

BOARD OF ADJUSTMENT
CITY OF MARGATE, FLORIDA

BA # BA-13-16
HEARING DATE 3-1-16

VARIANCE REQUEST

PART I. TO BE COMPLETED BY PETITIONER

Applicant: Professional Signs, Inc. Date: 1/14/16
Relationship to Subject Property: Contractor
Address of Property: 5307 W. Atlantic Blvd., Margate, FL
Legal Description: Attached
MC-CC

Describe Variance Requested: variance to increase the
size of the sign allowed by the city.
List Details of Hardship: Attached


Signature of Applicant

6460 SW 35th, Miami
Address FL 33155

Phone # (305) 281-4864
bertotss@yahoo.com

Fax# (786) 275-8061

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: _____ Date: _____
Economic Development Director

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

January 25, 2016

DELIVERED VIA OVERNIGHT COURIER

Professional Signs, Inc.
6460 SW 35th St.
Miami, FL 33155

Attention: Sergio Berlot

Dear Mr. Berlot:

**Re: Signage Variance Request between Ross Dress For Less, Inc. o/a dd's Discounts
(the "Tenant") and Lakewood Retail II, LLC (the "Landlord"), at Lakewood
Shopping Center, Margate, Florida (the "Shopping Center")**

Please find enclosed the Landlord's authorization with respect to the request for filing the signage variance.

Should you have any questions or concerns, please do not hesitate to contact our office.

Sincerely,



Winnie Ho
Legal Assistant to Heather Ball
Legal Department

Encl.

PROPERTY OWNER CERTIFICATION AND PERMISSION TO PROCEED

I hereby certify that I am the owner of the property located at parcel number 4842 31 17 0010
being the subject property for this variance application, and I give authorization to
Sergio Bertot / Professional Signs, Inc. to file this petition for the said
variance.

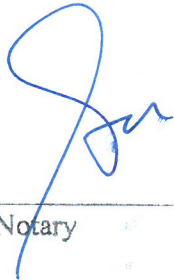
Lakewood Retail, LLC

Print owner's name

Per: 

Signature of owner Manager

Subscribed and sworn to before me this 25th day of January
2016.



Signature of Notary

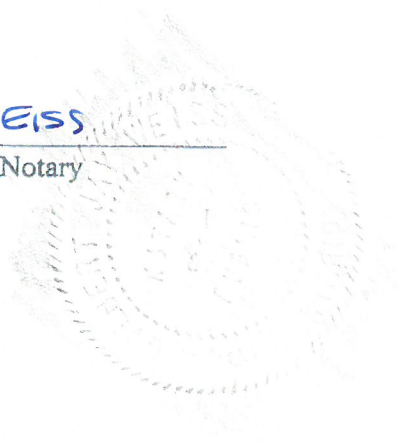
GILBERT WEISS

Print or type name of Notary

☒

Personally known to me

☐ Produced identification _____


**Approved
for Execution**

Letter of Authorization

To: City of Margate Florida

Regarding: Authorization for Professional Signs at West Atlantic Boulevard

Parcel ID # 4842 31 17 0010

From: Lakewood Retail LLC, North American Development Group.

400 Clematis Street, Suite 201

West Palm Beach, FL 33401

To: Who it may concern

Please use this letter as our Authorization for Sergio Berlot, Professional Signs, 6460 SW 35th St., Miami, FL 33155 to pursue the signage variance required pursuant to the enclosed attachment.

Please contact Marc Snediker @ 540-250-0554

Lakewood Retail, LLC

Per:



Owner Signature

Tracy Butler
Authorized Signatory

[NOTARY BLOCK CONTINUES ON NEXT PAGE]

Letter of Authorization

STATE OF Ontario)
) SS:
COUNTY OF Markham)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by Tracy Butler as authorized signatory of **LAKEWOOD RETAIL LLC**, a Delaware limited liability company, freely and voluntarily under authority duly vested in him by said corporation and that the seal affixed thereto is the true corporate seal of said corporation. He is personally known to me or who has produced _____ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this 25 day of January, 2016.

Notary Public

Typed, printed or stamped name of Notary Public

My Commission Expires: NA

Heather Ball
Heather Ball



Ph. (305) 281-4464

FAX (305) 665-2357

ES 12000186

6460 S.W. 35 ST. MIAMI, FL 33155

State Certified Sign Contractor

Dicember 2, 2015

City of Margate
Department of Planning and Zoning

RE: Property ID: 4842 31 17 0010 5307 W. Atlantic Blvd. Margate, FL

Narrative

Applicant wishes to install a sign for a store called **DD's Discounts** which is located at the eastern side of the Shopping Center. Given that this store is a nation wide corporation, they are asking to maintain the image and proportions of the store front signage. The store is applying for a variance to increase the sq/ft maximum allowed by the city of 1 sq/ft per lineal foot of frontage with a total of 120 sq/ft, to an increase of 438 sq/ft, less than 10% of the front building area of 5,040 sq/ft commonly allowed by city codes and ordenances.

