

February 3, 2022

VIA E-MAIL: [etaschereau@margatefl.com](mailto:etaschereau@margatefl.com)

Ms. Elizabeth Taschereau  
Development Services Director  
City of Margate  
901 NW 66<sup>th</sup> Avenue  
Margate, FL 33063

Re: Special Exception Application - Abundant Life Christian Centre, Inc.

Dear Ms. Taschereau:

Abundant Life Christian Centre, Inc. (the "Applicant"), is proposing a special exception application for the property located at 1490 Banks Road ("Property") in the City of Margate ("City"). The Property is located on the east side of Banks Road at the intersection with NW 15 Street; it is zoned Community Facilities (CF-1) and Industrial Park District (M-1A). The purpose of the special exception application is to allow for the Property to continue operating private elementary, middle, and high school classes at an existing facility per City Code Section 11.3(B)(1)(a)(1-4). This application is made in conjunction and consistent with a pending proposed plat note amendment application.

The Property is currently operating as an existing private school and day care, with church use utilizing shared space within the school's auditorium. The church use utilizes approximately 20,000 square feet of the Property's auditorium during its operation of church services on Sunday mornings from 9:00 am - 1:00 pm, Sunday evenings from 5:30 pm - 8:00 pm and on Wednesday evenings from 6:00 pm - 9:00 pm. The school is open for instructional and extended care purposes from 7:00 am - 6:00 pm, Monday - Friday. The school use currently includes 456 preschool through high school students. The school has operated with between 450-465 students over the past four to five years. The school utilizes approximately 75,000 square feet of the property.

A plat note amendment application has been submitted to bring the current operation of the Property into compliance with the plat note. As the proposed plat note amendment would remove the church use from the plat note, it has been determined that a special exception application is required in order for the primary use of the Property to continue operating as a private school with elementary, middle, and high school classes. Due to several changes over the years to the City's Code related to the special exception criteria in the CF-1 zoning district, as well as the accessory use criteria, public or private

elementary, middle, or high school use is a special exception use subject to City Code Section 11.3(B)(1)(a)(1-4).

The proposed special exception application is consistent with all of the following general standards of review in City Code Section 31-54(c):

- (1) The special exception shall be consistent with the purposes, goals, objectives and policies of the Margate Comprehensive Plan and the Margate Code of Ordinances.

*The existing private school is located on the portion of the Property zoned Community Facility (CF-1), with a land use of Commercial. The existing private school is consistent with the City Code of Ordinances, as the CF-1 zone expressly allows for private elementary, middle, and high schools via special exception.*

- (2) The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare.

*The existing private school has been operating at the Property since approximately 1990; the Applicant is not making any physical modifications to the Property. The requested special exception is for approval of this longstanding school use at the Property. The purpose of the Applicant's special exception application is to bring the existing use of the Property into compliance with the City's Code, due to the amendments to the special exception and accessory use criteria which occurred over the years following the original approvals and construction of the Property. The existing private school use is not detrimental to or endanger the public health, safety or general welfare of the City. In fact, the school provides a substantial benefit to public health, safety, and general welfare of the community by providing a supportive community to educate the community's youth.*

- (3) The establishment, maintenance or operation of the proposed use shall only be approved if in the best interest of the city. It shall be determined that a genuine need for the use is present in the city to support and justify the approval order to avoid creating an excessive proliferation of said special exception use.

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- (4) The proposed use shall be compatible with the existing natural environment and community character of the properties within the immediate neighborhood.

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- (5) Utilities, roadway capacity, drainage, and other necessary public facilities, including police, fire and emergency services, shall exist at the city's adopted levels of service, or will be available concurrent with demand as provided for in the requirements of this Code of Ordinances.

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*As such, all such public facilities will not be impacted by the approval of this special exception.*

- (6) Adequate measures exist or shall be taken to provide ingress and egress to the proposed use, for both vehicles and pedestrians, in a manner that minimizes traffic congestion on public streets, and the use may not result in a significantly greater amount of traffic on local streets than would result from a development permitted by right.

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- (7) There shall be adequate parking areas and off street truck loading spaces (if applicable) consistent with the parking requirements of the Code, and the layout of the parking and vehicular use areas shall be convenient and conducive to safe operation consistent with city standards to the greatest extent possible.

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- (8) The establishment of the special exception shall not impede the development of surrounding properties for uses permitted in the zoning district nor have a negative impact on the value of those properties.

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- (9) The design of the proposed use shall minimize adverse effects, including visual impacts, of the proposed use on adjacent property through the use of building orientation, setbacks, buffers, landscaping and other design criteria.

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- (10) The city commission finds that the granting of the application will be in the best interest of the city.

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Additionally, pursuant to City Code Section 11.3(B)(1)(a)(4), "in order to allow sufficient time to secure required development order, building permit, and local business tax receipt approval, a special exception use application and fee must be filed with the Development Services Department at least nine (9) months before the start of the school year. This time requirement cannot be waived or reduced." The Applicant acknowledges that if approved, the proposed special exception application would become effective the next year and that current operations will continue "as is" during the interim period.

The Applicant further acknowledges that a variance application will also be required to deviate from the minimum property size requirements and single use building requirement for the existing Abundant Life facility. Please note that an administrative appeal application was approved on December 7, 2021 to allow for this special exception application to be filed without providing the site plan and associated information in City Code Section 31-54(b)(1) subsections (a) through (d). As such, please accept this special exception application in connection with the proposed plat note amendment application for the Property. Please let us know if you need any other information to review and process this application.

Very truly yours,

GREENSPOON MARDER LLP



/s/

Elizabeth Adler, Esq.