



**CITY OF DANIA BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

**DATE:** September 13, 2011

**TO:** Robert Baldwin, City Manager

**VIA:** Robert Daniels, Director *Robert Daniels*

**FROM:** Corinne Lajoie, AICP, Principal Planner *CL*  
Kristin Dion, AICP, Planner *KD*

**REQUEST:** **VA-25-11:** The applicant, Alexander Demidov, representing Rythmic Art, Inc., is requesting a parking variance from Part 2, Section 265-50 of the Unified Land Development Code (ULDC) to allow for a gymnastic studio on a property located at 301 Bryan Road (Spaces 301-309).

**VARIANCE**

To allow for a reduction of 20 parking spaces, providing 41 spaces; code requires 61 spaces.

**PROPERTY INFORMATION**

EXISTING ZONING:	Commercial (C-4)
LAND USE DESIGNATION:	Regional Activity Center (RAC)
OVERLAY DISTRICT	Community Redevelopment Agency (CRA)

The proposed location of the gymnastics and cheerleading studio is comprised of 3 units within the Broward International Commerce Center and totals 13,229 square feet. The site plan for the commerce center was approved as an office warehouse complex and therefore the site provides parking based on the calculations for such uses. The C-4 zoning district permits the use of athletic studios.

The approved site plan for the subject site includes 4 buildings. The building in which this studio is proposed totals 26,614 square feet and has 41 parking spaces. Based on section 265-50, ULDC, the proposed studio requires 44 parking spaces and the remaining office warehouse space requires 17 spaces, totaling 61 required spaces. The applicant is requesting approval of a variance for the reduction of 20 spaces.

Gymnastics training requires a high vertical ceiling clearance, which is typical to industrial warehouse development, and this particular building provides. However, industrial parks constructed for the purpose of warehousing do not require a large parking ratio; current code requires 1 parking space per 1,000 square feet of warehouse space. The parking ratio required for an athletic training studio of 1 parking space per 300 square feet is customary to commercial office and retail developments; however the low ceiling clearance customary to commercial structures is not adequate for gymnastics training.

According to the applicant, the majority of gymnasts attending the studio are not of driving age and the Rhythmic Art policies prohibit parents from attending training sessions. In addition, the

studio will be providing van transportation service to and from the studio. The studio employs a total of 8 people including five coaches, one receptionist and 2 administrative staff; however the number of employees onsite will vary throughout the day. The maximum number of staff members that will be onsite at any time is five, including three coaches, one receptionist, and one administrative staff member. The largest volume of students generally occurs between 3 pm and 9 pm. Based on the approved site plan, the three subject units are allocated 20 parking spaces. The Community Development Director and the Economic Development Manager have both visited the site and conclude that parking is adequate and this use will not negatively impact other businesses in this industrial park.

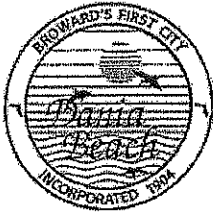
In accordance with Section 625-40 of the ULDC, variances may be granted when:

- (1) 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;
- (2) The special conditions and circumstances do not result from the actions of the applicant;
- (3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this code to other lands, buildings or structures in this same zoning district;
- (4) Literal interpretation of the provisions of this code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this code and would work unnecessary and undue hardship on the applicant;
- (5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure; and
- (6) The variance granted will be in harmony with the general intent and purpose of this Land Development Code, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

This property is located within the CRA. The Economic Development Manager has reviewed this application and recommends approval.

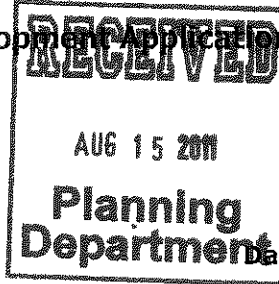
#### **STAFF RECOMMENDATION**

Approve.



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: 8/15/2011  
Petition No.: VA-25/11

**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. For more information please reference the **Dania Beach Land Development Code Part 6, Development Review Procedures and Requirements.**

Location Address: 301 BRYAN ROAD

Lot(s): PARCEL 4 Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_

Recorded Plat Name: RE-AMENDED PLAT OF HOLLYWOOD PALMS

Folio Number(s): 5042-3306-0010 Legal Description: SOUTH 1/2A PT OF THE WEST 1/2 OF

Applicant Consultant/Legal Representative (circle one) ALEXANDER DEMIDOV 33004

Address of Applicant: 301 N. BRYAN RD., DANIA BEACH, FL

Business Telephone: 305.619.0884 Home: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail address: ALEX@RHYTHMIC-AET.COM

Name of Property Owner: BROWARD INTERNATIONAL COMMERCE PARK LTD.