The front sign is proposed to be 420 sq/ft. The walkway shall have a non-illuminated side plaques of 16" x 66" (7.33 sq/ft) each side (Total 14.38 sq/ft) and an illuminated under canopy 12" x 48" (4 sq/ft) sign for pedestrians store name visibility.

Sergio Bertot
Professional Signs, Inc.
(305) 281-4464

List Details of Hardship

1. Applicant is a store that has a nationwide trademark logo which has a particular design, which if reduced in size will change its look when compared to their other stores nationwide. The applicant's sign has many words in it, which if shrunk will not allow the sign to be legible. This requires that the store keeps the same proportional dimensions so that the sign looks identical to their other stores and legible to the public. The code allows 1 sq/ft sign per linear ft of frontage and the applicant is requesting 438.68 sq/ft. The applicant would like to install the main sign at issue (420 sq/ft), 1 walkway signs (4 sq/ft Under Canopy) and 2 non-illuminated plaques 7.3 sq/ft sign. With a total of 14.68 sq/ft
2. The situation was not caused by the actions of the applicant. The store needs to preserve its logo, which is a nationwide trademark, and furthermore, make sure that the letters are easily read by the public and therefore is requesting permission before the installation of the signs.
3. The granting of the variance will not give applicant special privilege. It will only allow their sign which has a lot of wording to be legible. Each store in the shopping center has their sign and applicant is requesting to install their sign with the dimensions required by the sign to look identical to their nationwide stores and legible.
4. The provision of the Code would deprive application of the rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant by not allowing applicant to preserve their sign to be legible for customers to read the same. Since their sign has many words in it, it will not be legible if shrunk. Furthermore, the code limits big stores to have a sign proportional to their store front dimensions and small stores do not have the restrictions. Therefore, bigger stores like the applicant do not have the rights commonly enjoyed by smaller stores in the same shopping center and/or conditions.
5. The granting of the variance is the minimum variance that will make possible the reasonable use of the store by making their sign readable and preserve the look of their sign. We considered shrinking the sign to the allowed size, which does not work since the sign is not legible from a distance since it has too many words in it. The other consideration was to remove the bottom cabinet of the sign, but that would change the logo.
6. The granting of the variance will be in harmony with the City regulations to promote, protect and improve the public's health, safety, comfort and good order by making the letter of the logo legible from a distance so that the public can read them.
7. Making the sign a little bigger will not adversely affect neighboring properties and the City overall. On the other hand, it will enhance the beauty of the shopping center at the same time that neighbors and the public in general can read and understand the logo.



Site Address	5301-5317 W ATLANTIC BOULEVARD, MARGATE	ID #	4842 31 17 0010
Property Owner	LAKEWOOD RETAIL II LLC	Millage	1212
Mailing Address	2851 JOHN ST STE 1 *MARKHAM ON CA L3R 5R7	Use	16
Abbreviated Legal Description	LAKEWOOD COMMERCIAL SUB 120-27 B POR OF TR A DESC AS:COMM AT C/L INTERSEC LAKEWOOD CIRCLE & W ATLANTIC BLVD,SELY 47.28,NE 65 TO POB,N 357.62,E 71,N 269.14,NE 85.91,SELY 955.67,W 178.34,S 265 TO N R/W/L W ATLANTIC BLVD, NWLY 25.57,NW 39.97,NWLY 235,SW 7.07,NWLY 174.19,NW 39.97,NWLY 162.74 TO POB		

The just values displayed below were set in compliance with [Sec. 193.011](#), Fla. Stat., and include a reduction for costs of sale and other adjustments required by [Sec. 193.011\(8\)](#).

Property Assessment Values					
Click here to see 2015 Exemptions and Taxable Values as reflected on the Nov. 1, 2015 tax bill.					
Year	Land	Building	Just / Market Value	Assessed / SOH Value	Tax
2016	\$5,125,000	\$6,229,250	\$11,354,250	\$11,354,250	
2015	\$5,125,000	\$6,229,250	\$11,354,250	\$11,354,250	\$256,879.69
2014	\$5,125,000	\$5,708,180	\$10,833,180	\$10,833,180	\$248,850.06

IMPORTANT: The 2016 values currently shown are "roll over" values from 2015. These numbers will change frequently online as we make various adjustments until they are finalized on June 1. Please check back here AFTER June 1, 2016, to see the actual proposed 2016 assessments and portability values.

