

MEMORANDUM

DATE: January 27, 2026

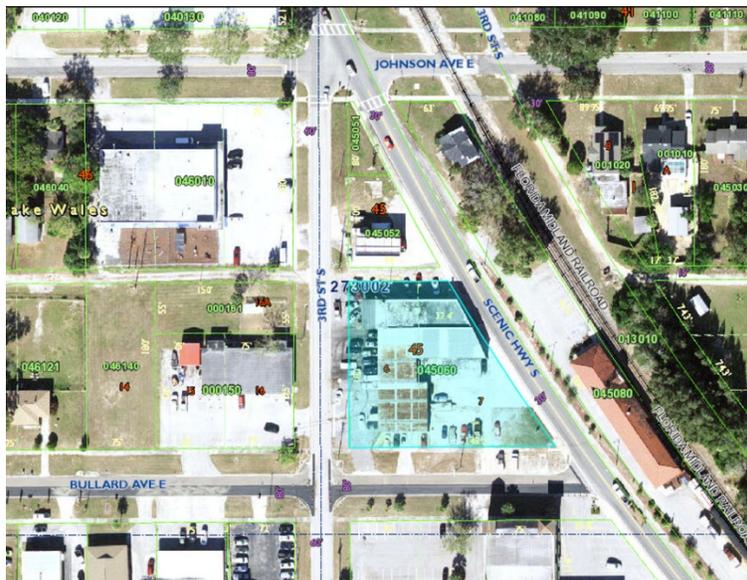
TO: Planning and Zoning Board

FROM: Autumn Cochella, AICP, FRA-RA, Growth Management

SUBJECT: Landscape Buffer Waiver Request and Amendment to a Special Exception Use Permit for an Automotive Sales & Repair Use
Address: 242 Scenic Hwy S.
PID: 273001-883000-045060

PUBLIC HEARING – Requirements have been met

SYNOPSIS: *HAB Holdings LLC, owner, is requesting approval of the Planning and Zoning Board to waive the planting requirements within a landscape buffer along Scenic Highway, amending the Conditions of Approval of a Special Exception Use Permit to allow automobile sales.*



Location Map

RECOMMENDATION

Staff recommends denial of the landscape buffer waiver request, finding the following:

1. The requested waiver violates Condition of Approval 2 of the Special Exception Use Permit approved by the Planning and Zoning Board on March 26, 2024, which

states: *Landscape buffering shall include a hedge that will become six (6) feet high at maturity to screen the vehicular sales. The hedge must be a minimum of two (2) feet and fifty (50) percent view blockage at time of planting, and must reach mature height within two (2) years.*

2. After an onsite inspection of the planting area and soil in October of 2025, the City's Horticulturist found that the buffer area and soil are sufficient to support tree and vegetation growth with adequate care.
3. The Ridge Scenic Highway Corridor is intended to enhance and preserve the scenic vistas of natural features and history to promote and preserve local culture, tourism, and attractions. Development along the corridor is encouraged to provide landscaping that enhances the characteristic of Scenic Highway.

BACKGROUND

The property is located east of 3rd Street South, north of Bullard Avenue, and west of Scenic Highway South. In March of 2024, the Planning and Zoning Board approved a Special Exception Use Permit for automotive sales, with conditions of approval.



Google Street View of 242 Scenic Highway South from May of 2023

Mr. Kebabjian was issued a Notice of Violation from City Code Compliance due to the failing landscape buffer plantings in June of 2025. In September of 2025, Mr. Kebabjian informed Code Compliance of his intentions to seek a waiver from the requirement to re-plant within the buffer. In October of 2025, Planning Staff informed Mr. Kebabjian of the City Horticulturist's findings, that vehicle tire tracks were observed within the grass areas which may have impacted the irrigation or plantings, and that Planning Staff would not support request to waive the buffer requirements. Mr. Kebabjian responded via email, restating that he would like to request the waiver.



Dead buffer tree/no hedge



Dead buffer tree/no hedge

Staff Findings

1. The requested waiver violates Condition of Approval 2 of the Special Exception Use Permit approved by the Planning and Zoning Board on March 26, 2024, which states: *Landscape buffering shall include a hedge that will become six (6) feet high at maturity to screen the vehicular sales. The hedge must be a minimum of two (2) feet and fifty (50) percent view blockage at time of planting, and must reach mature height within two (2) years.*
2. After an onsite inspection of the planting area and soil in October of 2024, the City's Horticulturist found that the buffer area and soil are sufficient to support tree and vegetation growth with adequate care.
3. The Ridge Scenic Highway Corridor is intended to enhance and preserve the scenic vistas of natural features and history to promote and preserve local culture, tourism, and attractions. Development along the corridor is encouraged to provide landscaping that enhances the characteristic of Scenic Highway.

Conditions of Approval approved in March of 2024:

4. Storage of derelict vehicles or vehicles stored and displayed for sale exceeding the location or amount on the approved site plan will result in code compliance violation.
5. **Landscape buffering shall include a hedge that will become six (6) feet high at maturity to screen the vehicular sales. The hedge must be a minimum of two (2) feet and fifty (50) percent view blockage at time of planting, and must reach mature height within two (2) years.**
6. **Three (3) additional canopy trees shall be planted on site or planted at 200 Scenic Highway South, or a fee in lieu of planting required trees shall be paid into the tree replacement fund prior to issuance of a Certificate of Use and Business Tax Receipt.**
7. Irrigation for plantings shall be installed and inspected by the Zoning inspector prior to issuance of a Certificate of Use and Business Tax Receipt.
8. A separate building permit for signage shall be submitted, meeting Section 23-545.
9. The dumpster shall be screened from view per Section 23-542, and an inspection must be passed.
10. FDOT access permit and SWFWMD permit or determination letter shall be submitted to staff prior to issuance of the Certificate of Use and Business Tax Receipt.
11. A Certificate of Use and Business Tax Receipt will not be issued until all conditions have been met, and a final site inspection is completed and approved by the Zoning Inspector.

CODE REFERENCES AND REVIEW CRITERIA

- Sec. 23-306 Off-Street Parking and Vehicular Access

➤ Sec. 23-307 Landscaping Requirements

ATTACHMENTS

Waiver Request Narrative

Site Plan (with waiver request for trees and hedges notated)