



CITY OF DANIA BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT

**DATE** October 25, 2011

**TO** Robert Baldwin, City Manager

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

**FROM:** Corinne Lajoie, AICP, Principal Planner *Corinne Lajoie*

**SUBJECT** **VA-32-11:** The applicant, Corporate Property Services, Inc., is requesting sign variances for property located at 1301 South Federal Highway.

**VARIANCE**

To allow the following:

1. A 53.6 square foot total sign area on the east building elevations; code permits a maximum of 18.5 square feet. Section 505-140(C)(6)(b).
2. A 39.6 square foot sign on the south building elevation; code permits a maximum 9.25 square feet. Section 505-140(C)(6)(e).
3. A 14 square foot sign on the north building elevations; code permits no sign. Section 505-140(C)(6)(e).

**PROPERTY INFORMATION**

EXISTING ZONING:	South Federal Highway – Mixed Use (SFED-MU)
LAND USE DESIGNATION:	Regional Activity Center (RAC)
OVERLAY DISTRICT	Community Redevelopment Agency (CRA), Principal Arterial Commercial Design Standard

The subject property is an existing McDonald's restaurant. The McDonald's corporation has launched a nationwide campaign to revitalize and re-image many existing properties. The subject property's interior and exterior will be remodeled, including signage.

The length of the building's primary frontage on Federal Highway is 37 feet. The Code permits a sign area equal to half the building frontage ( $37 / 2 = 18.5$  square feet). The code also permits a sign on the side street frontage equal to half of the sign permitted on the building frontage ( $18.5 / 2 = 9.25$ ). The code does not recognize an alley as a street; therefore no sign is permitted on the north elevation of the building as it faces an alley.

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.

The building elevation on the north and south sides is 115.76 feet long. The code only permits a 9.25 square foot sign on the south elevation, which is not in proper proportion to the building. This creates an hardship because of the difficulty of the permitted signage to be seen from Federal Highway approaching the site since parking and landscaping exists between the building and the road.

The signage proposed is the standard signage utilized by the McDonald's corporation. In addition, the applicant is modernizing and rehabilitating an existing site of which signage is a significant component.

This property is located in the Community Redevelopment Agency (CRA). The Executive Director of the CRA is in support of the variance requests since it is the standard corporate signage used for remodeled restaurants.

#### **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: 9/22/11  
Petition No.: VA-32/11

**THIS APPLICATION WILL NOT BE ACCEPTED UNTIL IT IS COMPLETE AND SUBMITTED WITH ALL NECESARRY 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: 1310 South Federal Highway

Lot(s): 6-10 Block: 45 Subdivision: NORTH HOLLYWOOD

Recorded Plat Name: NORTH HOLLYWOOD (Plat Book 4, Page 1)

Folio Number(s): 514203106000, 6010 Legal Description: Please see attached survey

Applicant/Consultant/Legal Representative (circle one) Corporate Property Services, Inc.

Address of Applicant: 1239 E. Newport Center Dr., #113 Deerfield Beach, FL 33442

Business Telephone: (954) 426-5144 Home: \_\_\_\_\_ Fax: (954) 570-3391

Name of Property Owner: McDonald s Corporation

Address of Property Owner: 10150 Highland Manor Dr., #470, Tampa, FL 33610

Business Telephone: (954) 224-1174 Home: \_\_\_\_\_ Fax: \_\_\_\_\_

Explanation of Request: Install 3 ADDITIONAL wall signs. Please see attached JUSTIFICATION STATEMENT  
For **Plats** please provide proposed **Plat Name** for **Variations** please attach **Criteria Statement** as per **Section 625.40 of the Land Development Code.**

Prop. Net Acreage: 0.92 Gross Acreage: 0.92 Prop. Square Footage: 4,815

Existing Use: Fast food restaurant w/drive-thru Proposed Use: Fast food restaurant w/side-by-side drive-thru

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

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.

[Signature]  
Applicant/Owner signature

Rosangela DeMello  
Print Name

7-22-11  
Date

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

Sworn to and subscribed before me  
This 22nd day of July 2011

Applicant/Consultant/Representative:

Signature: [Signature]

Date: 9/21/11

Dawn McDonald  
(Print Name)

[Signature]  
Sign Name of Notary Public  
State of ( )

Kristen Ferretti  
Print Name of Notary

1239 E Newport Center Dr., #113  
Deerfield Beach, FL 33442  
Street Address, City, State and Zip Code

Commission Expires: 5-22-15  
Seal:

(954) 426-5144 / Fax (954) 570-3391  
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) Craig McDonald of Corporate Property Services to make and file the aforesaid application.

