

BOARD OF ADJUSTMENT  
CITY OF MARGATE, FLORIDA

BA # - 01-16  
HEARING DATE 1/5/2016

VARIANCE REQUEST

PART I. TO BE COMPLETED BY PETITIONER

Applicant: Appleby Real Estate Holding, LLP Date: 12/7/15

Relationship to Subject Property: Property Owner

Address of Property: Banks Road and NW 24th Street


Legal Description: A portion of tract A of the Sherman Plat,  
PB 144, Pg 26, BCR.

Describe Variance Requested: Section 3.14 wall in front yard  
Erect wall in front yard and set building behind wall.

List Details of Hardship: Property use requires extra security measures  
to include a solid wall along Banks road and NW 24th Street.

Security is very important to protect the new vehicles in the property.

Building location is strategically placed for visibility to both entrances.

  
Signature of Applicant

Phone # 954-574-4634

13455 FEDERAL HWY.  
DEERFIELD BEACH, FL 33441  
Address

Fax# 954-574-4635

PART II. TO BE COMPLETED BY THE ECONOMIC DEVELOPMENT DEPT.

Describe request and how it varies from the Code: \_\_\_\_\_

Section of Code involved: \_\_\_\_\_ Zoning of Property: \_\_\_\_\_

Have plans been submitted to and approved by the Building Department? \_\_\_\_\_



Additional Comments: \_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_\_  
Economic Development Director

Date: \_\_\_\_\_

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**PART III. TO BE COMPLETED AFTER BOARD OF ADJUSTMENT ACTION.**

Board Action:    Approved \_\_\_\_\_    Denied \_\_\_\_\_    Tabled to: \_\_\_\_\_

List Any Special Conditions: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Chairman of the Board of Adjustment

\_\_\_\_\_  
Date

\_\_\_\_\_  
Secretary of the Board of Adjustment

\_\_\_\_\_  
Date



City of Margate  
R E P R I N T  
\*\*\* CUSTOMER RECEIPT \*\*\*

Batch ID: RR0DI 12/03/15 00 Receipt no: 34484

Type	SvcCd	Description	Amount
EQ		ECDV MISCELLANEOUS	
	Qty	1.00	\$200.00

KING MOTOR COMPANY OF COCONUT  
CREEK LTD  
4950 N STATE RD 7  
COCONUT CREEK, FL 33073  
VARIANCE REQUEST BA-01-16  
YSQ GROUP AGENT FOR APPLEBY  
REAL ESTATE HOLDING, LLP  
1489 W PALMETTO PARK RD #340  
BOCA RATON, FL 33486  
FOR COCONUT CREEK AUTOMOTIVE  
BANKS ROAD & NW 24TH STREET  
JAY HUEBNER  
JAY@HSQGROUP.NET  
561-392-0221

Tender detail

CK Ref#:	200603	\$200.00
Total tendered:		\$200.00
Total payment:		\$200.00

Trans date: 12/09/15 Time: 9:33:47

HAVE A GREAT DAY!



City of Margate  
R E P R I N T  
\*\*\* CUSTOMER RECEIPT \*\*\*

Batch ID: RRODI      12/03/15 00      Receipt no: 34502

Type	SvcCd	Description	Amount
EB		ECDV BANNERS	
	Qty	1.00	\$150.00

KING MOTOR COMPANY OF COCONUT  
CREEK LTD  
4950 N STATE RD 7  
COCONUT CREEK, FL 33073  
PUBLIC HEARING SIGN BOND  
VARIANCES BA-01-16 & BA-02-16  
BANKS ROAD & NW 24TH STREET  
COCONUT CREEK AUTOMOTIVE  
BY HSQ GROUP, INC.  
1489 W PALMETTO PARK RD #340  
BOCA RATON, FL 33486  
JAY HUEBNER  
JAY@HSQGROUP.NET  
561-392-0221

Tender detail

CK Ref#:	200604	\$150.00
Total tendered:		\$150.00
Total payment:		\$150.00

Trans date: 12/09/15      Time: 9:55:15

HAVE A GREAT DAY!





