



City of Dania Beach, Florida
 Department of Community Development
 Planning and Zoning Division
 (954) 924-6805 X3643
 (954) 922-2687 Fax

Standard Development Application

- Administrative Variance
- Land Use Amendment
- Plat
- Rezoning
- Site Plan
- Special Exception
- Variance
- Other: _____ (SEE APPLICATION TYPE SCHEDULE ON PAGES 3 & 4)

Date Rec'd: 2/2/2015
 Petition No.: VR-021-15

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

Location Address: 1101 Eller Drive

Lot(s): _____ Block: _____ Subdivision: _____

Recorded Plat Name: Phillips Industrial Park

Folio Number(s): 5042 23 29 0012 Legal Description: _____

Applicant/Consultant/Legal Representative (circle one) Stephanie Toolhaker / Matthew Scott

Address of Applicant: 1101 Eller Drive Applicant / 110 SE 6th St, 15th fl, Fort Lauderdale 33301 (Legal)

Business Telephone: 954-525-7500 Home: _____ Fax: _____

E-mail address: SJT@trippscott.com / mhs@trippscott.com

Name of Property Owner: Park 'N Go of Fort Lauderdale LLC

Address of Property Owner: PO BOX 643804 VERO BEACH, FL 32964

Business Telephone: 954 760-4525 Home: _____ Fax: _____

Explanation of Request: Sign Variance - see attached criteria statement
 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: 7.84 Prop. Square Footage: 341,124 sf

Existing Use: PARKING Proposed Use: SAME



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

AUTHORIZED REPRESENTATIVE

I/we are fully aware of the request being made to the City of Dania Beach, If I/We are unable to be present, I/we hereby authorize Stephanie Toothaker and Matthew Scott, Tripp Scott (Individual/firm) to represent me/us in all matters related to this application. I/we hereby acknowledge that the applicable fee was established to offset administrative costs and is not refundable.

I/we are fully aware that all approvals automatically expire within 12 months of City of Dania Beach Planning and Zoning Board or City Commission approval, or pursuant to the expiration timeframe listed in Part 6 of the Dania Beach Land Development Code.

STATE OF FLORIDA
COUNTY OF BROWARD
The foregoing instrument
was acknowledged

By: Alex R. Donaghy
(Owner / Agent signature*)

BEFORE ME THIS 27 DAY OF JAN, 2015

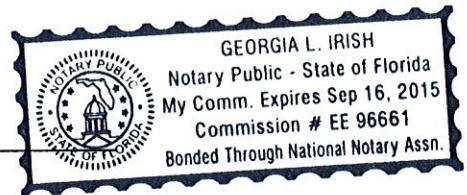
By: John E. Bonga
(Print name of person acknowledging)

(Joint owner signature if applicable)

Notary Georgia L. Irish
(Signature of Notary Public - State of FL)

Personally known X or Produced Identification _____

Type of Identification produced: _____ or Drivers License _____



*If joint ownership, both parties must sign. If partnership, corporation or association, an authorized officer must sign on behalf of the group. A notarized letter of authorization from the owner of record must accompany the application if an authorized agent signs for the owner(s).

NO APPLICATION WILL BE AUTOMATICALLY SCHEDULED FOR A MEETING.

**ALL APPLICATIONS MUST BE DETERMINED COMPLETE BY STAFF
BEFORE PROCESSING OCCURS.**



Stephanie J. Toothaker, Matthew H. Scott
954-525-7500
sjt@trippscott.com, mhs@trippscott.com

May 7, 2015

Marc LaFerrier, AICP
Department of Community Development
City of Dania Beach
100 W. Dania Beach Blvd
Dania Beach, FL 33004

RE: Park'N Go REVISED Request for Variance from PEDD Sign Regulations - Criteria Statement

Dear Marc:

Park'N Go of Fort Lauderdale, LLC, as Applicant, is requesting a variance from the sign regulations of the Port Everglades Development District ("PEDD"), Section 320-50(g) of the City of Dania Beach Land Development Code to allow it to install a taller and larger freestanding digital display sign than permitted.