Sworn to and subscribed before me

This 2nd day of July 2011

Corporation Name:

McDonald's Corporation

Signature:

*[Handwritten Signature]*

Date:

7-22-11

Rosangela DeMello

(Print Name)

Area Construction Manager

(Print Title)

10150 Highland Manor Drive, Suite 470  
Tampa, FL 33610

Street Address, City, State and Zip Code

(954) 224-1174

Telephone No. & Fax No.

Sign Name of Notary Public  
State of ( )

*[Handwritten Signature]*

Kristen Ferretti

Print Name of Notary

Commission Expires: 5-12-15

Seal:



**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 \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

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

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

(Print Name)\*\*

Sign Name of Notary Public  
State of ( )

Print Name of Notary

Street Address, City, State and Zip Code

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

Seal:

Telephone No. & Fax No.

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

**Kristen Ferretti**

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**From:** Earle, Jeremy [jearle@ci.dania-beach.fl.us]  
**Sent:** Tuesday, September 20, 2011 1:23 PM  
**To:** Lajoie, Corinne; Daniels, Bob; Dion, Kristin  
**Cc:** kristen\_cps@bellsouth.net  
**Subject:** FW: McDonald's at 1310 South Federal Highway  
**Importance:** High

Good afternoon Corinne and Bob,

After speaking with the applicant and determining that this sign is standard to what they would do at any of their other restaurants which are being remodeled, I am ok with the variance request to install this sign.

Please let me know if you have any questions,

Best regards,

Jeremy Earle, ASLA, AICP  
Executive Director  
Dania Beach Community Redevelopment Agency  
100. W. Dania Beach Blvd  
Dania Beach, Florida, 33004  
954-924-6801 (P)  
954-921-2604 (F)

**VARIANCE JUSTIFICATION STATEMENT**  
**McDONALD'S L/C # 009-0130**  
**1310 SOUTH FEDERAL HIGHWAY**  
**DANIA BEACH, FL**  
**SEPTEMBER 21, 2011**



There is an existing McDonald's fast food restaurant with a drive-thru located at 1310 South Federal Highway. The 0.92 parcel is zoned SFED MU (South Federal Highway Corridor – Mixed Use/Transit Oriented Corridor), has a Regional Activity Center future land use designation and located with the Community Redevelopment Area.

McDonald's has launched a nationwide campaign to revitalize and re-image many existing restaurants. As part of this redevelopment program, McDonald's will be remodeling the interior and exterior of the existing restaurant as well as reconfiguring the drive-thru to the side-by-side concept. As a result of today's hectic lifestyles, current market demands necessitate convenient and economical places to eat. Fast food restaurants today are being developed to meet the changing needs of society.

This redevelopment project will have a positive influence on the surrounding properties, residences in the area and the City of Dania Beach in general. In fact, this project could be the catalysis for other redevelopment in the surrounding area. However, McDonald's current patrons are not familiar with the new image.

According to City of Dania Beach Land Development Code (Code) Section 510-30 Appearance, all structures on a site shall create a unified architectural theme and buildings with more than one façade facing a public street shall provide a treatment for each façade. McDonald's new architectural image implements the creative and aesthetically pleasing incorporation of wall signage. Therefore, the request for an additional wall signs will complete the new image as well as comply with the appearance requirements of the Code.

Pursuant to the City of Dania Beach Land Development Code Section 505-190 (Relief from requirement, sign variances), McDonald's respectfully submits this variance application and justification in support of these additional wall signs:

- “McDonald's” on the eastern elevation facing Federal Highway
- “McDonald's” on the southern elevation facing S.W. 14<sup>th</sup> Street; and
- “M” over the entrance door on the northern elevation facing the existing alley

These additional wall signs will complete the new image and will be consistent with what McDonald's is proposing to do at their restaurants nationwide.

