



City of Margate
DEVELOPMENT REVIEW COMMITTEE
Application for Special Exception (existing)

5790 Margate Blvd., Margate, FL 33063
954-972-6454

Submittal Date (official use):

11-10-14 P04:51 RCVD

Project Name		Petro Solutions
Address		505 N State Road 7
Acreage	Folio Number	4841 36 02 0330
Existing Use		Vacant gasoline service station
Legal Description		Hammon Heights Sec. 2, 34-46B Lot 21 & 22 less
		r/ws as described in ORS 2377/529 & 10121/685, Blk 2

DRC #	11-14-05
Paid:	\$ 1,000.00

Describe proposal/request in detail
<input type="checkbox"/> to re-establish gasoline service station, see attached.
<input type="checkbox"/>
<input type="checkbox"/>

Agent/Contact Name		Rod A. Feiner, Esq., Coker & Feiner
Address		1404 S Andrews Avenue, Fort Lauderdale, FL 33316
Phone Number		954-761-3636
Fax Number		954-761-1818
Email Address	rafeiner@coker-feiner.com	

Property Owner Name		Trust Number 441
Address		1901 Brickell Avenue, #B-1808, Miami, FL 33131
Phone Number		
Fax Number		
Email Address		

OWNER'S AFFIDAVIT: I certify that I am the owner of record for the above referenced property and give authorization to file this petition. I understand that I, or a representative on my behalf, must be present at the DRC meeting. I further understand that my petition will be subject to the regulations of Chapter 16 ½ of the Margate City Code.

Property Owner's Signature

Date

11/7/14

REQUEST AND JUSTIFICATION FOR SPECIAL EXCEPTION

REQUEST

To operate a gasoline service station which will have 6 pumps (12 dispensing locations) with a 1,000 square foot convenience store and an automated car wash on property which has a mailing address of 505 North State Road 7.

JUSTIFICATION

Statement common to all criteria

The site was previously approved as a gasoline service station and a gasoline service station was operated at this site for many years. The site was previously operated by Shell gasoline and when Shell moved out of the market as a corporate operator the use ceased for a period of time that exceeded one hundred and eighty (180) days. By the requirements of the City's Code, a new special exception approval is required to re-open a gasoline service station at this location. The proposed special exception for the gasoline service station will use the existing canopy, pump islands and convenience store which were part of the previously approved use as legal non-conforming structures. Furthermore, the underground storage tanks meet all newly enacted Federal and State requirements and have double wall underground storage tanks and pump elements with the requisite alarm functions

(a) Compatibility of the use and site plan elements with the indigenous environment and with properties in the neighborhood, as outlined in the Margate Comprehensive Plan.

The property is designated Commercial/Transit Oriented Corridor on the City's land use plan and is zoned for a commercial use with a TOC Gateway zoning designation. The property is located on a major thoroughfare in the City and at the intersection Atlantic Boulevard and State Road 7, which is also a major roadway. This site is in the exact location that is needed to serve the residents of Margate and the traveling public. Furthermore, there is not a nearby gasoline service station. The site is also surrounded by commercial uses which means it will not impact on residential uses and can also serve the travelling public. The site design elements also mitigate against any impacts on the surrounding areas, in particular landscape buffers separate the property from the other neighboring commercial properties.

(b) Substantial detrimental effects of the proposal on property values in the neighborhood.

The property is zoned for commercial use and its size and location dictate that it will be developed in a traditional manner. The proposed gasoline service station is located in the exact area where a service station should be located, at the intersection of two major roadways, and thus it is not anticipated that the service station will have any impacts on property values.

(c) Substantial detrimental effects of the use on living or working conditions in the neighborhood.

The property is zoned for commercial use with TOC/Gateway zoning use and a Commercial/TOC land use. In this zoning district a service station is permitted as a special exception and the property was previously developed as a service station. As a result, re-establishing a service station at this location will not have any detrimental impacts on the living or working conditions in the neighborhood over and above the existing commercial designation. In fact, the re-establishment of the service station at this location will positively impact living and working conditions as it will enable both businesses, residents and travelers an opportunity to serve as a needed refueling station for the area.

(d) Ingress and egress to the development and proposed structures, with particular reference to automotive and pedestrian safety, control of automotive traffic, provision of services and servicing of utilities and refuse collection, and access in the case of fire, catastrophe or emergency.

The service station will use the previously permitted access points, one on Atlantic Ave and one on State Road 7. The site design and internal traffic circulation patterns have been designed to be efficient and safe based upon many years of experience in providing services to the public. Furthermore, the prior use of these ingress and egress points allowed the safe flow of traffic both from the roadway along with safe pedestrian movement. In addition, because of this site's location access to the adjacent roadway is controlled by both Broward County and FDOT. The existing ingress and egress points which will continue to be used have been approved by both Broward County and FDOT. The areas for ingress and egress are also in compliance with the plat for this property and no other access points would be allowed without amending the non-vehicular access lines for the plat.

(e) Off-street parking location, and relationship to buildings and internal traffic patterns with particular reference to automotive and pedestrian traffic safety, traffic flow and control, access in case of fire or emergencies, and screening and buffering.

As stated above, the internal circulation and parking locations have been designed based upon the prior approvals and functioning of the site which showed safe internal traffic and pedestrian movement. In addition, the project engineer has also re-reviewed the internal traffic and pedestrian movement and determined that the internal traffic patterns are safe, provide adequate access and support emergency vehicles.

(f) Orientation, location, size and feature of city buildings and the appearance and harmony of the buildings with nearby development and land uses.

The gasoline service station is compatible with the other commercial uses along State Road 7 and Atlantic Boulevard. Furthermore, the site incorporates landscaping which serves as a buffer to adjacent property. As the use is being reconstituted the existing buildings and canopies are

being used as legal non-conforming structures and the applicant both recognizes and acknowledges the limitations that such a designation imposes. However, using the existing buildings is also appropriate in this instance as the existing below ground infrastructure is specifically designed to accommodate a gasoline service station at the locations of the current buildings.

(g) Sufficiency of setbacks, buffers and general amenities to preserve internal and external harmony and compatibility with uses inside and outside the proposed development and to control adverse effects of site-generated noise, lights, fumes and other nuisances.

The setbacks are designed to create a safe and efficient site and the location of the building are designed to protect and buffer surrounding properties.

(h) Adequacy of stormwater management with attention to the necessity for onsite retention to alleviate flooding and groundwater pollution without compromising the aesthetics and maintainability of landscaping.

The development of the site meets all applicable stormwater management criteria.

(i) Adequacy of landscaping with an emphasis on the preservation of existing trees, the use of native species, and the use of required landscaping along street perimeters.

The landscaping along street perimeters and the adjacent properties is substantial and of a very high quality to act as a buffer and to add to the aesthetics of the development. Furthermore, the landscaping already mature and provides additional buffering and screening than what would be accomplished by new landscape materials being installed.

(j) Compliance with the applicable goals, objectives and policies of the Margate Comprehensive Plan.

The comprehensive plan contemplates and encourages vehicular related uses to be located on major corridors. State Road 7 and Atlantic Boulevard are major corridors in the City.

(k) Compliance with the goals, objectives and policies of the Margate Community Redevelopment Plan.

The proposed service station will provide a needed service to the community while utilizing a parcel that was previously approved for the same use.