



City of Dania Beach, Florida
 Department of Community Development
 Planning and Zoning Division
 (954) 924-6805 X3643

General Development Application

- Administrative Variance
- Assignment of Flex/Reserve Units
- Land Use Amendment
- Plat
- Plat Delegation Request
- Rezoning
- Site Plan
- Special Exception
- Trafficway Waiver
- Variance
- Roadway Vacation
- Other: _____



Date Rec'd: 9/15/10
 Petition No.: VA-42-10

THIS APPLICATION WILL NOT BE ACCEPTED UNTIL IT IS COMPLETE AND SUBMITTED WITH ALL NECESSARY DOCUMENTS. Refer to the application type at the top of this form and "Required Documentation" checklist to determine the supplemental documents required with each application. For after the fact applications, the responsible contractor of record shall be present at the board hearing. Their failure to attend may impact upon the disposition of your application. As always, the applicant or their authorized legal agent must be present at all meetings. All projects must also obtain a building permit from the City's Building Department.

Location Address: 1855 Griffin Road - Dania Beach, Florida

Lot(s): _____ Block: _____ Subdivision: Design Center of the Americas

Recorded Plat Name: Design Center of the Americas

Folio Number(s): 5042 33 38 0010
5042 33 38 0020 Legal Description: See Attached - Exhibit "A"

Applicant/Consultant/Legal Representative (**circle one**) Emerson Allsworth or C. William Laystrom, Jr.

Address of Applicant: 1177 S.E. 3 Avenue, Fort Lauderdale, Florida 33316

Business Telephone: 954.762.3400 Cell 954.398.0051 Home: _____ Fax: 954.468.1469

Name of Property Owner: Cohen Brothers Development Corp. of Florida LLC
Design Center of the Americas LLC

Address of Property Owner: 750 Lexington Avenue, 28th Floor, New York, New York 10022

Business Telephone: 212.838.1800 Home: _____ Fax: _____

Explanation of Request: See Attached Criteria Statement

For Plats please provide proposed Plat Name for Variances please attach Criteria Statement as per Article 10.13 of Chapter 28, Zoning Code.

Prop. Net Acreage: 31.38 Gross Acreage: 31.38 Prop. Square Footage: _____
Design Center-furniture

Existing Use: and related products Proposed Use: Same

Is property owned individually, by a corporation, or a joint venture? Corporation



September 7, 2010

**Zoning Department
Dania Beach City Hall
100 West Dania Beach Boulevard
Dania Beach, Florida 33004**

Re: Design Center of the Americas

This letter authorizes Attorneys C. William Laystrom Jr. or Emerson Allsworth of the law firm of Doumar, Allsworth, Laystrom et al. to represent DCOTA in the upcoming signage variance request and to execute documents to the City of Dania Beach in furtherance of such request.

Thank you for your cooperation.

Sincerely Yours,

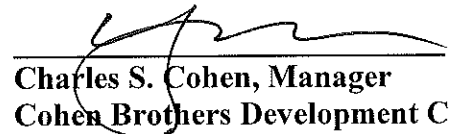

**Charles S. Cohen, Manager
Cohen Brothers Development Corp.
of Florida, LLC
& Design Center of the Americas,
LLC**

EXHIBIT "A"

LEGAL DESCRIPTION

Design Center of the Americas Land Description

LAND DESCRIPTION: PARCEL 1 (PHASES 1 and 2):

A PORTION OF PARCEL "A", "DESIGN CENTER OF THE AMERICAS", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 118, PAGE 32 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL "A"; THENCE SOUTH 01° 20' 33" EAST ALONG THE EAST LINE OF SAID PARCEL "A", A DISTANCE OF 828.00 FEET; THENCE SOUTH 88° 38' 27" WEST, 740.69 FEET TO A POINT ON THE WESTERLY LINE OF SAID PARCEL "A" SAID LINE ALSO BEING THE EASTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF INTERSTATE 95 (STATE ROAD NO. 9) AS SHOWN ON D.O.T. MAP SECTION 88070-2403; THENCE NORTH 14° 31' 03" WEST ALONG SAID WESTERLY LINE AND SAID LIMITED ACCESS LINE, A DISTANCE OF 642.93 FEET; THENCE NORTH 88° 38' 27" EAST ALONG THE NORTH LINE OF SAID PARCEL "A", A DISTANCE OF 887.22 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN THE CITY OF DANIA, BROWARD COUNTY, FLORIDA AND CONTAINING 11.76 ACRES, MORE OR LESS.