1. **The sign, after the granting of a variance, will still maintain the basic intent and aesthetic improvement purposes of the sign regulations, particularly as it affects the appearance and compatibility with properties in the surrounding areas.**

The surrounding area is predominately commercial in nature. McDonald's complies with the character of the surrounding areas and will not have a negative impact. Granting of the requested variance will not be contrary to the public's interest, but rather will enable the redevelopment project to move forward. The requested wall sign will maintain the basic intent and aesthetic improvement of the sign regulations as it affects the appearance and compatibility with properties in the surrounding areas.

2. **The signs permitted under this code cannot be adequately viewed due to physical site distinctions.**

Although there are no physical site distinctions prohibiting the view of the restaurant, literal application of the sign code will prevent McDonald's from providing clear identification of the new imaged building. The requested variance to add the wall signs is minimal and will not compromise the overall functioning of the site.

3. **The applicant's hardship shall not be self-created or based solely on inability to comply with the code.**

Often, a customer's continued patronage depends on how easily the site can be identified and accessed. The limited signage permitted under the current Code prevents McDonald's from providing adequate business identification. Therefore, the hardship is not self-created or based on an inability to comply with Code. Approval of the sign variance request will enable McDonald's to continue to achieve customer recognition that is so vital to any commercial establishment. In turn, the proposed redevelopment project will be able to prosper, as well as continuing to be an asset to the Dania Beach community.

4. **The architectural design of a structure or the site plan poses unique and extenuating characteristics which are not compatible with the requirements of this article.**

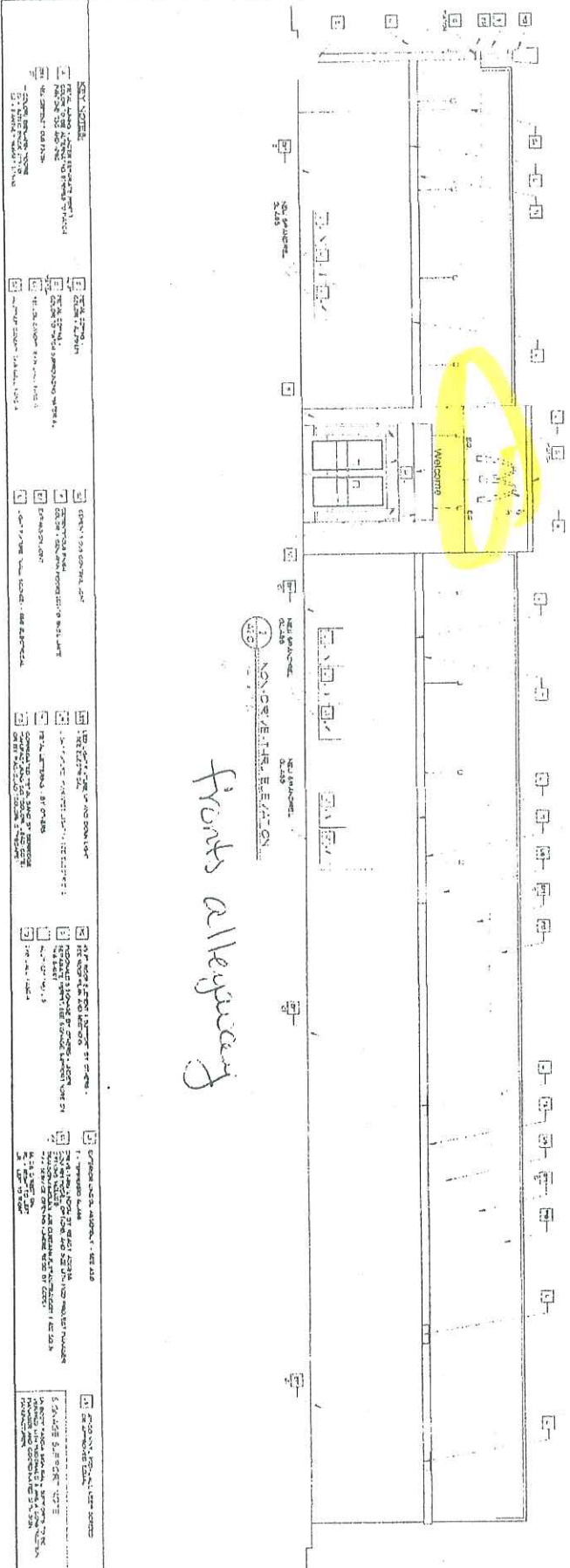
McDonald's is improving the site through redevelopment. The new architectural image implements the creative and aesthetically pleasing incorporation of wall signage. McDonald's is not proposing to change the use, but rather upgrade the existing improvements. However, by doing so, this results in a reduction of exposure for the new restaurant and creates a hardship.



