



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

DATE: July 28, 2015

TO: Robert Baldwin, City Manager

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

FROM: Corinne Lajoie, AICP, LEED G. A., Principal Planner *[Signature]*

SUBJECT: **VA-57-15** - The applicant, Bermello, Ajamil & Partners, Inc., on behalf of the property owner, Dania Beach Developer, LLC., is requesting a variance for property located at 480 East Dania Beach Boulevard.

VARIANCE

To allow columns to be located at the end of parking spaces adjacent to drive isles; code requires a three (3) foot setback, per Section 265-100(B).

PROPERTY INFORMATION

EXISTING ZONING:	Gateway-Mixed Use (GTWY-MU)
LAND USE DESIGNATION:	Regional Activity Center (RAC)
OVERLAY DISTRICT:	Community Redevelopment Agency (CRA)
	Commercial Arterial Design District

The subject property is the location of the former San Soucey motel on East Dania Beach Boulevard. The property owner obtained site plan approval for the construction of a new hotel on this property in 2010. On August 28, 2012 the City Commission approved a site plan and variance for a 181-units, 12-story residential building. On February 18, 2013 staff issued an extension as required by Florida Statute Executive Order which extended the approval until January 24, 2017. The City Commission granted a site plan modification on October 28 2014.

VARIANCE

Today the applicant is requesting to modify the internal layout of the parking garage. The applicant has indicated in the process of designing the building and performing requisite structural analysis, it has become necessary to allow placement of eleven (11) columns at the end of parking spaces. The applicant also states that this number is only a portion of the columns within the parking

structure. The remaining columns will comply with the code required three (3) foot setback.

VARIANCE CRITERIA

Section 625 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 the request meets the criteria identified in Section 625-40, which are identified below.

- (1) "That the requested variance maintains the basic intent and purpose of the subject regulations, particularly as it affects the stability and appearance of the city."
- (2) "That the requested variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community."
- (3) "That the requested variance is consistent with, and in furtherance of, the goals, objectives and policies of the adopted Comprehensive Plan, as amended from time to time, and all other similar plans adopted by the city."
- (4) "That the plight of the petitioner is due to unique circumstances of the property or petitioner which would render conformity with the strict requirements of the subject regulations unnecessarily burdensome."
- (5) "That the variance requested is the minimum variance that is necessary to afford relief to the petitioner, while preserving the character, health, safety and welfare of the community."

CITY COMMISSION PREVIOUS ACTION

On February 18, 2013 staff issues an extension to site plan number SP-34-11 (Reso. No. 2012-096) and variance number VA-35-15 (Reso. No 2013-095) per Florida Statutes Executive Order to January 24, 2017.

On August 28, 2012 the City Commission approved variances and site plan approval for the construction of a 181 unit, 12-story, residential development.

On July 24, 2012, the City Commission approved, on first reading, the plat note amendment, changing the use from hotel.

STAFF RECOMMENDATION

The variance applications meet the variance criteria as indicated in the applicant's justification statements. Approve the proposed variance resolution, with conditions of recordation.