LAND DESCRIPTION: PARCEL 2 (PHASE 3):

A PORTION OF PARCEL "A", "DESIGN CENTER OF THE AMERICAS", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 118, PAGE 32 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID PARCEL "A"; THENCE SOUTH 01° 20' 33" EAST ALONG THE EAST LINE OF SAID PARCEL "A", 828.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 01° 20' 33" EAST ALONG SAID EAST LINE, 278.03 FEET; THENCE SOUTH 88° 38' 27" WEST, 680.49 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 6,829.66 FEET SAID POINT ALSO BEING ON THE WEST LINE OF PARCEL "A" OF SAID PLAT AND SAID POINT ALSO BEING ON THE EASTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF INTERSTATE 95 (STATE ROAD NO. 9) AS SHOWN ON THE F.D.O.T. MAP SECTION 88070-2403; (A RADIAL LINE THROUGH SAID POINT BEARS NORTH 77° 48' 58" EAST); THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, SAID WESTERLY LINE AND SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 02° 17' 58", AN ARC DISTANCE OF 237.96 FEET; THENCE NORTH 14° 31' 03" WEST ALONG SAID WESTERLY LINE AND SAID RIGHT-OF-WAY LINE 46.52 FEET; THENCE NORTH 88° 38' 27" EAST, 740.69 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN THE CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA, CONTAINING 4.53 ACRES, MORE OR LESS.

LAND DESCRIPTION: PARCEL 3 (PHASE 4):

A PORTION OF PARCEL "A", AND NW 2ND STREET, "DESIGN CENTER OF THE AMERICAS", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 118, PAGE 32 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID PARCEL "A"; THENCE SOUTH 01° 20' 33" EAST ALONG THE EAST LINE OF SAID PARCEL "A", A DISTANCE OF 904.03 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 01° 20' 33" EAST ALONG SAID EAST LINE, A DISTANCE OF 1077.03 FEET; THENCE SOUTH 87° 48' 58" WEST ALONG THE SOUTH RIGHT-OF-WAY LINE OF NW 2ND STREET AS SHOWN ON SAID PLAT, A DISTANCE OF 659.89 FEET TO A POINT ON THE EASTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF INTERSTATE 95 (STATE ROAD NO. 9) AS SHOWN ON D.O.T. MAP SECTION 88070-2403; THENCE NORTH 03° 54' 37" WEST ALONG THE AFOREMENTIONED RIGHT-OF-WAY LINE, A DISTANCE OF 232.82 FEET TO A POINT ON THE ARC OF A TANGENT CURVE TO THE LEFT, CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 5829.66 FEET; THENCE NORTHERLY AND NORTHWESTERLY ALONG THE AFOREMENTIONED RIGHT-OF-WAY LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 8° 18' 28", AN ARC DISTANCE OF 659.89 FEET TO A POINT OF TANGENCY; THENCE NORTH 88° 38' 27" EAST 880.49 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN THE CITY OF DANIA, BROWARD COUNTY, FLORIDA, AND CONTAINING 35.15 ACRES, MORE OR LESS.

LAW OFFICES
**DOUMAR, ALLSWORTH, LAYSTROM,
VOIGT, WACHS, ADAIR, PARKE & BOSACK, LLP**

JOHN H. ADAIR, III, P.A.
EMERSON ALLSWORTH, P.A.
E. SCOTT ALLSWORTH, P.A.
MARK E. ALLSWORTH, P.A.
KAREY L. BOSACK, P.A.
BENJAMIN R. DISHOWITZ, P.A.

† ALSO ADMITTED IN PENNSYLVANIA
* ALSO ADMITTED IN MICHIGAN

1177 SOUTHEAST THIRD AVENUE
FORT LAUDERDALE, FLORIDA 33316-1109
BROWARD (954) 762-3400
TOLL FREE (866) 242-9488
TELEFAX (954) 525-3423
WEBSITE: SFLALAW.COM

RAYMOND A. DOUMAR, P.A.*
C. WILLIAM LAYSTROM, JR., P.A.
ANDRE PARKE, P.A.
JOHN D. VOIGT, P.A.
JEFFREY S. WACHS, P.A.†

OF COUNSEL
STUART J. MAC IVER, P.A.
JOHN W. PERLOFF, P.A.