5. **The structure or site configuration are unique, which causes the signage permitted by this article to be ineffective in identifying a use or structure that would otherwise be entitled to a sign.**

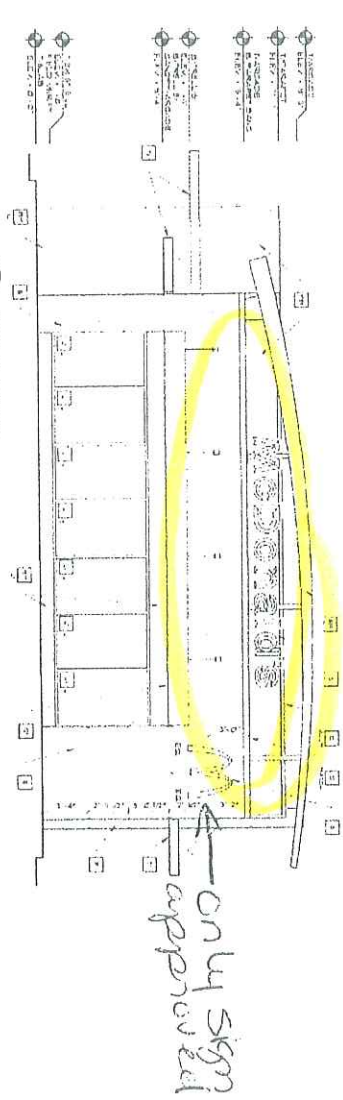
Unlike other commercial properties along Federal Highway, the uniqueness of this McDonald's site is that it has three frontages: Federal Highway to the east, S.W. 14th Street to the south and an alley to the north. The alley is a public right-of-way for both vehicular and pedestrian traffic. Therefore, wall signage on the elevation facing the alley should be allowed.

The requested wall signs are not prohibited by Code. McDonald's will follow the applicable Code requirements for public notice regarding the requested sign variance. If approved, all provisions of the Florida Building Code pertaining to unsafe structures shall apply to these proposed wall signs.



*fronts allignment*

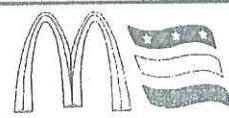
*fronts Federal Highway*



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- 466. WALLS
- 467. CEILING
- 468. LIGHTING
- 469. MECHANICAL
- 470. ELECTRICAL
- 471. PLUMBING
- 472. PAINT
- 473. FLOORING
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- 500. LIGHTING

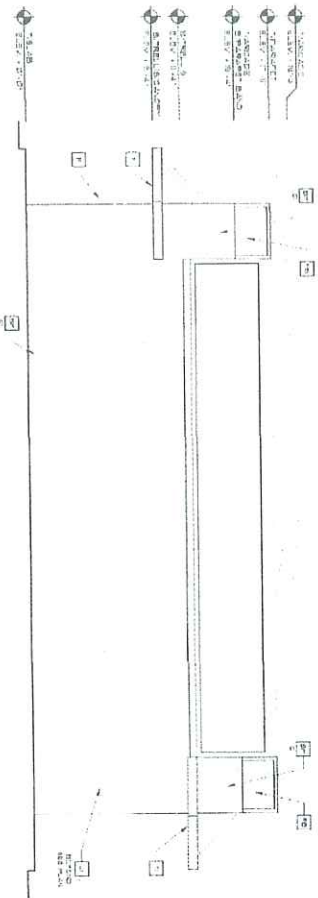
**A2.0**  
AA:0002176

NO. 1102.XX  
DATE: 08/11/10  
PROJECT: 1102.XX  
DRAWN: J. HARTLEY  
CHECKED: J. PURDY  
SCALE: 1/8" = 1'-0"