The Applicant operates a parking facility at 1101 Eller Drive that provides convenient off-site parking and shuttle service for passengers heading to and from Fort Lauderdale-Hollywood International Airport and Port Everglades. The property is located at the eastern terminus of Interstate 595, directly northeast of Fort Lauderdale-Hollywood International Airport. Due to the recent expansion of Interstate 595 and construction of an imposing overpass directly in front of the Applicant's property, the Applicant's business has no visibility to customers coming from any direction, which is causing many customers to get lost or confused when trying to locate the facility. Accordingly, the Applicant is seeking a variance from Section 320-50(g) (PEDD sign regulations) to allow it to erect a 48 foot tall freestanding, two-sided sign with a static digital display on the south side of the property where the code only allows a 16 foot tall, two-sided sign with a maximum area of 64 square feet.¹ The proposed height and size are the minimum necessary to achieve visibility to vehicles exiting from Interstate 595.

¹ The proposed sign will not have neon colors.

110 Southeast Sixth Street, Fifteenth Floor • Fort Lauderdale, Florida 33301
Post Office Box 14245 • Fort Lauderdale, Florida 33302
752664v1 890000 0001 Tel 954.525.7500 • Fax 954.761.8475 • www.trippscott.com

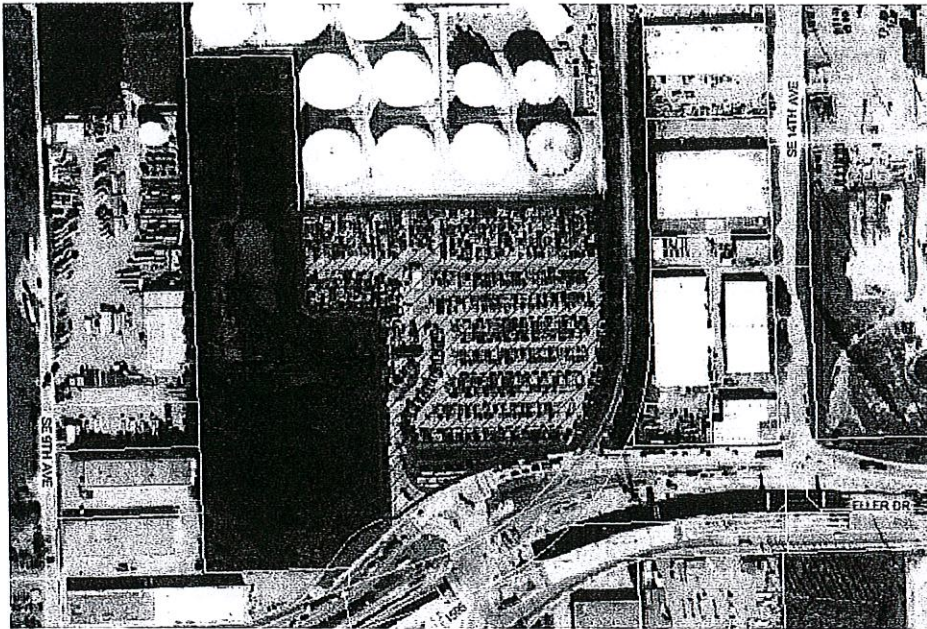
Fort Lauderdale • Tallahassee

Specific Code Section from which Variance is Sought:

Section 320-50(g) *Signs*. All signs must comply with the standards set forth below.

<u>Purpose</u>	<u>Type</u>	<u>Maximum Area</u>	<u>Maximum Height</u>
Primary Advertising Signs	Freestanding Frontage > 100 ft.	1 sq. ft. per face per 1 linear 64 sq. ft. per face max., 2 faces max.	16 ft.

Aerial of Property:



Legal Description:

PHILLIPS INDUSTRIAL PARK 175-23 B PORTION OF PARCEL A DESC AS COMM NE COR PAR A,S 551.19 TO POB,S 259.85,SWLY ARC DIST 307.59,SWLY ARC DIST 440.02,WLY ARC DIST OF 32.46,N 469.76,W 145,NW 30,N 199.95,E 694.95 TO POB

Address:

1101 Eller Drive, Dania Beach, FL 33316

Criteria Statement:

As set forth below, the Applicant's request for variance satisfies the criteria of Section 505-180. Relief from requirements, sign variances.

(A) A sign variance may be granted pursuant to the procedures and requirements of Article 625, except that the criteria for granting variances in section 625-40 shall be replaced with the following criteria:

1. The variance request is in harmony with the general intent and purpose of this article, and is not contrary to the public interest, especially with regard to the aesthetic impact on the surrounding area; and

Dania Beach's sign regulations intend to coordinate signage in the various zoning districts and ensure the size, height, and intensity of signs reasonably relate to the zoning district in which they are located and to which they are proximate. The code also recognizes the need to allow businesses the opportunity to advertise their location and services. As an example of the balancing between competing concerns, signs in residential districts are more limited than in commercial districts. And special provision is made for signage on properties abutting Interstates 595 and 95.