Address of Property Owner: 1700 STUTZ DRIVE, SUITE 15, TROY, MICHIGAN 48084

Business Telephone: 248.649.4770 Home: \_\_\_\_\_ Fax: 248.649.1224

**Explanation of Request:** SEE CRITERIA STATEMENT + SITE PLAN ATTACHED  
For Plats please provide proposed Plat Name for Variances please attach Criteria Statement as per Section 625.40 of the Land Development Code.

Prop. Net Acreage: \_\_\_\_\_ Gross Acreage: 25.2 Prop. Square Footage: 96,000

Existing Use: STORAGE/OFF Proposed Use: ATHLETIC CLUB

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

I understand that all approvals automatically expire within 12 months of City Commission approval, or pursuant to the expiration timeframe listed in Part 6 of the Land Development Code.

Applicant/Owner signature

Print Name

Date

**APPLICANT, CONSULTANT, OR LEGAL REPRESENTATIVE NOTARIZED SIGNATURE**

Sworn to and subscribed before me

This 15<sup>th</sup> day of August 2011

Applicant/Consultant/Representative:

Signature: \_\_\_\_\_

Date: 08/15/2011

Sign Name of Notary Public  
State of ( FL )

(Print Name)

Print Name of Notary

Street Address, City, State and Zip Code

Commission Expires: \_\_\_\_\_  
Seal: \_\_\_\_\_



11/8/14  
**SANDRA MACDONALD**  
MY COMMISSION # EE 034097  
EXPIRES: November 8, 2014  
Bonded Thru Budget Notary Services

Telephone No. & Fax No.

**INDIVIDUAL OWNER NOTARIZED SIGNATURE:**

This is to certify that I am the fee simple owner of subject lands described above and that I have authorized (Applicant/Consultant/Representative) \_\_\_\_\_ to make and file the aforesaid application.

Sworn to and subscribed before me

This \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Owner: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Sign Name of Notary Public  
State of ( \_\_\_\_\_ )

(Print Name)

Print Name of Notary

Street Address, City, State and Zip Code

Commission Expires: \_\_\_\_\_

Seal: \_\_\_\_\_

Telephone No. & Fax No.

**CORPORATION NOTARIZED SIGNATURE:**

This is to certify that the below referenced corporation is the owner of subject lands described above and that I, as a duly authorized officer, have authorized (Applicant/Consultant/Representative) \_\_\_\_\_ to make and file the aforesaid application.

Sworn to and subscribed before me

Corporation Name: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

(Print Name)

\_\_\_\_\_  
Sign Name of Notary Public  
State of ( )

(Print Title)

\_\_\_\_\_  
Print Name of Notary

\_\_\_\_\_  
Street Address, City, State and Zip Code

\_\_\_\_\_  
Commission Expires: \_\_\_\_\_  
Seal:

\_\_\_\_\_  
Telephone No. & Fax No.

**JOINT VENTURE/PARTNERSHIP NOTARIZED SIGNATURE:**

This is to certify that the below referenced that the duly authorized persons are the owners of subject lands described above and that all partners have authorized (Applicant/Consultant/Representative) \_\_\_\_\_ to make and file the aforesaid application.

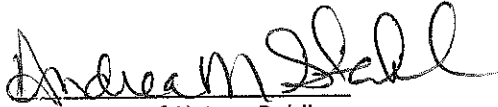
Sworn to and subscribed before me

This 10<sup>TH</sup> day of AUGUST 2011

Signature: 

Date: AUG. 10, 2011

JAMES DANTO, GEN. PTR.  
(Print Name)\*\*

  
Sign Name of Notary Public  
State of ( )

ANDREA M. STAHL  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF OAKLAND  
\_\_\_\_\_  
Print Name of Notary Public  
ACTING IN COUNTY OF OAKLAND

\_\_\_\_\_  
Commission Expires: \_\_\_\_\_  
Seal:

1700 STUTZ DR. #25, TROY, MI 48064  
Street Address, City, State and Zip Code

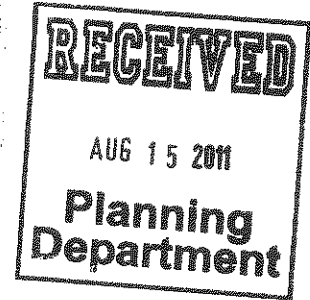
248-649-4770 (PH) 248-649-1224 (FAX)  
Telephone No. & Fax No.