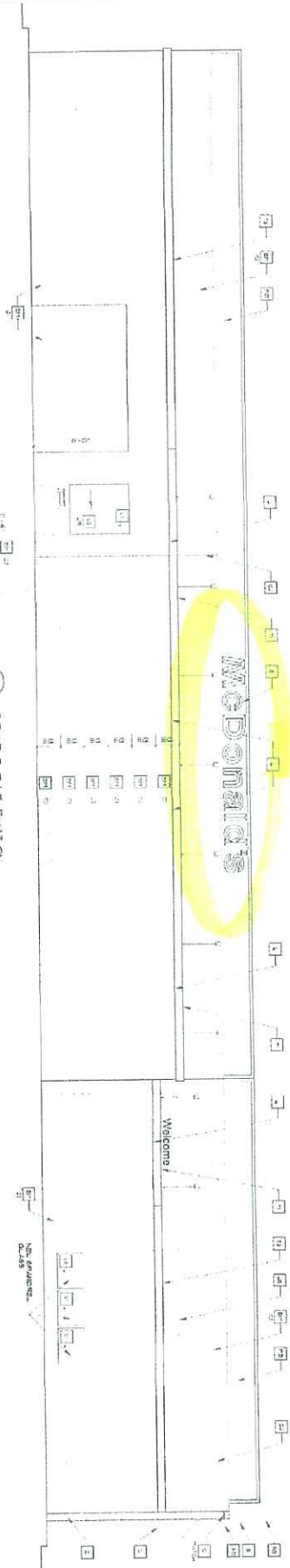


**McDonald's  
USA, LLC**

**Hartley + Purdy Architecture, Inc.**



1 SEAR ELEVATION



fronts 800 14 Street

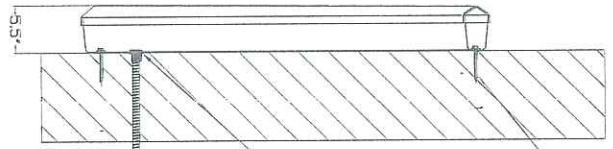
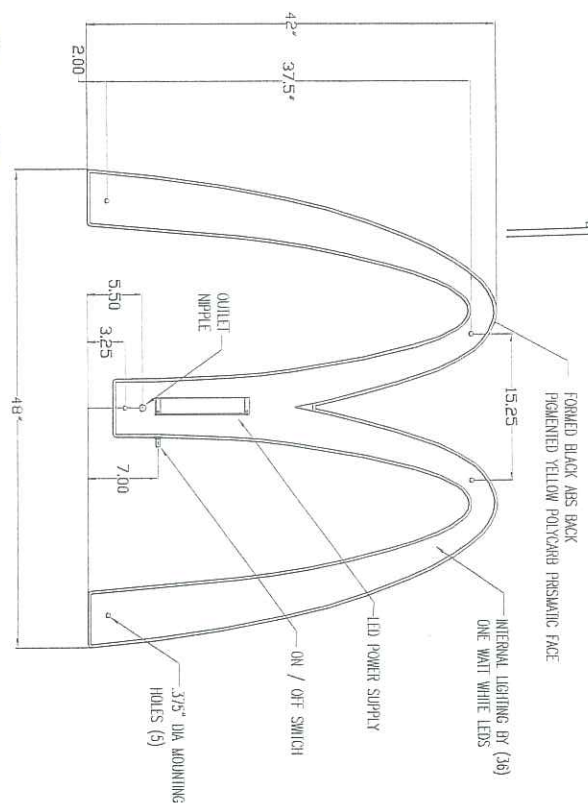
- SEAR NOTES:**
- 1. SEE ARCHITECTURAL ELEVATION FOR DETAILS.
  - 2. SEE ARCHITECTURAL ELEVATION FOR DETAILS.
  - 3. SEE ARCHITECTURAL ELEVATION FOR DETAILS.
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  - 10. SEE ARCHITECTURAL ELEVATION FOR DETAILS.



McDonald's  
 USA, LLC

Hartley + Purdy Architecture, Inc.  
 1010 North...  
 1010 North...  
 1010 North...

FACE ATTACHMENT SCREWS  
BOXES - PHIL. PAN HEAD



(5) 1/4" x 2" min. tapcon concrete screws into concrete or s.s. screws into stucco over plywood or ACM.