September 10, 2010

Mayor and City Commission
Dania Beach City Hall
100 West Dania Beach Boulevard
Dania Beach, Florida 33004

Re: Variance Signage Request

Dear Mayor and Commissioners,

We request a variance to grant a digital pole sign adjacent to I-95, the size being 14' x 48' feet and 50' from ground level to top of sign.

Please consider this as our letter addressing the criteria for the granting of the requested variance.

- (a) That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

The Design Center of the Americas (DCOTA) is a unique, campus-like complex including multiple buildings, extensive parking and landscaping over 33 acres in size. The sheer scope and layout of the Center is unique. This location constitutes a major employment center for Dania Beach and brings in a substantial number of visitors on a daily basis. Many travelers exit the I-95 / Griffin Road exit to access DCOTA. There is no comparable complex within Dania Beach.

- (b) That the special conditions and circumstances do not result from the actions of the applicant.

The special conditions and circumstances are the result of the physical location of the complex. It is located up against I-95 on the west with the only access to the property being from Griffin Road to the north. This is not the result of any actions by the applicant.

- (c) That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

The subject property is the only complex of this type in this same zoning district. Therefore, the granting of the variances has no affect on the priveges available to any other lands, buildings or structures.

- (d) That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

The way the code is written unduly restricts the available signage for the complex. Because of its uniqueness as to size and location, the code deprives the applicant and the public of any reasonable visibility of the complex. Many of its visitors are unfamiliar with the area and this fact together with the available access creates an unnecessary and undue hardship on the applicant. The ability of the public to locate and access the complex is necessary for it to operate successfully. The proposed signage is critical to this success.

- (e) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

The variance requested is the minimum necessary to accomplish any reasonable visibility and identification of the complex. The request is limited to the minimum necessary for the reasonable use of the property. Any lesser variance granted would defeat the purpose of a variance which is to grant hardship relief when the criteria for a variance has been met as in this case.

- (f) That the grant of this variance will be in harmony with the general intent and purpose of this chapter, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

The granting of this variance comports with the general intent and purpose of this chapter which is to grant such relief. It will not be injurious to the area or otherwise detrimental to the public welfare. In fact, the complex needs the requested variance to have a reasonable opportunity for a successful operation. This property is developed with millions of dollars of improvements. It is a large employment center with a highly paid employee base. It attracts a financially secure clientele with many of them new to South Florida. This draws people to Dania Beach who otherwise would be unaware of the location and attributes of Dania Beach. The granting of the variance and the success of many businesses

located within this complex will continue to enhance the property values and aesthetics of the surrounding area. There is no downside to the granting of the variance. Such action will contribute to the overall benefit of the subject property, the surrounding area and the City of Dania Beach. The applicant desires to utilize a portion of the messages conveyed by this signage to enhance the public welfare. This will allow the City of Dania Beach to contribute proposed messages to the applicant such as welcome language to Dania Beach or promotion of the tomato festival and the like in order to promote a public purpose.

Respectfully Submitted,



Emerson Allsworth

OUTDOOR ADVERTISING AGENCY OF AMERICA

SUMMARY OF TRAFFIC SAFETY OF DIGITAL BILLBOARDS

Traffic Safety

New technologies prompt questions about safety. Studies of contemporary digital billboards have found them to be safety neutral and not correlated with traffic accidents.

Specifically, studies funded by the Foundation for Outdoor Advertising Research and Education looked at digital billboards and driver distraction from two different angles. The first was performed by the Virginia Tech Transportation Institute (VTTI), an academic traffic safety research institute used by government agencies and the private sector. Researchers analyzed the eye glances of drivers along with driving factors such as lane changes and speed. Randomly selected people drove specially equipped cars which monitored when their eyes glanced toward digital billboards, conventional billboards and other objects. The study found the average glance toward a digital billboard was less than a second.