**\*\*Each partner must sign. Attach duplicate sheets as required.**



**Andrew F. Garofalo**  
ATTORNEY AT LAW

Andrew F. Garofalo  
Board Certified Real Estate Attorney  
andrew@garofalolaw.net



**VIA HAND DELIVERY**

August 12, 2011

Community Development Director  
City of Dania Beach  
100 W. Dania Beach Blvd.  
Dania Beach, FL 33004

City Commission  
City of Dania Beach  
100 W. Dania Beach Blvd.  
Dania Beach, FL 33004

**RE: Variance Application / Rhythmic Art, Inc. Lease at Broward International  
Commerce Center / 321 Bryan Road, Bays 607-612, Dania Beach, Florida  
SATISFACTION OF VARIANCE CRITERIA SET FORTH IN CODE SECTION 625-40(A)**

Dear Ladies and Gentlemen:

**Introduction**

Rhythmic Art, Inc., a Florida corporation ("RAI"), has made application to the City of Dania Beach (the "City") for a variance from the off-street parking requirements set forth in Section 265-50 of the City of Dania Beach Land Development Code (the "Code") for the premises known as 301 Bryan Road, Building 600, Bays 607-612 (a.k.a. Spaces 301, 305, and 309), Dania Beach, Florida (the "Premises"), which is zoned C-4 under the Code.

In particular, the Schedule of Minimum Off-Street Parking Requirements, item number 36 (Health club, gym) requires one parking space per 300 square feet (the Premises is within the CRA Form Based Districts). The Premises is 13,229 square feet. Therefore, under a strict reading of the Code, use of the Premises as a rhythmic gymnastics center, with an accessory office use (877 square feet), would require 44 total parking spaces. However, the Approved Site Plan (the "Site Plan") for the Premises allows the use of only 20 parking spaces (plus the loading dock areas which could be used for additional parking) for the Premises, meaning that the Premises is short 24 parking spaces under a strict reading of the Code.

The variance application submitted by RAI is requesting that the City allow RAI to operate the rhythmic gymnastics center at the Premises notwithstanding that RAI does not meet the strict Code requirements of 44 parking spaces. Section 625-40(A) of the Code sets forth six criteria which the City may consider when deciding whether to approve a variance request. RAI satisfies each of the six criteria as set forth below.

Garofalo Law Office P.A.  
7401 Wiles Road, Suite 319, Coral Springs, Florida 33067  
T: 888-658-8686 • F: 888-658-7360 • www.garofalolaw.net

## Summary

Capitalized terms used in this Summary are defined above or below. The Rules of rhythmic gymnastics specify a 26.24 foot ceiling height for the Junior Olympic Program. There is no suitable space in the City or in Broward County, other than the Premises, which is close to meeting the Rules' ceiling height specifications.

- The fact that the Premises is the only space in the area suitable for RAI's intended use because it's clear ceiling height is closest to the Facility specifications set forth in the Rules is a "special condition" under Section 625-40(A)(1) of the Code.
- The special condition does not result from RAI's actions because RAI has no control over the type of space developed in the area.
- In determining whether RAI is being conferred a special privilege, it is fair to compare RAI's intended use to the same use or a similar use of space in the area. Granting the variance to RAI will not confer any special privilege to RAI because there is no other person in the area using their space for this same use or a similar use in strict compliance with the Code.
- A literal and strict interpretation of the Code's parking requirements would prevent RAI and any other person from opening a rhythmic gymnastics center in the area, thereby infringing upon RAI's right to operate a private business in the City and causing RAI undue hardship since the lack of suitable space in the area would cause RAI to have to search for space outside of Broward County, with no guaranty that such space exists or would be available.
- The variance requested is the minimum variance that will make possible the reasonable use of the Premises because parking impacts from RAI's intended use will be minimal (about 90% of RAI's gymnasts will not be of driving age, RAI will be providing van transportation service to gymnasts, and RAI's policies forbid gymnasts' parents from regular attendance during their children's training) and the Site Plan only allocates 20 parking spaces for the Premises.
- If the variance is granted, RAI's use of the Premises will be in harmony with the Code and there will be no injury to the area or the public welfare. This is because parking impacts will be minimal, no congestion or parking shortages will result, and operation of a rhythmic gymnastics center at the Premises will positively contribute to the public welfare by improving the physical and mental health of the children participating in the sport and teaching them the virtues of discipline and commitment and by keeping those children in a safe learning environment after school hours.

