a water supply.

History: The site is located on the northwestern corner of the K-8 parcel. Planned landscaping consists of about 20 trees scattered around the site.

Determination: *Marianna City Code, Land Development Code, Sec. 2-6.6* states “[t]he planning board shall first determine whether the need for the proposed variance arises out of the physical surroundings, shape, topographical condition, or other physical or environmental conditions that are unique to the specific properties involved. If so, the planning board shall make the following required findings based on the granting of the variance for that site alone. If, however, the condition is common to

numerous sites so that requests for similar variances are likely to be received, the planning board shall make the required findings based on the cumulative effect of granting the variance to all who may apply. The Planning Board shall not vary the requirements of any provision of this code unless it makes a positive finding, based on substantial competent evidence, on each of the following:

- a. [t]here are extreme practical or economic difficulties in carrying out the strict letter of this code;
- b. [c]onditions for which the variance is being applied are unique or unusual to the site or structure in questions;
- c. [t]he variance request is not based exclusively upon a desire to reduce the cost of developing the site;
- d. [t]he proposed variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public;
- e. [t]he proposed variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site;
- f. [t]he proposed variance will not decrease the level of service standards as established in the comprehensive plan; and
- g. [t]he effects of the proposed variance is in harmony with the general intent of the code and the specific intent of the relevant subject area(s) therein.”

Planning staff has reviewed the request and determined that it does arise out of unique conditions related to the physical surroundings and practical difficulties if other variances are granted. Trees would be placed far apart on a large parcel. *Granting the variance could lead to additional variance requests from this requirement.* The request appears to be based primarily on the desire to reduce costs. The request is not likely to diminish property values in an agricultural and industrial area. The request will not likely reduce the level of service requirements on Caverns Road, SR71 North, Wiley Drive or Russell Road, which are approved by the State of Florida for the City of Marianna Comprehensive Plan.

However, staff notes that if other variances are approved, the number of trees required and the size of the site makes conditions cost prohibitive for irrigation.

Proposed Recommendation:

Recommend approval of the variance request.