This finding is important, because a separate study released in 2006 by VTTI identified a two-second threshold for increased risk due to distraction: "Glances totaling more than two seconds for any purpose increase near-crash/crash risk by at least two times that of normal, baseline driving." Therefore, the typical glance toward a digital billboard is under the threshold.

The study identifying a two-second threshold has a long name: "The Impact of Driver Inattention on Near-Crash/Crash Risk: an Analysis Using the 100-Car Naturalistic Driving Study Data." Virginia Tech performed this study for the National Highway Traffic Safety Administration. This exhaustive study also said: "Short, brief glances away from the forward roadway for the purpose of scanning the driving environment are safe and actually decrease near-crash/crash risk."

Accident records also say digital billboards are not a traffic safety risk. Comprehensive studies were performed by Tantara Associates, a consulting engineering firm based in Philadelphia, PA, which has performed analytical research for government. Researchers examined over 85,000 government accident records covering almost 16 years and collectively studied around 29 different digital billboards in 3 different cities. Analyses of accident records showed "digital billboards have no statistical relationship with the occurrence of accidents."

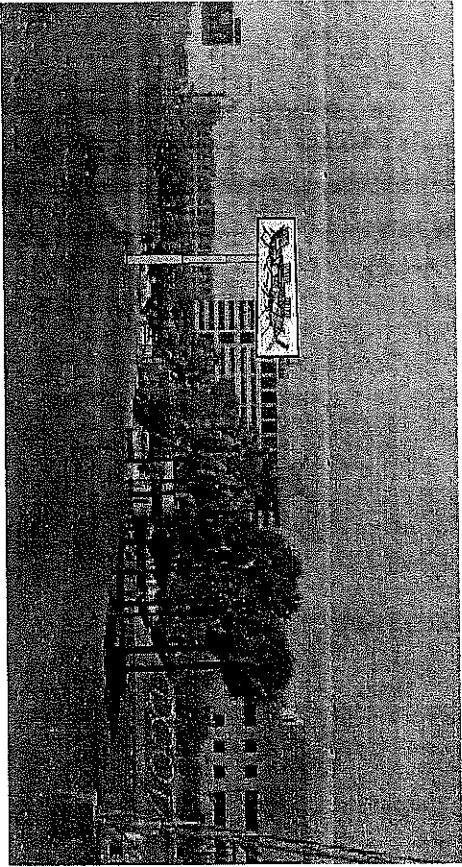
These analyses looked at various view zones, or distances, from the digital billboards. Likewise, this study accounted for other factors such as deer hits and weather conditions (known as "bias factors"). No matter how the accident data were analyzed, the conclusion was the same: digital billboards are not related to accidents.

Several states have also performed their own studies on digital billboards, looking at

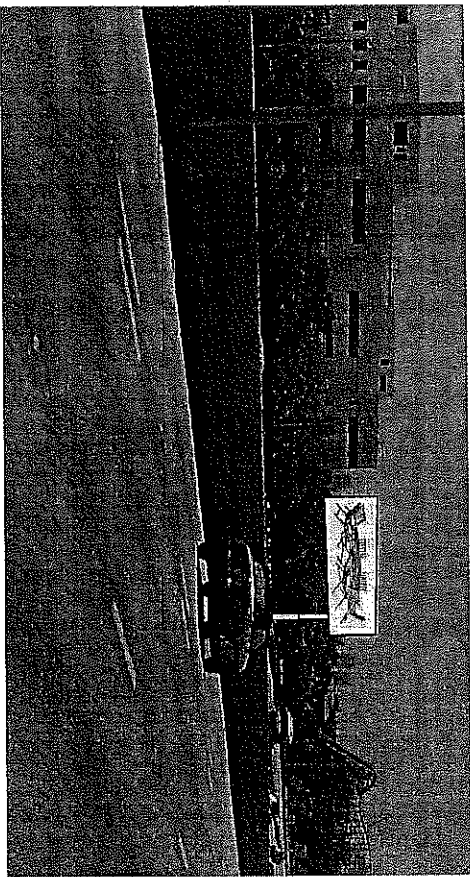
accident data near digital billboards. Transportation officials in Virginia, South Carolina, and West Virginia reported digital billboards have not caused traffic safety problems. Local officials also have reviewed accident records:

"I ... have no indication that digital billboards pose any safety threat to the traveling public."