## Analysis

**(1) 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 special condition which exists which is peculiar to the building and which is not applicable to other buildings in the same zoning district is that the building in which the Premises is located is the only suitable building in the City, and in Broward County, which has a clear ceiling height closest to the Facility specifications set forth in the USA Gymnastics, Rhythmic Gymnastics Junior Olympic Program (the "Rules"). The clear ceiling height of the Premises is 24 feet at the rear and 25.83 feet at the front. The Rules require that rhythmic gymnastics competition facilities have a ceiling height of 26.24 feet (see attached document excerpt Exhibit "A" which can also be found at [http://usa-gymnastics.org/PDFs/Rhythmic/Junior%20Olympics/JO\\_Provisional\\_09.pdf](http://usa-gymnastics.org/PDFs/Rhythmic/Junior%20Olympics/JO_Provisional_09.pdf)). The Rules are promulgated by USA Gymnastics, the sole national governing body for the sport of gymnastics in the United States, which is a designation granted to USA Gymnastics by the U.S. Olympic Committee, and the International Gymnastics Federation ("FIG") (see USA Gymnastics' web site at <http://usa-gymnastics.org/pages/index.html>).

**(2) The special conditions and circumstances do not result from the actions of the applicant**

The special condition, that the Premises is the only space in the area with a clear ceiling height suitable for RAI's intended use, does not result from RAI's actions. RAI has no control over the type of space developed in the zoning district, the City, or Broward County. Ted Konigsberg, SIOR, RAI's real estate broker, was unable to locate any other space in the City or Broward County which would be suitable for rhythmic gymnastics use. The lack of suitable space in the area is completely out of RAI's control.

**(3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this code to other lands, buildings or structures in this same zoning district**

Granting the variance requested by RAI will not confer special privileges to RAI which are denied by the Code to other buildings in the same zoning district. In determining whether RAI is being conferred a special privilege, the Premises should be compared to other properties in this zoning district which are being used for the same or a similar use (e.g., it would be unfair to determine this issue by comparing the Premises to a property used as a bank or any other C-4 permitted uses which are not similar to RAI's intended use). Granting the variance to RAI will not confer any special privilege to RAI because there is no other person in the area using their space for this same use or a similar use in strict compliance with the Code's existing parking requirements.

**(4) Literal interpretation of the provisions of this code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this code and would work unnecessary and undue hardship on the applicant**

Literal interpretation of the provisions of the Code would deprive RAI of rights commonly enjoyed by other properties in the same zoning district under the terms of the Code and would work unnecessary and undue hardship on RAI because if the City does not approve RAI's variance request RAI's right to



operate a private business in the City would be lost and would cause unnecessary and undue hardship to RAI because RAI would be unable to open a rhythmic gymnastics center anywhere else in the City or in Broward County.

**(5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure**

The variance requested would be the minimum variance that will make possible the reasonable use of the building. Attached to this letter is Exhibit "B" which shows the Parking Impacts resulting from use of the Premises as a rhythmic gymnastics center. Because about 90% of the gymnasts are not of driving age, because RAI will be providing van transportation service to many of its gymnasts, and because RAI's policies (attached to this letter as Exhibit "C"), see specifically the "Visitors" section of the policies, forbid gymnasts' parents from regular attendance during their children's training, very limited parking is needed to operate a rhythmic gymnastics center at the Premises. A variance of 24 parking spaces less than what is required in the Code is the minimum variance that will make possible the reasonable use of the building based on the foregoing Exhibits; and the Site Plan only allocates 20 parking spaces for the Premises.