- INSTALL INSTRUCTIONS**
1. REMOVE FACE AND MARK MOUNTING AND OUTLET LOCATIONS ON WALL.
  2. USE ONLY THE HOLE LOCATIONS PROVIDED. DRILLING ALTERNATE HOLES WILL DAMAGE THE PRODUCT AND VOID THE WARRANTY.
  3. BECAUSE CONDITIONS VARY, THE DRILL HOLE SIZE WILL VARY SO TEST WITH .187" DRILL AND ADJUST FOR THE BEST SIZE AND DRILL PILOT HOLES FOR THE 1/4" LAG SCREWS.
  4. DRILL CLEARANCE HOLE FOR 120 VOLT OUTLET CONDUIT AND FITTING.
  5. SILICONE CAULK ALL HOLES AND MOUNT ARCH TO WALL WITH LAG SCREWS AND WASHERS.
  6. RUN 120 VOLT CONDUIT FROM SIGN TO ELECTRICAL BOX INSIDE THE BUILDING.
  7. CONNECT WIRES TO MEET ALL CODES.
  8. TEST LIGHT SIGN AND CHECK FOR SHADOWS. SECURE ANY LOOSE WIRES THAT CREATE SHADOWS WITH SILICONE. SECURE ANY LOOSE WIRE CONNECTIONS.
  9. ATTACH FACE TO ARCH.
- THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND ALL OTHER APPLICABLE LOCAL CODES. THIS INCLUDES THE PROPER GROUNDING OF THE SIGN.

**SQUARE FOOT AREA:**  
ACTUAL: 4.4 SQ FT  
BOXED: 14 SQ FT

**POWER SUPPLY LOCATED INSIDE SIGN**  
INPUT: 100-240 VAC, 47-63 Hz, 1.3 AMPS MAXIMUM .33 AMPS ACTUAL  
OUTPUT: 30VDC, VOLTAGE REGULATED, APPROXIMATE 40 WATTS, .33 AMPS  
OPERATING ENVIRONMENT: WET, DAMP, DRY, -20 DEG C TO +70 DEG C

**ELECTRICAL NOTES ILLUMINATED CABINETS**

- Primary wire size - #12 THWLN
- Disconnect switch - at base of sign, 20 amp single pole timeclock at panel room
- Maximum load - 18 amps 120 volts per circuit maximum circuit size 20 amps per NEC 600-6A
- Conduit - minimum 1/2"
- Total sign load - INPUT: 100-240 VAC, 47-63 Hz, 1.3 AMPS MAXIMUM .33 AMPS ACTUAL
- Total circuits required - 1
- All components shall be U.L. approved
- All installations shall be in compliance with N.E.C. and state, county, or local codes
- All signs shall be bonded to building equipment bonding conductor per N.E.C.: 250

