



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

DATE: February 28, 2012

TO: Robert Baldwin, City Manager

VIA: Robert Daniels, Director *[Signature]*

FROM: Corinne Lajoie, AICP, LEED Green Associate, Principal Planner *[Signature]*

REQUEST: **VA-11-12/SP-08-08Mod:** The applicant, Courtney Crush of Crush Law, P.A., on behalf of the property owner Luckey's Motel, Inc., is requesting a variance and site plan modification for a hotel project located at 205 N. Federal Highway.

VARIANCE

To amend a variance to allow a four (4) foot rear setback (west property line); the TOD zoning district required a minimum rear setback of 20 feet, and the current variance authorized a 10'4" rear setback.

SITE PLAN MODIFICATION

To amend the previously approved site plan to allow a four (4) foot rear setback.

FEE WAIVER

To waive the variance and site plan modification fees.

PROPERTY INFORMATION

PREVIOUS ZONING:	Transit Oriented Development (TOD)
NEW ZONING:	City Center (CC)
LAND USE DESIGNATION:	Regional Activity Center (RAC)
OVERLAY DISTRICT:	Principal Arterial Design Standard, Downtown Dania Beach Redevelopment, Community Redevelopment Agency (CRA).

The subject property is located at the northwest corner of North Federal Highway and NW 2 Street. The applicant obtained site plan approval for the construction of a new 6-story hotel building with parking on the first three (3) floors. The site plan modification request is to move the building west to allow for the required trafficway dedication for Federal Highway.

VARIANCE

To amend a previously granted variance to allow a four (4) foot rear setback (west property line); the TOD zoning district required a minimum rear setback of 20 feet. The current variance authorized a 10'4" rear setback. This change is needed to allow for the Trafficway dedication for Federal Highway to be made.

SITE PLAN MODIFICATION

The proposed hotel building is being moved six (6) feet to the west. This modification will provide a four (4) foot rear setback.

The modified site plan must meet the following requirements:

1. Provided recorded copy of right-of-way dedication prior to issuance of final permit.
2. Plant material and installation must meet the requirements identified in Section 275-190 of the zoning code.
3. Sidewalk to be relocated accordingly.

FEE WAIVER

The applicant is requesting to waive the application fees associated with the variance and site plan modification. These actions are needed to allow for the Trafficway dedication for Federal Highway to be made. The site plan was prepared by the applicant's design professionals and reviewed by city staff on February 28, 2008, yet this oversight still occurred. As a result of this required change, the progress on the job is impeded. In addition, the applicant's design professionals are required to revise plans to make necessary changes on the ground. The application fee for the variance is \$2,000 and the site plan is \$2,500 totaling \$4,500.00. Staff supports this request.

CITY COMMISSION PREVIOUS ACTION

On May 25, 2010, the City Commission approved a special exception, variance and site plan extension for this project to expire on May 12, 2011.

On August 25, 2009, the City Commission approved a special exception and variance extension for this project to expire on May 13, 2010.

On May 12, 2009, the City Commission approved a site plan modification, subject to previously approved conditions for this project.

On August 26, 2008, the City Commission approved variances, a special exception, and site plan for this project.

STAFF RECOMMENDATION

Staff recommends approval of all requested actions.