**(6) The variance granted will be in harmony with the general intent and purpose of this Land Development Code, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare**

The variance requested would be in harmony with the general intent and purpose of the Code. The Code's parking requirements are in place to avoid congestion and parking shortages. Because of the unique parking needs of RAI's rhythmic gymnastics center (about 90% of RAI's gymnasts will not be of driving age, RAI will be providing van transportation service to gymnasts, and RAI's policies forbid gymnasts' parents from regular attendance during their children's training), there will be no congestion or parking shortages at the Premises if the variance is granted. Furthermore, operation of a rhythmic gymnastics center at the Premises will in no way injure the area or be detrimental to public welfare. In fact, operation of the rhythmic gymnastics center at the Premises will cause the opposite result – it will greatly benefit the area and its residents. RAI's rhythmic gymnastics center will positively impact the area and the public welfare by improving the physical and mental health of the children participating in the sport, teaching the children the virtues of discipline and commitment, and keeping the children in a safe learning environment after school hours. There are no rhythmic gymnastics centers or other gymnastics centers in the area to fulfill this community need.

**Conclusion**

Based on the foregoing, RAI respectfully requests that the City grant RAI's variance request to allow RAI to operate the rhythmic gymnastics center at the Premises with 20 parking spaces (a variance of 24 spaces less than what the Code requires). In rendering your decision, please consider that RAI may also utilize the loading dock area for parking, which could provide up to 7 additional parking spaces.

Sincerely,



Andrew F. Garofalo  
For the Firm

## Exhibit "A"

### USA Gymnastics, Rhythmic Gymnastics Junior Olympic Program / Rules Excerpt

#### Generalities – SPECIFICATIONS

##### A. Facility

1. FIG regulation for the interior dimension of the floor area is 13 X 13 meters for individual, Group, Trio and Duet Competition, with a security zone of a minimum of 1 meter wide.
2. The floor area must be clearly marked showing the outer boundary of the floor so that the material itself is in bounds. In other words, a gymnast must step over the line to receive an out of bounds deduction.
3. The official FIG ceiling height, unobstructed, is a minimum height of 12 meters (39.37 feet); however, a minimum of 8 meters (26.24 feet) is required for JO competition.
4. A physical barrier should be set up with a recommended distance of at least 10 feet from the edge of the carpet (see Rules and Policies for additional specs).

##### B. Routine Regulation

- i. In levels 3-4 all routines are optional but compulsory for each club. For example: all the Level 3s from the same club perform the same routine. Slight variations in the body difficulty selection are tolerated. This rule applies to all events. For clubs with gymnasts of various age ranges within one level, one music/composition may be used for children and another for juniors/seniors if deemed appropriate.
- ii. In levels 3-4, the Meet Director may elect to have gymnasts compete 2 at a time on the carpet; routines should be choreographed for half of the floor area.
- iii. In levels 5-9, the gymnasts compete one at a time.

##### C. Music

###### CD Regulations:

- i. Levels 3-4: A separate CD is required for each club for each event. Each CD must be marked with the following:
  - a. Club name
  - b. Apparatus symbol
- ii. Levels 5-8: A separate CD is required for each gymnast for each event even if the entire team uses the same music. Each CD must be marked with the following:
  - a. Gymnast's full name
  - b. Club name
  - c. Apparatus symbol

Length of Program: The stopwatch will start when the gymnast begins to move and will stop as soon as the gymnast is totally motionless.

Level 3: 1 minute max

Levels 4-6: 1 minute to 1:30 max

Levels 7-8: 1:15-1:30 max

Music Regulation: The music may be interpreted by one or several instruments including the voice used as an instrument without words.

**Exhibit "B"**

**Parking Impacts**

**Hours of Operation:**

9:00 AM to 9:00 PM, Monday through Friday

9:00 AM to 6:00 PM, Saturday and Sunday

**Occupancy Load (Number of People Present Includes Staff and Clients):**

Hours	Monday to Friday	Saturday	Sunday	Parking Spaces Required	Notes:
9:00 to 12:00	5-20	5-10	5-10	M-F: 5-10 S, S: 5-10	Weekdays, most clients are picked up and dropped off.
12:00 to 3:00	5-20	10-20	10-20	M-F: 5-10 S, S: 5-10	Weekdays, most clients are picked up and dropped off.
3:00 to 6:00	20-50	10-40	10-30	M-F: 10-15 S, S: 5-10	Heaviest occupancy during week because after school hours. Most clients are picked up from school via company van and brought to the Premises and then picked up by parents from the Premises.
6:00 to 9:00	15-40	0	0	M-F: 10-15	Heaviest occupancy during week because after school hours. Most clients are picked up from school via company van and brought to the Premises and then picked up by parents from the Premises.