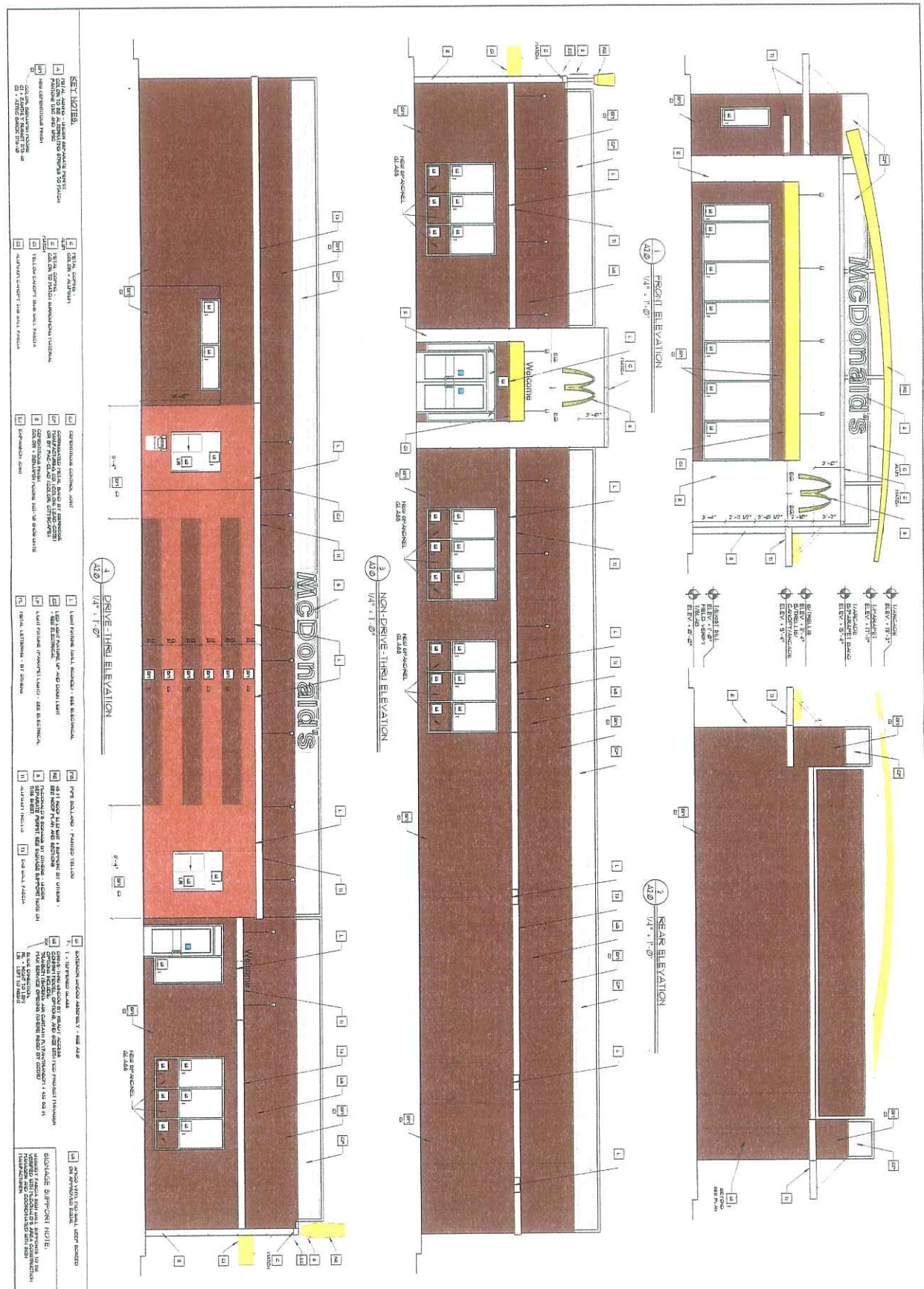
Signs designed to meet F.B.C. 2007 specifications with 2009 supplement. Designed to withstand 146 MPH windspeeds as per A.S.C.E.-7-05. Exposure C. All fasteners and other metals in contact with aluminum shall be stainless steel or hot dip galvanized.

**ALBERT A. GARGIULO, P.E.**  
CONSULTING ENGINEER  
Lic. No. PE 32582  
324 SUNSET RD.  
WEST PALM BEACH, FL. 33401  
561-686-57  
FAX 561-688-546

**Kemp Signs inc.**  
1767 Hill Ave.  
West Palm Beach, Fl. 33  
561-840-6382 fax 561-840-6385

**McDonald's**





**SET NOTES**

- 1. SEE GENERAL NOTES
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VA-32-11

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, October 25, 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-32-11 - The applicant, Dawn McDonald with Corporate Property Services, Inc. representing McDonalds Corporation is requesting a variance from Part 2, Section 505-140(C) of the Unified Land Development Code (ULDC) for property located at 1310 South Federal Highway, Dania Beach. The variance request is to allow:

1.53.6 square foot total sign area on the east building elevation. The Dania Beach Land Development Code permits a maximum of 18.5 square feet. Section 505-140(C)(6)(b).

2.39.6 square foot sign on the south building elevation. The Dania Beach Land Development Code permits a maximum 9.25 square feet. Section 505-140(C)(6)(e).

3.14 square foot sign on the north building elevation. The Dania Beach Land Development Code permits no sign. Section 505-140(C)(6)(e).

Property is legally described as:  
NORTH HOLLYWOOD 4-1 B LOT 7, 8, 9, 10 LESS COMM NW COR OF SAID LOT, ELY 59.40 TO POB, SLY 23.40 TO PT OF CURVE, SLY ALG ARC OF CURVE 29.26 TO PT OF REVERSE CUR, SLY ALG SAID CURVE 29.26, SLY SC TO PT OF CURVE, SLY 8 WLY ALG ARC OF CURVE 7.79, ELY ALG S/L 20.44 NLY 135.92 WLY ALG N/L OF SAID LOT 7 TO POB BLK 45.

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 records pursuant to F.S. 286.0105.

Lou Ann Petrellaro  
Building and Planning Operations Mgr  
Friday, October 14, 2011

SUN SENTINEL PROOF

Customer:

CITY OF DANIA

Contact: DONNA KIRBY Phone: 2165790300



