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**File #:** VA-2426 **Version:** 2   
**Type:** Planning Item **Status:** Agenda Ready  
**File created:** 2/3/2025 **In control:** [Planning and Zoning Board](#)  
**On agenda:** 4/9/2025 **Final action:**  
**Title:** VA-2426: Request for variances from Article III Section 21-36.03 (c) to allow for outdoor storage to exceed the height of the privacy wall and from Article XX to allow for a yellow building and white masonry wall color at All Florida Plumbing located at 1103 S. Ridgewood Avenue.  
**Attachments:** 1. [Public Notice Aerial Map](#)

[History \(0\)](#) [Text](#)

#### ITEM DESCRIPTION:

##### Title

VA-2426: Request for variances from Article III Section 21-36.03 (c) to allow for outdoor storage to exceed the height of the privacy wall and from Article XX to allow for a yellow building and white masonry wall color at All Florida Plumbing located at 1103 S. Ridgewood Avenue.

##### Body

#### OWNER/APPLICANT:

Clayton Beazley II

#### PROPOSED USE:

Outdoor storage of plumbing equipment and yellow paint on a building along the Ridgewood Corridor.

#### REQUESTED ACTION:

1. Article III, Section 21-36.03 (c) to allow outdoor storage to exceed the height of the privacy fence
2. Article XX, Section 21-640.10 to allow a yellow color as the predominant building color.

#### PARCEL ID:

7433-06-03-0010

#### AREA:

0.85 acres

#### CURRENT LAND USE:

All Florida Plumbing

#### FLUM DESIGNATION:

Commercial

#### ZONING DISTRICT:

B-3 Highway Commercial

#### VOTING DISTRICT:

District One - Council Person Charlotte Hope Gillis

#### Discussion:

The applicant is requesting two variances for the business All Florida Plumbing located at 1103 South Ridgewood Avenue. The first variance is from Article III, Section 21-36.03(c) to allow for outdoor storage to exceed the height of the existing privacy fence. The outdoor storage of various plumbing equipment is currently screened behind an 8 foot tall privacy wall; however, the equipment exceeds the height by approximately 4'.

The second request is for a variance from Article XX - Ridgewood Corridor, Section 21-540.10 to allow for a predominant building color of yellow. The Land Development Code states that "The use of garish or gaudy colors is prohibited. The use of black, neon, or fluorescent colors is prohibited as the predominant building color." The building has been neon yellow since 2018, however a residential complaint has prompted the application for a variance.

#### Aerial Orthoimage



#### 2022 Google Street View



#### 2014 Google Street View



### Staff Review:

According to Article IX, Section 21-100.04(d), Non-Administrative Variance, City of Edgewater's Land Development Code; In order to grant a non-administrative variance, the P. & Z. Board shall make the following findings of fact:

1. That granting of the proposed variance is not in conflict with the Comprehensive Plan;
2. That granting of the proposed variance will not result in creating or continuing a use which is not compatible with adjacent uses in the area;
3. That granting of the proposed variance is the minimum action available to permit reasonable use of the property;
4. That the physical characteristics of the subject site are unique and not present on adjacent sites; and
5. That the circumstances creating the need for the variance are not the result of actions by the applicant, actions proposed by the applicant or actions by the previous property owner(s).
6. That granting of the proposed variance(s) will not cause substantial detriment to the public welfare or impair the purposes and intent of the Land Development Code.

**Explanation of hardship by applicant:** "We have \$25,000 in pipe racking and a chlorine storage tank since 1995 that is visible above our newly installed wall that needs variance to be approved along with our 10 year color of our commercial building."

1. Will granting the proposed variance result in a conflict with the Comprehensive Plan?
  - a. **Staff's response:**
    - i. **Future Land Use Policy 1.6.6: Guidelines for the SR 442 and U.S. 1 Corridors.** The City shall continue to use the Indian River Boulevard-S. R 442 Corridor Design Regulations (adopted in April 2004) and the Ridgewood Avenue Corridor Design Regulations (adopted in 2012) as a guide to implement regulations for specific streetscape, landscape, architectural design standards and all other applicable requirements for properties developed along the SR 442 and US1 corridors.

**This criterion has not been met.**

2. Will the granting of the proposed variance result in creating or continuing a use which is not compatible with adjacent uses in the area?
  - a. **Applicant's Response:** Just trying to continue business since 1993.
  - b. **Staff's response:** Yes, granting the variance will result in creating or continuing a use which is not compatible with adjacent uses. Other businesses along US1 in the adjacent areas are complying with the Ridgewood Corridor regulations.

**This criterion has been not met.**

3. Is the proposed action the minimum action available to permit reasonable use of the property?
  - a. **Applicant's response:** Nothing else is necessary.
  - b. **Staff's response:** The applicant could meet the requirements by reducing the height of the storage racks.

**This criterion has not been met.**

4. Are the physical characteristics of the subject site unique and not present on adjacent sites?
- Applicant's response:** "Nothing has changed since 1993. You could always see our materials in our back yard. Building color was the same before the new building."
  - Staff's response:** The subject property is a conforming lot meeting the minimum lot size, width, and depth, with adequate room for compliant storage, however the uses are operating in a legal non-conforming manner.

**This criterion has not been met.**

5. Are the circumstances creating the need for the variance the result of actions by the applicant or actions proposed by the applicant?
- Applicant's response:** "The variance is because of a asshole neighbor we cant make happy. Probably never will."
  - Staff's response:** The business has had the same storage locations as far back as 2006 according to aerial imagery. In addition, the building has had the same yellow primary color for at least the past 10 years.

**This criterion has been met.**

6. Will the granting of the proposed variance cause substantial detriment to public welfare or impair the purposes and intent of the Land Development Code?
- Applicant's response:** Absolutely nothing will change. We have always tried to keep our business in top shape. Building color is the same as our business at 1670 Nova Road. We have been selling Chlorine since 1995. Nothing has changed. When we had a 6' chain-link fence with white slats you could see all my pipe racks. The NEW 8' high concrete wall hides everything in the yard. We also have a buffer lot between our business and the east side neighbor.
  - Staff's response:** Yes, though granting the variance will not be detrimental to the public welfare it will impair the purposes and intent of the Land Development Code Article III and XX.

**This criterion has not been met.**

**Staff Comments:** Environmental Services and the Fire Department offered no comments and recommended approval of the variance requests.

**Public Notice:**

In accordance with Florida Statutes Chapter 166.041, a Public Notice sign was posted on the site on January 28th, 2025. In addition, Public Notices were mailed to all addresses within 500' of the proposed project.

**Staff Recommendation:**

Staff does not recommend approval for VA-2426 because the applicant could not meet all six criteria of Article IX, Section 21-100.04(d), Non-Administrative Variance, City of Edgewater's Land Development Code.