The Applicant's requested variance is in harmony with this general intent and is not contrary to the public interest. The expansion of I-595 and construction of a new overpass have completely obstructed view of the Applicant's business and signage, necessitating this variance application. The proposed location of the sign is on the Applicant's property in the PEDD zoning district. As the code indicates, the PEDD zoning district aims to support the Fort Lauderdale-Hollywood International Airport and Port Everglades. The service Park'N Go provides is incredibly sought after and fits neatly within the Port Everglades area "ecosystem." The Applicant is requesting a variance to install a sign no taller or larger than necessary for it to be seen by people driving east on Interstate 595 or west from Port Everglades so that it can more effectively service the PEDD district. Recently, numerous customers of Park'N Go have stated that finding the facility was exceptionally difficult with the new routing created by the changes to I-595 and the new overpass, requiring the customers to circle around and drive back and forth looking for the parking facility. The requested sign is intended to obviate that obvious new issue.

Moreover, the proposed sign will have no negative aesthetic impact on the surrounding area. The proposed sign is similar in height and size to other signs that face Interstate 95. Moreover, the location of the sign is nowhere near any residential areas. In fact, the Applicant's neighbors are commercial properties and the port. Perhaps most importantly, the proposed sign is clean and bright, as shown on the attached rendering.

2. The variance is necessary in order for the sign to achieve the level of visibility and effectiveness typical for conforming signs within the same zoning district in the city and intended by this article; and

Currently, the sign on the Applicant's property has no visibility whatsoever to people driving towards the Applicant from I-595, which is the primary road from which customers approach the business. What this means is the current sign is completely ineffective and installing a taller, larger sign is absolutely necessary to be effective. The requested variance will allow the Applicant to erect a sign that will clearly indicate to customers where the business is located and improve the overall circulation of this crowded vehicular area.

See attached "before and after" photographs depicting the issue created by the new above-ground roadway. In an effort to demonstrate the necessity for this variance request, the Applicant flew balloons exactly where the sign will go, if approved. As evidenced from the photographs of the balloons included with this application, the Applicant needs a sign of the size and height requested in order to achieve any visibility whatsoever.

3. The impaired visibility or effectiveness of the signage allowed in this article would result in unnecessary or undue hardship; and

The impaired visibility and ineffectiveness described above has created an undue hardship on the Applicant. On a daily basis, the Applicant receives telephone calls from customers complaining that they cannot find the property and that they gave up and found parking elsewhere. Other businesses in the area do not suffer from this hardship and have effective signs.

4. The hardship is not a result of the applicant's actions, financial hardship, or any inconvenience of complying with the code, but are a result of:
 - (a) Conditions that are unique to the land, building, site configuration; or
 - (b) Conditions that are unique to the configuration of the site in relation to adjacent sites or features; or
 - (c) Other unique conditions that are not self-created by the applicant.

The hardship is not a result of the applicant's actions, financial hardship, or any inconvenience of complying with the code. In this case, the hardship is the direct result of the expansion of I-595 and construction of a new overpass to allow easier access to Port Everglades. These changes to the roadways in the area created the hardship being suffered by the Applicant and necessitated this variance application.

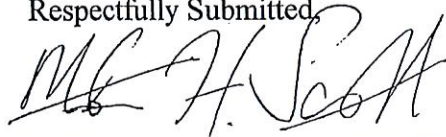
5. The request is the minimum necessary deviation from the requirements of this article to provide for reasonable and adequate sign visibility and effectiveness, with due consideration for the aesthetic of the sign and its scale relative to that of buildings and signs on the same and adjacent properties; and

The requested variance is the minimum necessary to allow the sign to be seen from I-595. Due to the height of I-595 and surrounding structures, the proposed sign needs to be at least 48 feet tall and 22 feet wide at the top in order to be visible and effective, as indicated by the "balloon testing" performed by Jeff Falkanger. See attached photographs.

The requested freestanding sign, with its clean and simple design, will not have a negative impact on adjacent properties or buildings. In point of fact, the sign will fit in harmoniously with adjacent properties and buildings as the neighbors of the Applicant either serve the airport and port, as the Applicant does, or are low-intensity such as the storage facility.

In light of the above, the Applicant respectfully submits that this sign variance request satisfies the criteria of the code and is warranted under the unique circumstances facing the Applicant. In advance, thank you for your consideration of this application.

Respectfully Submitted,



STEPHANIE J. TOOTHAKER

MATTHEW H. SCOTT

SJT/MHS