



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

**DATE:** January 26, 2016

**TO:** Robert Baldwin, City Manager

**VIA:** Marc LaFerrier, AICP, Director

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

**SUBJECT:** **VA-132-15/VA-133-15/VA-134-15:** The applicant, Leigh Robinson Kerr and Associates, Inc., on behalf of DS Realty, Inc., is requesting several variances to allow a 158-room hotel on a property located at 2800 Federal Highway.

**REQUEST  
VARIANCE**

1. To allow terminal landscape island to be less than ten (10) feet; code requires a minimum of ten (10) feet per Land Development Code (LDC) Section 275-100(D).
2. To allow landscaping on two (2) sides of a dumpster enclosure; code requires landscaping on three (3) sides per LDC Section 275-170(B).
3. To allow a minimum of five (5) foot landscape buffer; code requires a ten (10) foot landscape buffer per LDC Section 275-120.

**PROPERTY INFORMATION**

**EXISTING ZONING:** Port Everglades Development District (PEDD)  
**LAND USE DESIGNATION:** Transportation

The subject property is located on the east side of Federal Highway, north of the airport. The property is currently being used as temporary parking for the airport and seaport. The property has Port Everglades immediately to the east. To the west is Federal Highway, which is approximately 150 feet wide adjacent to the property.

The property has a Port Everglades Development District (PEDD) zoning designation, which permits hotel uses as a Special Exception use which was previously approved. Site Plan approval is not required because of the property's location in the PEDD. Due to the location of the property, there are little impacts of the proposed use on neighboring properties.

The property is a triangle shaped lot, making full utilization of the property difficult. As such, several variances are being requested.

**VARIANCE**

**1. Terminal Island**

The applicant is proposing one terminal landscape island to be as small as three and a half (3.5) feet wide, the second island is proposed to be seven (7) feet wide. The LDC requires a minimum of ten (10) feet. As indicated by the applicant's justification statement, the need for

this variance is largely due to the size (1.9 acres) and the irregular shape of the site which limits the configuration and development potential.

### 2. Dumpster Enclosure

The applicant is proposing to provide landscaping on the north and south side of the proposed dumpster to screen the enclosure as intended by code. However, the east side back up to the property line adjacent to Port Everglades and therefore there is no room for landscape material.

### 3. Landscape Buffer

The applicant has indicated in their justification statement that due to the size of the parcel (1.9 acres) and the irregular shape of the site, the developable area of the property is limited necessitating the need to reduce the landscape buffer from ten (10) feet to as little as five (5) feet.

Section 625 of the City's LDC 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."

The applicant provided a justification statement identifying how their requests are consistent with the Variance criteria.

### **CITY COMMISSION PREVIOUS ACTION**

On August 25, 2015 the City Commission approved the plat for this property.

September 21, 2015 the City Commission approved Special Exception (Resoultion Number 2015-113) to allow the hotel use at this location.

### **STAFF RECOMMENDATION**

Approve the variance resolution.