

CITY OF MARGATE, FLORIDA

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING WITH CONDITIONS A SPECIAL EXCEPTION USE TO PERMIT AN AUTOMOBILE SALES AGENCY WITHIN THE TOC-C CORRIDOR DISTRICT FOR KD'S AUTO SALES, LOCATED AT 891 N. STATE ROAD 7, SUBJECT TO THE FINDINGS OF THE DEVELOPMENT REVIEW COMMITTEE.

WHEREAS, on May 12, 2015 the Development Review Committee reviewed a proposal for KD's Auto Sales, a used car dealership, at 891 N. State Road 7 and recommended denial based on the following conditions:

- 1) Automobile sales shall not be permitted within 100 feet of residential properties within the TOC-C Corridor zoning district
- 2) Site is adjacent to TOC-CC City Center zoning district
- 3) Proposed site location does not offer pedestrian-friendly features such as walkability, multi-modal transportation, urban environment, etc.
- 4) Updated plans are required to meet new code requirements
- 5) Proposed use is neither consistent with the City of Margate Comprehensive Plan nor the Margate Community Redevelopment Plan

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA:

SECTION 1: That the City Commission of the City of Margate, Florida, hereby approves with conditions a special exception use to permit a used car dealership within the TOC-C Corridor Zoning District for KD's Auto Sales located at 891 N. State Road 7. The conditions of approval are that the petitioner must comply with the findings of the May 12, 2015 Development Review Committee meeting, described above. The City Commission makes the following findings as provided in subsections (a) through (k) of Section 22.10 of Appendix A of the Code of the City of Margate:

(a) The use is compatible with the indigenous environment and with properties in the neighborhood, as outlined in the Margate Comprehensive Plan.

(b) There are no substantial detrimental effects of the proposal on property values in the neighborhood.

(c) There are no substantial detrimental effects with the use on living or working conditions in the neighborhood.

(d) There is adequate ingress and egress to the development, with particular reference to automotive and pedestrian safety, control of automotive traffic, provision of services and servicing of utilities and reuse collection, and access in the case of fire, catastrophe, or emergency.

(e) There is adequate off-street parking in relation to buildings, and adequate 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.

(f) There is acceptable orientation, location, size, and features of buildings, and appearance and harmony of the buildings with nearby development and land uses.

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

(h) There is adequate stormwater management with attention to the necessity of on-site retention to alleviate flooding and ground water pollution without compromising the aesthetics and maintainability of landscaping.

(i) There is adequate landscaping with an emphasis on the preservation of existing trees, the use of native species, and the use of berming along street perimeters.

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

(k) There is compliance with the applicable goals, objectives, and policies of the Margate Community Redevelopment Plan.

SECTION 2: That all representations by the applicant and determinations by the Development Review are incorporated as part of the conditions for this special exception.

SECTION 3: That this resolution shall become effective

immediately upon its passage.

PASSED, ADOPTED AND APPROVED THIS _____ DAY OF _____, 2015.

ATTEST:

JOSEPH J. KAVANAGH
CITY CLERK

JOANNE SIMONE
MAYOR

RECORD OF VOTE

Peerman	_____
Talerico	_____
Bryan	_____
Ruzzano	_____
Simone	_____