**Explanation of variance to relationship between occupancy load and parking requirements:**

As stated in the occupancy load table above, a large portion of the clients are "picked-up and dropped off", as about 90% are not of driving age. Further, RAI will use its own van to pick up clients at their respective schools for after school training; they will leave the Premises via pick up by their parents. Saturdays and Sundays, there will be no van pickup from school. Parents both drop off and pickup their children on weekends, but some may stay to watch them practice in accordance with RAI's policies, which are also attached to this letter as Exhibit "C".

**Staff members (varies throughout the day):**

Coaching: 5

Reception: 1

Administrative: 2

## Exhibit "C"

### Rhythmic Art, Inc. Policies



# Rules and Policies

#### Classes

A class placement is only guaranteed when a new signed registration form and full payment is made. Every attempt is made to place students in the class of their first choice; however, priority is given to students already enrolled in class. We will notify you only if your first choice is not available.

#### Payment

When you register your child for classes, you are paying for your child's place in class, not his or her attendance. Fees for each session must be paid in full before your child's name will be placed on the class list. Cash, check (please make checks payable to Rhythmic Art) or Visa, MasterCard, & American Express are accepted. No refunds or credits are given at any time.

#### Holidays

All locations will be closed for Labor Day Monday Sep. 5, 2011, Thanksgiving break Wednesday Nov. 23-Saturday Nov. 26, 2011, Christmas Day December 25, 2011 and New Year's Day Jan. 1, 2012. Any other closings will be posted at the gym and on our website. **Holidays Open:** Columbus Day, Election Day, Veterans Day, Martin Luther King, Jr. Day.

#### Inclement Weather

During hurricane season please use your best judgment as to whether to come or not. We cannot be responsible for inclement weather and will offer limited scheduled make-ups for cancelled classes due to an act of nature (power outages, floods, etc.).

#### Clothing

No baggy or loose fitting clothes for safety reasons. No jeans, shorts or pants with belts or buckles. **All hair MUST be tied up away from face. NO JEWELRY is allowed in class.**

#### Drop-off & Pick-up

Upon arrival, you must check-in with the front desk!  
Students are to wait in the waiting area until the coach comes out to take students into the gym. Classes will start and end on time. Do not drop off students more than 15 minutes early unless prior arrangements are made with the office. Students must be picked up on time and no students should be left alone. Children worry when you are late!

#### Valuables

Valuable items should not be brought to the gym. RA will not be responsible for any lost or stolen items. Items found will be placed in the lost and found box. Articles left in lost and found box will be donated on the first of the month to a local charity.

#### Attendance

*We cannot be responsible for your child's attendance, so we do not pro-rate, refund or carry forward fees for missed classes.* Your child must attend classes at their registered location. No credits or refunds are given for classes not attended.

#### Make-up Classes

**Call first!** There will be designated make-up classes offered once a week and students have until the end of each session to make-up a class. Make-ups cannot be transferred to a sibling or a friend. They must be scheduled in advance with the office. Make-ups begin 2 weeks after session begins. No credits or refunds are given for classes not attended.

#### Visitors

Visitors and parents are not allowed in the gym while classes are in session under any circumstances. This is for the safety of both the students and parents. There will be scheduled parent viewings once per session, and by appointment only. You will have many opportunities to see your child's progress in "off-site" events.

#### Trial Classes

The cost of the trial class is \$15 for all classes. **Please call first; insert our phone number!!** You must pre-schedule your trial class and complete a registration form. We do not guarantee space in a class without full payment.

#### Behavior Standards

If your child's behavior compromises the safety and enjoyment of the other children in class, we will recommend a different class for your child. These behaviors, as determined by the instructor, include but are not limited to: excessive pushing and hitting, biting, running away from the group/instructor, and/or impulsive behavior that endangers the safety of themselves or others. In extreme cases, we will ask that your child not return to Rhythmic Art.

#### Mid-year Evaluation

During the last week of the second session there will be evaluations taking place during the classes. This will be to evaluate current skills and to help students create goals for the next session. This will be an open class for parents to attend.

