



### City Commission

Mayor Anthony N. Caggiano

Vice Mayor Tommy Ruzzano

Antonio V. Arserio

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Joanne Simone

### City Manager

Cale Curtis

### Interim City Attorney

Weiss Serota Helfman

Cole & Bierman

### City Clerk

Jennifer M. Johnson, MMC

## REGULAR MEETING OF THE BOARD OF ADJUSTMENT REGULAR MEETING <https://us02web.zoom.us/j/86150490512> MINUTES

Tuesday, September 12, 2023

6:30 p.m.

City of Margate

City Commission Chambers at City Hall

### PRESENT:

Joao D. Brandao, Chair

Fred Bourdin, Vice Chair

Barbara Farias, Board Member

### ABSENT:

Erin Enwright, Secretary

Charles D. Presser, Board Member

### ALSO PRESENT:

Alan L. Gabriel, Weiss, Serota, Helfman, Cole, & Bierman, Interim City Attorney

Elizabeth Taschereau, Director of Development Services

Andrew Pinney, AICP, Senior Planner

Athalia Lujo, General Counsel, Broward Meat and Fish Company

The regular meeting of the Board of Adjustment (BOA) of the City of Margate, having been properly noticed, was called to order at 6:30 p.m. on Tuesday, September 12, 2023, in the City Commission Chambers at City Hall, 5790 Margate Boulevard, Margate, FL 33063. The Pledge of Allegiance was recited.

### 1) APPROVAL OF MINUTES

A) *ID2023-240*

APPROVAL OF MINUTES FOR APRIL 4, 2023, BOARD OF  
ADJUSTMENT (BOA) MEETING

Mr. Bourdin made the following motion, seconded by Ms. Farias:

**MOTION:** TO APPROVE THE MINUTES FOR THE APRIL 4, 2023, BOA  
MEETING

### Development Services Department

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**ROLL CALL:** Mr. Brandao – Yes; Mr. Bourdin – Yes; Ms. Farias – Yes. The motion passed with a 3-0 vote.

**2) PUBLIC DISCUSSION**

None.

**3) NEW BUSINESS**

A) *ID2023-251*

PERMIT NO. 23-00400033

CONSIDERATION OF A SIGN WAIVER APPLICATION: THE APPLICANT IS REQUESTING A SECOND MAIN IDENTIFICATION WALL SIGN.

ADDRESS: 3201 N. STATE ROAD 7, MARGATE, FL 33063

Andrew Pinney, Senior Planner, presented on behalf of staff. He stated the applicant, Broward Meat and Fish Company, was seeking permission to install a second main identification wall sign, which would be 93.4 square feet in area. He advised that the sign code allows only one (1) main identification wall sign for a ground level tenant and limits the size to one (1) square foot of area per linear foot of frontage. He explained the existing sign and proposed sign together would exceed the maximum area allowed.

Mr. Pinney reviewed the subject property, noting the land use is Activity Center and zoning is TOC-G Gateway. He stated the existing shopping center is 134,369 square feet in building area, situated on 12.84 acres at the northwest corner of State Road 7 and NW 31<sup>st</sup> Street. He described the subject property within the shopping center, explaining it was a 77,000 square foot store with 285 feet of frontage. Continuing, Mr. Pinney outlined the unique situations existing on the property, including a large setback of approximately 460 feet from the adjacent roadway of State Road 7. He stated that because of the elevation change at the intersection of State Road 7 and Sample Road, there is no driveway access from that street and limited visibility. He shared images of the existing site and pointed out that while the existing sign is above the exit, there is a dedicated entrance and exit with architectural features to emphasize both. He noted the entrance was not identifiable for a first-time visitor.

Mr. Pinney reviewed the waiver criteria for the Board's consideration, as follows:

1. There is something unique about the building or site configuration that would cause the signage permitted by this article to be ineffective in identifying a use or structure that would otherwise be entitled to a sign.
2. The granting of a waiver is not contrary to the intent of the sign code, the aesthetics of the area, or does not create a nuisance or adversely affect any neighboring properties.
3. Literal enforcement of this article would result in unreasonable and undue hardship upon the petitioner.

Mr. Pinney asserted that the additional signage could help to navigate customers to the store. He stated staff recommends approval as the proposed sign is compatible with the building architecture, does not detract from area aesthetics, and because this storefront suffers from limited visibility.

Chair Brandao opened a public hearing on the item.

Athalia Lujo, General Counsel, Broward Meat and Fish Company, thanked the City for the work done already. She stated in addition to the large setbacks, the store also has beautiful landscaping which blocks the view of the current sign from State Road 7.

Chair Brandao closed the public hearing.

Mr. Bourdin stated that considering the fact that the exit sign is much bigger than the marking of the entrance, he agreed with staff's conclusion. He noted the additional sign brightens up the store and makes it more aesthetically pleasing to the shopper.

Mr. Bourdin made the following motion, seconded by Ms. Farias:

**MOTION:** TO APPROVE THE SIGN WAIVER APPLICATION AS PRESENTED.

**ROLL CALL:** Mr. Brandao – Yes; Mr. Bourdin – Yes; Ms. Farias – Yes. The motion passed with a 3-0 vote.

### **GENERAL DISCUSSION**

There being no further business to discuss, the meeting was adjourned at 6:41 p.m.

Respectfully submitted,

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Joao D. Brandao, Chair