**HSQ GROUP, INC.**  
**Engineers • Planners • Surveyors**  
1489 West Palmetto Park Road, Suite 340  
Boca Raton, Florida 33486  
(561) 392-0221 Phone • (561) 392-6458 Fax

December 4, 2015

**Andrew Pinney**

City of Margate Department of Environmental & Engineering Services  
901 NW 66th Avenue, Suite A  
Margate, FL 33063

Re: **COCONUT CREEK AUTOMOTIVE – VARIANCE NARRATIVE**  
HSQ Project Number: **1305-26**

Dear Andrew:

The property owner for this industrial site is developing a vehicular storage and car preparation center for the local car dealerships. There will be brand new cars delivered to the property on a regular basis and security is extremely important to protect the site from theft and vandalism. The current code does not allow a wall to be placed in the front yard and within the setbacks to the street rights-of-way line. Please see described conditions for each variance requested below.

**Section 3.14(16) fences and walls in front yard:**

The Margate code section language is as follows:

(16)

In commercial, mixed use, and industrial districts, no fence or wall shall be erected or maintained in any front yard, except when used on a temporary basis to secure an active construction site. Otherwise, fences and walls may be erected to a height not exceeding seven (7) feet above the established grade. Where nonresidential property directly abuts a residential parcel, only decorative masonry walls shall be permitted on the nonresidential parcel along the common property line. Chain link or other similar style fences shall not be permitted within any TOC zoning district, except when used on a temporary basis to secure an active construction site. No fence or wall shall be erected within any TOC zoning district that isolates any property, or otherwise inhibits connectivity and the availability of shared parking, with the exception of residential-only developments.

The property owners requires security measures to protect the new cars within the property. A 7 foot high wall has been proposed along Banks Road and NW 24<sup>th</sup> Street. The proposed building has been located to allow for visibility to both gated access locations. Security cameras will be installed to assist with the overall security to the site. The property is across the street from a Liberty Elementary school which has children walking by the property on Banks Road. Security is required to insure the pedestrians do not cut thru the site. The gates to the property are closed except for pick up and drop off events. The wall will provide additional visual screening together with the landscape buffer to insure the parking lot is not visible from Banks Road and NW 24<sup>th</sup> Street. The property use is not open to the public and does not require retail signage or promotions. The landscape buffer on Banks Road and NW 24<sup>th</sup> Street will provide proper trees and ground cover to insure the site is well maintained and avoid the industrial parking lot appearance.



## Section 24.7 (A) Yards and Setbacks:

The existing Margate code language is as follows:

(A)

*Street yard setbacks.*

(1)

The minimum building setback from all street rights-of-way less than eighty (80) feet in width shall be twenty-five (25) feet.

(2)

The minimum building setback from all street rights-of-way eighty (80) feet in width of greater shall be thirty-five (35) feet.

(3)

This yard may be used for walkways, parking of passenger cars, driveways and landscaping, but not for any other use or purpose.

The property owner requires a wall to be placed along Banks Road and NW 24<sup>th</sup> Street for security purposes. The code requires a 25' setback to the wall on NW 24<sup>th</sup> Street and 35' setback on Banks Road. NW 24<sup>th</sup> Street is a 50' wide rights of way and Banks Road is a 120' wide Rights-of-way. The purpose of the property use is to store vehicles and prepare them for sale at local dealerships. To maximize the use on the property the property owner is requesting the buffer along Banks Road be consistent with NW 24<sup>th</sup> Street buffer of 25' wide. The 25' wide landscape buffer together with the 7' high wall provides a sufficient buffer to the interior of the property and does not deteriorate the surrounding property views of the proposed site. The 25' wide buffer is sufficient to meet the city's landscape code requirements for trees and ground cover. The interior uses of the site consist of one small one story building placed 200 feet away from the property line. The uses do not require increased buffers or screening to meet the intent of the code. The wall will be a decorative wall together with the landscaping to provide the same buffering a 35' wide buffer would accomplish. We believe the variance for the wall to be placed 25' from the rights-of-way line meets the intent of the 35' setback to a building.

Please do not hesitate to contact our office if you have any questions or require additional information.

Sincerely,  
**HSQ GROUP, INC.**



Jay Huebner, P.E., A.I.C.P., LEED AP



PROPERTY OWNER CERTIFICATION AND PERMISSION TO PROCEED

I hereby certify that I am the owner of the property located at Banks Road and NW 24th Street  
being the subject property for this variance application, and I give authorization to  
Jay Huebner to file this petition for the said  
variance.

Jeff Gale  
Print owner's name

[Signature]  
Signature of owner

Subscribed and sworn to before me this 3 day of December  
20 15.