#### End of the year recital

Children will have a chance to show off what they have learned at the end of the year in our annual recital. The date will be announced during the second session. Parents are responsible for recital fees (participation, costume & participation award).

**Dion, Kristin**

---

**From:** Zeinieh, Ana  
**Sent:** Wednesday, August 31, 2011 10:20 AM  
**To:** Dion, Kristin  
**Subject:** RE: Rythmic Art.doc

Hi Kristin,

The CRA will approve the variance.

Thanks,  
Ana

*Ana Zeinieh*, M.Ed.  
Economic Development Manager  
Dania Beach Community Redevelopment Agency  
100 W. Dania Beach Blvd  
Dania Beach, FL 33004  
(phone) 954-924-6801 x3667  
(cell) 954-292-8747  
(fax) 954-921-2604

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**From:** Dion, Kristin  
**Sent:** Tuesday, August 30, 2011 8:45 AM  
**To:** Zeinieh, Ana  
**Subject:** RE: Rythmic Art.doc

Great, thanks Ana!

*Kristin*

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**From:** Zeinieh, Ana  
**Sent:** Tuesday, August 30, 2011 8:43 AM  
**To:** Dion, Kristin  
**Subject:** RE: Rythmic Art.doc

Hi Kristin,

I don't have a problem with the approval, I just want to take a look at the property today to see if it will affect any neighboring businesses.

Thanks,  
Ana

8/31/2011

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**From:** Dion, Kristin  
**Sent:** Monday, August 29, 2011 1:57 PM  
**To:** Earle, Jeremy; Zeinieh, Ana  
**Cc:** Hertzon, Mindy; Lajoie, Corinne  
**Subject:** Rythmic Art.doc

Jeremy and Ana,

The attached is a staff report for the Sept 13th Commission meeting. The site is within the CRA and it is a request for a parking variance to allow for a gymnastics studio in the Broward International Commerce Center on Bryan Road. Please let me know if you would support this request.

Thank you!

Kristin

8/31/2011









**VA-25-11**  
**NOTICE OF PUBLIC HEARING**  
**CITY OF DANIA BEACH**

**NOTICE IS HEREBY GIVEN** that a public hearing will be held before the City Commission, on Tuesday, September 13, 2011, or as soon thereafter as possible in the Dania Beach City Commission Room, Administrative Center, 100 West Dania Beach Blvd., Dania Beach, Florida 33004, for the purpose of hearing any comments which might be made to the following request:

**VA-25-11** – The applicant, Alexander Demidov, representing Rythmic Art, Inc. is requesting a parking variance from Part 2, Section 265-50 of the Unified Land Development Code (ULDC) to allow for a reduction of 20 parking spaces associated with a gymnastic studio on a property located at 301 Bryan Road (Spaces 301-309 of the Broward International Commerce Center).

Property is legally described as: HOLLYWOOD PALMS-REAMENDED PLAT, PLAT BOOK 36 PAGE 46, B TRACT A LESS S 295 & LESS PT DESC'D AS, COMM AT SE COR OF TR A N ALG E/L 295.03 TO POB, W ALG N/L OF 295 FOR 1,324.25 TO PT ON W/L, N 619.64, E 210, S 45.57, E 65.71, SE 209.52, E 435, SE 229.45 E 39.14, S 35.52 E 265.03, SLY 219.50 TO POB.

Copies of the proposed request(s) are available for viewing in the Community Development Department, 100 West Dania Beach Blvd., Dania Beach, Florida between the hours of 8:00 a.m. and 4:00 p.m., Monday – Friday please call (954) 924-6805 x3645 for more information. Interested parties may appear at the public hearing and be heard with respect to the proposed petition.

In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office, 100 W. Dania Beach Blvd, Dania Beach, FL 33004, (954) 924-6800 x3623, at least 48 hours prior to the meeting.

Please be advised that if a person decides to appeal any decision made by the Local Planning Agency, the Planning and Zoning Board or the City Commission with respect to any matter considered at this hearing, such person will need a verbatim record of the proceedings and for this purpose such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The city does not provide or prepare such record pursuant to f.s. 286.0105.

Lou Ann Patellaro  
Building and Planning Operations Mgr.

Friday, September 2, 2011

**See reverse side of this notice for a location map of the proposed request**

# LOCATION MAP



VA-25-11 Rhythmic Art, Inc.  
301 Bryan Road Units (301-309)

