



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

DATE: October 28, 2014

TO: Robert Baldwin, City Manager

VIA: Marc LaFerrier, AICP, Director *[Signature]*

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

SUBJECT: **VA-86-14/VA-87-14/SP-76-14** - The applicant, Vander Ploeg and Associates, Inc., is requesting variances and site plan approval for the construction of an approximately 20,000 square foot new boat sales and service facility located at 150 Bryan Road.

VARIANCE

1. To provide a zero foot rear (east) setback; code requires a twenty (20) foot rear setback minimum, per Section 205-10.
2. To provide a twenty (20) foot front yard (west) setback; code required a thirty (30) foot front setback minimum, per Section 205-10.

SITE PLAN

To allow the construction of an approximately 20,000 square foot new boat sales and service facility.

PROPERTY INFORMATION

EXISTING ZONING: (IROM)
LAND USE DESIGNATION: Regional Activity Center (RAC)
OVERLAY DISTRICT: Community Redevelopment Agency (CRA)

The subject property is located on the north east corner of Bryan Road and Stirling Road. The property has been vacant for several years. In 2013 this property was added to the Dania Beach Design District.

VARIANCE

1. REAR SETBACK

The applicant is proposing to provide a zero foot setback between the rear (east) property line and the building. The Land Development Code requires a twenty (20) foot minimum setback. However, a twenty (20) feet of land exists between the east property line and the waterway which will not be built on, thereby achieving the intent of the code. The land and waterway are owned by South Florida Water Management District (SFWMD). The applicant has requested approved from the owner to use this land as an easement, in a similar manor as Nautical Ventures to the north has. Then resulting dimension between the proposed building and the warehouses located on the east side of the right of way will be approximately 225 feet.

Staff is in support of this request, provided SFWMD grants the applicant use of the land lying between the property and the waterway.

2. FRONT BUILDING SETBACK

The code requires a front setback of one (1) foot for every one (1) foot of building height. Therefore a thirty (30) foot front setback is required. The applicant is proposing a twenty (20) foot front setback.

While the zoning of the property is industrial, the use is more similar to a heavy commercial activity. As such, the wide industrial setbacks are not essential. To provide the required front setback, the depth of the building would have to be reduced, thereby effecting the interior use of the proposed building.

This request is similar to the variance granted for Nautical Ventures located north of this property, where a ten foot front setback was approved. Staff is in support of this variance request.

Section 625-40 of the Land Development Code states, the city commission or planning and zoning board, if applicable, shall hold its public hearing and, after consideration of the staff recommendation and public input, if any, may deny, approve or approve with conditions the application for variance, based upon its determination that:

- (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;
- (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.

SITE PLAN

Site plan approval is being requested to allow the construction of 20,000 square foot new boat sales and service facility. The project includes 12,000 square foot showroom and a 5,000 square foot service area. Also on site will be launch area for boats and jet skis, as well as a four (4) level boat rack located along the north property line.

In order to comply with the RAC mitigation for traffic impact based on recently approved Resolution No. 2014-049, the applicant provided a trip generation analysis by a registered engineer who identified the PM peak number of trips for this project would be 70. Based on that analysis, the RAC mitigation fee due at time of permit issuance will be \$1,488.20 (70 PM trips X \$21.26).

The applicant is proposing a monument sign on the corner of Stirling and Bryan Roads as well as wall signs on the west and south building elevations which meet code requirements.

This project is located in the RAC and requires assignment of RAC acreage prior to issuance of a building permit.

The site plan was reviewed by the Fire Marshal, Public Services, the City's landscape consultant and the Planning Division. The following staff comments must be addressed by the applicant prior to issuance of a building permit:

1. Provide approval letter or easement from Water Management District allowing the use of their land and waterway prior to public hearing or revise site plan accordingly. Provide prior to issuance of a building permit.
2. Must obtain FAA approve prior to issuance of a building permit.
3. Provide a Hydrant (water) Flow Test to determine the available water supply to this project. The Hydrant Flow Test must be in accordance with the Broward County Amendments (Effective January 12, 2012) to the Florida Fire Prevention Code (2010 Ed.), Section F-112. This test must be performed by a qualified company of the builder's choice. In addition, the static pressure at the water main shall be determined by a recorded method (i.e. water wheel) for a minimum twenty-four (24) hour period. The actual flow test must be witnessed by, and recorded data sent to the Broward Sheriff's Office Fire Marshal's Bureau, Dania Beach District in any area where water is being supplied by the City of Dania Beach Public Services.

STAFF RECOMMENDATION

VARIANCE

1. Rear Setback – Approve.
2. Front Setback – Approve.

SITE PLAN

Approve, provided the variances are approved and that all staff comments are addressed prior to issuance of a building permit.