[Signature]  
Signature of Notary

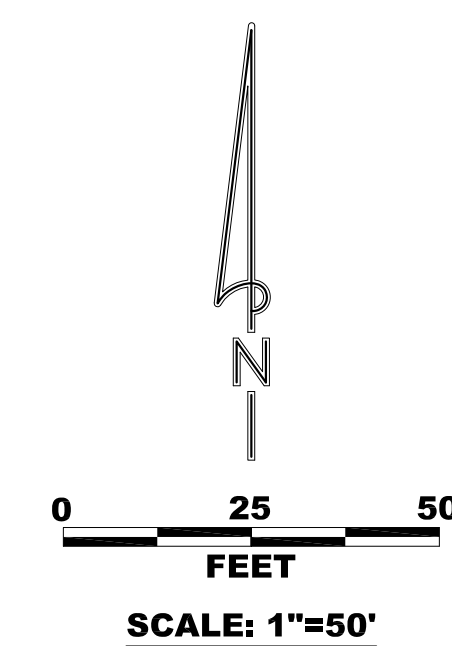
Amy Sue Kanner  
Print or type name of Notary

☒ Personally known to me  
☐ Produced identification



AMY SUE KANNER  
MY COMMISSION # FF 080011  
EXPIRES: February 12, 2018  
Bonded Thru Budget Notary Services





Always call 811 two full business days before you dig

**Sunshine811.com**

Designed by: JH Date: 08/15  
 Drawn by: JLS Date: 08/15  
 Checked by: JH Date: 08/15



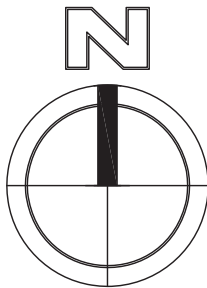
# COCONUT CREEK AUTOMOTIVE

## SITE PLAN

SCALE:	1" = 50'
PROJECT NUMBER:	150538
SHEET NUMBER:	SP-1

Date: 12/4/15  
Approved by: JAY HUEBNER, P.E.  
Registered Engineer No: 54615  
State of Florida





THAT PORTION OF TRACT "A", "SHERMAN PLAT", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 144, PAGE 26, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT "A", SAID POINT BEING ON THE ARC OF A CIRCULAR CURVE TO THE RIGHT AT WHICH A RADIAL LINE BEARS NORTH 89°17'59" WEST; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, ALSO BEING THE EAST LINE OF SAID TRACT "A", HAVING A RADIUS OF 1,356.41 FEET AND A CENTRAL ANGLE OF 01°36'27"; A DISTANCE OF 38.05 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID EAST LINE OF TRACT "A" AT AN INTERIOR ANGLE OF (6) COURSES: SOUTH 40°00'00" WEST, A DISTANCE OF 100.00 FEET TO THE ARC OF SAID CURVE; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1,356.41 FEET AND A CENTRAL ANGLE OF 01°36'27"; A DISTANCE OF 38.05 FEET TO THE POINT ON THE ARC OF A CIRCULAR CURVE TO THE RIGHT AT WHICH A RADIAL LINE BEARS NORTH 80°01'00" WEST; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1,344.14 FEET AND A CENTRAL ANGLE OF 09°15'00"; A DISTANCE OF 217.00 FEET; THENCE SOUTH 70°45'58" EAST, ALONG A LINE RADIAL TO THE LAST AND NEXT DESCRIBED CURVES, A DISTANCE OF 12.00 FEET TO A POINT ON THE ARC OF A CIRCULAR CURVE TO THE RIGHT; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1,356.41 FEET AND A CENTRAL ANGLE OF 00°10'52"; A DISTANCE OF 4.28 FEET; THENCE SOUTH 28°19'26" WEST, A DISTANCE OF 100.00 FEET TO THE ARC OF SAID CURVE; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1,477.63 FEET AND A CENTRAL ANGLE OF 02°23'18"; A DISTANCE OF 166.98 FEET; THENCE ALONG THE NORTH-RIGHT-OF-WAY LINE OF NORTHWEST 24TH STREET AS RECORDED IN OFFICIAL RECORDS BOOK 28983, PAGE 590 OF SAID PUBLIC RECORDS, THE FOLLOWING THREE (3) COURSES: SOUTH 59°37'20" WEST, A DISTANCE OF 21.21 FEET; THENCE NORTH 75°23'41" WEST, A DISTANCE OF 35.53 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 35.00 FEET AND A CENTRAL ANGLE OF 16°02'38"; A DISTANCE OF 98.01 FEET; THENCE NORTH 01°25'18" WEST, ALONG A LINE RADIAL TO THE LAST AND NEXT DESCRIBED CURVE, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 41°20'00" WEST, A DISTANCE OF 209.44 FEET; THENCE NORTH 41°35'52" EAST, A DISTANCE OF 220.82 FEET; THENCE NORTH 89°37'18" EAST, ALONG A LINE 38 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID TRACT "A", A DISTANCE OF 405.71 FEET TO THE POINT OF BEGINNING.

