



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

**DATE:** July 26, 2016

**TO:** Robert Baldwin, City Manager

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

**FROM:** Anne-Christine Carrie, Planning Associate *AC*  
Corinne Lajoie, AICP, LEED G.A., Planning and Zoning Manager *CL*

**SUBJECT:** **VA-53-16:** The applicant, Joseph Denis, on behalf of the property owner, Dania Live 1748, LLC, is requesting a sign variance to exceed the maximum allowed signage for a development sign at the property generally located north of Stirling Road and west of Bryan Road, also known as the Dania Pointe site.

**REQUEST  
VARIANCE**

To allow forty-one (41) construction signs and 7,442 square feet of signage area along three (3) streets; Code permits a maximum of (6) signs and thirty-two (32) square feet per project.

**PROPERTY INFORMATION**

EXISTING ZONING: Planned Mixed-Use District (PMUD)  
LAND USE DESIGNATION: Regional Activity Center (RAC)

**VIOLATIONS ON PROPERTY**

There are no violations on the property.

The applicant has assembled multiple parcels generally located east of Interstate 95, north of Stirling Road, west of Bryan Road and south of the Design Center of the Americas (DCOTA). This assembly will result in approximately 103 acres of land (the "Subject Property"). The property owners are in the process of preparing the land for development and have submitted several development applications for the Subject Property. Some applications have already been to public hearing and some are still being processed.

**VARIANCE**

The applicant is requesting a variance to allow forty-one (41) temporary construction signs where the Code permits six (6), and 7,442 square feet of signage area where the Code permits thirty-two (32). The variance request for additional signage is to achieve the level of visibility that is intended in Article 505 of the Land Development Code (LDC).

The applicant is proposing ten (10) fence signs along Interstate 95, three (3) on the sides of the construction trailer facing Interstate 95, six (6) along Stirling Road and twenty-two (22) along Bryan Road for a total of forty-one (41) signs. The proposed banner signs for the construction

trailer and perimeter fence are permitted for construction sites per Section 505-160 (E). The signs will display project graphics, contact information for the development's leasing company, and the names of the construction company and engineering firm. Per Section 505-30 (F), the number of colors proposed for the temporary signs is permitted. Section 505-160 (E) (2) permits the proposed height of five feet four inches (5'4") for the fence banners, and nine feet (9') for the trailer banners. There are no residential uses adjacent to the site therefore the aesthetic impact of the signs would not be contrary to the interest of surrounding area or the public.

The Dania Pointe site is the only PMUD zoning district in the City therefore no other conforming signs may be used as a comparison. Furthermore, the 103-acre site has approximately 5,500 feet of street frontage. Without the restriction in the maximum number of signs in Section 505-160 (E) (1), the allowed one (1) sign per one hundred (100) linear feet of street frontage would have permitted a total of fifty (55) construction signs. The unique location and scale of the site generates a need for more signs to provide the same level of visibility achieved by fewer and smaller signs, and as intended by Article 505. Therefore, the thirty-five (35) signs proposed in excess of the six (6) permitted is the minimum deviation from the requirements of this Article to provide for reasonable and adequate sign visibility and effectiveness, with due consideration for the aesthetics of the signs and their scale relative to that of buildings and signs on the same and adjacent properties.

Section 505-180 of the City's LDC states that 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"
- (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"
- (3) "The impaired visibility or effectiveness of the signage allowed in this article would result in unnecessary or undue hardship; and"
- (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."
- (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 [...]."

Per Section 505-160 (E) (4), the construction signs are permitted for the duration of the construction and shall be removed upon issuance of a certificate of occupancy. On June 2, 2016, the applicant's construction company, Hoar Construction, LLC, was issued a temporary construction trailer permit.

Based on the justification provided by the applicant, the requirements for a sign variance are met.

**CITY COMMISSION PREVIOUS ACTION**

On May 24, 2016 the City Commission approved the rezoning application on second reading.

On February 23, 2016 the City Commission approved the plat for the Subject Property on second reading.

On February 9, 2016 the City Commission approved a text amendment to the City's Code of Ordinance, Alcohol regulations for the Subject Property on second reading.

On January 12, 2016 the City Commission approved a Tree Removal and Mitigation Agreement for the Subject Property.

On January 12, 2016 the City Commission approved a Tree Agreement for this removal of trees on the Subject Property.

On October 27, 2015 the City Commission approved a LDC Text Amendment to allow site preparation before site plan approval for this site.

On October 13, 2015 the City Commission approved the establishment of the Planned Mixed Use Development Zoning District on second reading.

On February 24, 2015 the City Commission approved a Temporary Use to allow storage of fill on the site.

On September 9, 2014 the City Commission rezoned several properties from industrial to commercial zoning.

**STAFF RECOMMENDATION**

Approve the resolution for a sign variance.