—RICHARD WILES, EL PASO COUNTY (TX) SHERIFF,
IN A LETTER TO CITY GOVERNMENT (JULY 13, 2009)

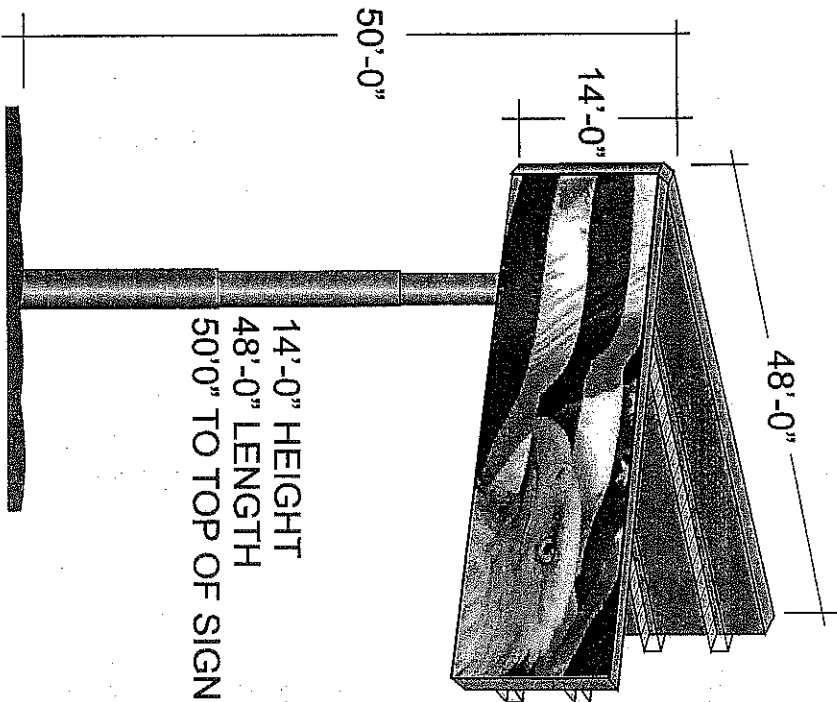


GOING NORTH ON I-95



GOING SOUTH ON I-95

V-SHAPE DIGITAL SIGN



14'-0" HEIGHT
48'-0" LENGTH
50'-0" TO TOP OF SIGN

MODERN DISPLAY SIGNS
 SINCE 1952
 Thruout Clark
 088300523 & 08-55-15177-X
 15337 West Dixie Highway
 North Miami Beach, FL 33162
 Tel. 305-947-5876