NOTES:

1. THIS DRAWING IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. THE AREA OF THIS PROPERTY IS 4.855 ACRES, MORE OR LESS.
3. ALL EASEMENTS SHOWN HEREON ARE PER THE RECORD PLAT(S) UNLESS OTHERWISE INDICATED.
4. THERE HAVE BEEN NO UNDERGROUND IMPROVEMENTS LOCATED IN CONNECTION WITH THIS SURVEY, EXCEPT AS SHOWN.
5. BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF SAID TRACT "A" HAVING A BEARING OF NORTH 89°37'18" E AS SHOWN ON THE RECORD PLAT.
6. RECORDING INFORMATION REFERS TO BROWARD COUNTY PUBLIC RECORDS UNLESS OTHERWISE INDICATED.
7. ELEVATIONS SHOWN HEREON ARE RELATIVE TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAV88) AND WERE DETERMINED FROM BROWARD COUNTY ENGINEERING BENCHMARK #2729: ELEVATION: 14.23" (CONVERTED FROM PUBLISHED ELEVATION OF 15.791" NGVD29).
8. PROPERTY ADDRESS: EAST PORTION OF 5355 NW 24TH STREET, MARGATE, FL
9. FEMA FLOOD ELEVATION INFORMATION:
  - A. FIRM NO.: 12011C0165H
  - B. EFFECTIVE DATE: 8/18/14
  - C. ZONE: X
  - D. BASE FLOOD ELEV: N/A
10. CERTIFIED TO:  
APPLEBY REAL ESTATE HOLDINGS LLP  
TRIPP SCOTT, P.A.  
CHICAGO TITLE INSURANCE COMPANY

A/C	=	ARC LENGTH
AL	=	ARC CONDITIONER
ALB	=	ALUMINUM
E.C.R.	=	BROWARD COUNTY RECORDS
C.B.	=	CHAIN BAGS
C.B.S.	=	CONCRETE BLOCK & STUCCO
CL	=	CHAIN LINK FENCE
C.D.P.	=	CORRUGATED METAL PIPE
CONC.	=	CONCRETE
D	=	DELTA (CENTRAL ANGLE)
D.E.	=	DRAINAGE EASEMENT
ELEV.	=	ELEVATION
F.F.	=	FINISHED FLOOR
FIP	=	FOUND IRON PIPE
FIR/F	=	FOUND IRON ROD W/CAP
FIR	=	FOUND IRON ROD
FND.	=	FOUND
I/C	=	IRRIGATION CONTROL VALVE
IN	=	INVERT
MON.	=	MONUMENT
N/D	=	NAIL AND DISC
P.B.	=	PLAY
P.B.C.R.	=	PLAT BEACH COUNTY RECORDS
PG.	=	PAGE
R	=	RADIUS
R/W	=	RIGHT-OF-WAY
SMH	=	SEWER 12" IRON ROD W/CAP LB7924
SN/D	=	SANITARY SEWER MANHOLE
ST	=	SET NAIL & DISC LB7924
STV.	=	SQUARE FEET
T.C.B.	=	TRAFFIC CONTROL BOX
TP.	=	TYPICAL
U.E.	=	UTILITY EASEMENT
WV	=	WATER VALVE

	BACKFLOW PREVENTER
	BOLLARD
	CABLE BOX
	CATCH BASIN
	CENTERLINE
	CLEANOUT
	ELEVATION
	FIRE HYDRANT
	MANHOLE, DRAINAGE
	MANHOLE, SANITARY
	NON-VEHICULAR ACCESS LINE
	POLE, LIGHT
	POLE, WOOD
	SIGN
	TREE
	VALVE, WATER
	WATER METER
	WIRES, OVERHEAD

I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON MEETS THE STANDARDS OF PRACTICE CONTAINED IN CHAPTER 2014-147 OF THE FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

DONNA C. WEST  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA REGISTRATION NO. LS4290

LAST DATE OF FIELD SURVEY: 5/04/15

SCALE: 1"=40'      DATE: 5/05/15  
DRAWN BY: N.O.      FIELD BOOK: 026/18  
CHECKED BY: DCW      SURVEY TYPE: BOUNDARY



PROJECT NUMBER  
150538

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SHEET NUMBER  
1 OF 1