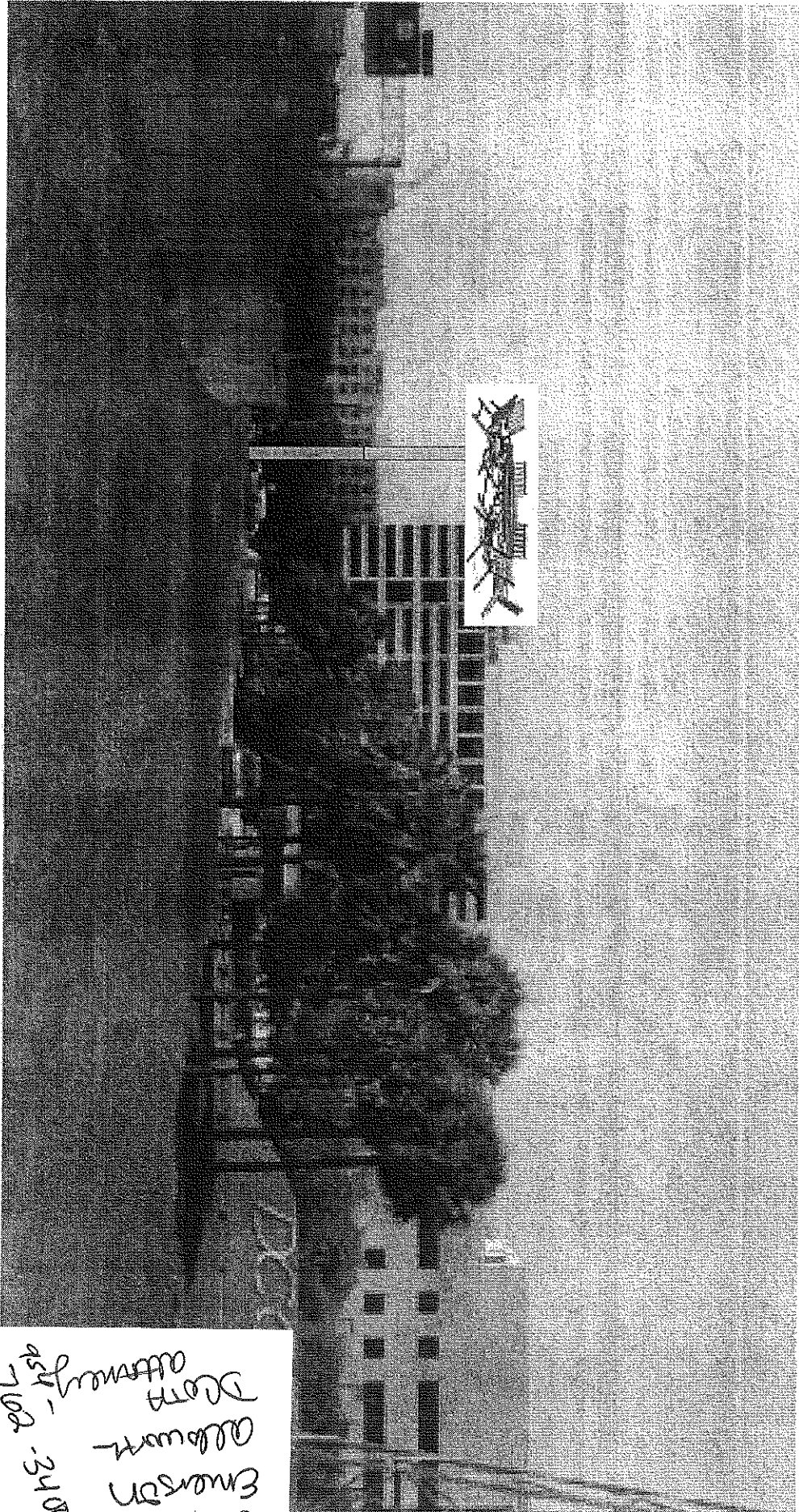
CONTRACTOR:
 ONLY ELECTRIC CO., INC.
 QUALIFIER: YOAV ADIKA
 EC18002318
 348 NW 102nd TERRACE
 PLANTATION, FL 33324
 TEL: (954) 478-5817

JOB NAME & ADDRESS:
 DCOTA
 DANIA BEACH, FL

DATE: 09/19/2010
DESIGNER: ANDY

SALES PERSON: TIM R. AND LYLE
LIGHTING: YES

Electrical Information:
 ALL BREAKERS AND TAPPING DEVICES SHALL BE IDENTIFIED AT TIME OF INSTALLATION.
 PULLING WIRING BY OTHERS AS PER NEC 600.21.
 ALL ELECTRICAL WIRING AND INSTALLATION SHALL COMPLY WITH THE PROVISIONS OF THE NATIONAL ELECTRICAL CODE (ARTICLE 90) AND ANY AND ALL AMENDMENTS OF THE CURRENT NATIONAL ELECTRICAL CODE.
 SERVICE DISCONNECT AS PER NEC 600.2.
 1/2" RIGID WITH 1/2" WIRE BUSHING THROUGH ALL SPACER COMPONENTS ARE ILL. USED & APPROVED MANUFACTURER OF ECONOMY ELECTRICAL.
 SOURCE: ELEC-T
 CONCRETE TOL. 48 & 216
 (L. LABEL / AMEND)
 ALL TRANSFORMERS ARE GFCI PROTECTED
 NO. 2 COPPER WIRE FOR GROUNDING/BONDING
 OF SIGN AS PER NEC 250
 TIME CLOCK OR PHOTO CELL, REQUIRED FOR EACH CIRCUIT PER PERB



Call
Emerson
about
Dora
attorney -
3100
457 700