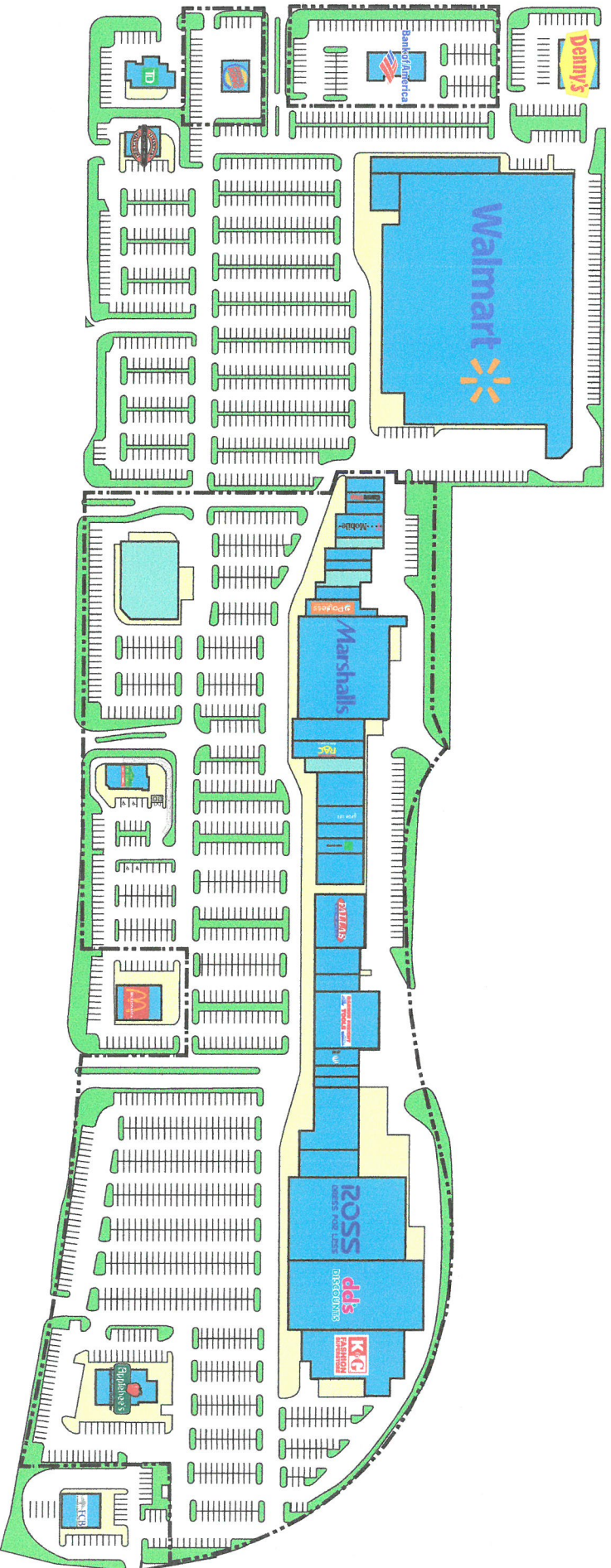
2016 Exemptions and Taxable Values by Taxing Authority				
	County	School Board	Municipal	Independent
Just Value	\$11,354,250	\$11,354,250	\$11,354,250	\$11,354,250
Portability	0	0	0	0
Assessed/SOH	\$11,354,250	\$11,354,250	\$11,354,250	\$11,354,250
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exempt Type	0	0	0	0
Taxable	\$11,354,250	\$11,354,250	\$11,354,250	\$11,354,250

Sales History			
Date	Type	Price	Book/Page or CIN
6/15/2012	SWD-D	\$11,578,900	48911 / 638
6/1/2007	WD-Q	\$14,450,000	44139 / 516
6/28/2001	SW*	\$100	31854 / 991
5/13/1997	SW*	\$100	26426 / 362

Land Calculations		
Price	Factor	Type
\$11.00	465,909	SF
Adj. Bldg. S.F. (Card, Sketch)		89283

* Denotes Multi-Parcel Sale (See Deed)

Special Assessments								
Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc



THIS SITE PLAN IS PRESENTED SOLELY FOR THE PURPOSE OF IDENTIFYING THE APPROXIMATE LOCATION OF THE BUILDINGS PRESENTLY CONTAINED BY THE OWNER'S LAND. BUILDING DIMENSIONS, ACCESS AND PARKING AREAS, EXISTING TENANT LOCATIONS AND IDENTITIES ARE SUBJECT TO CHANGE AT THE OWNER'S DISCRETION.

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

Batch ID: RR0DI 2/08/16 00 Receipt no: 65540

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

PROFESSIONAL SIGNS, INC
6460 SW 35TH STREET
MIAMI, FL 33155-3960
RE: SIGN VARIANCE BA-13-16
FOR DD'S DISCOUNT
5307 W ATLANTIC BLVD
MARGATE, FL
LAKEWOOD SHOPPING PLAZA
BY SERGIO BERTOT
PROFESSIONAL SIGNS, INC.
6460 SW 35TH STREET
MIAMI, FL 33155
BERTOTSS@YAHOO.COM
(305) 281-4464

Tender detail
CK Ref#: 6104 \$200.00
Total tendered: \$200.00
Total payment: \$200.00

Trans date: 2/08/16 Time: 10:12:50

HAVE A GREAT DAY!

PUBLIC HEARING SIGN REMOVAL BOND AGREEMENT
In accordance with Ordinance #1500.485

I, Sergio Bertot Professional Signs, Inc.
Petitioner of record and on behalf of the property
owner, hereby agree that subject public hearing
sign shall be removed within two (2) business days
following a final determination by the governing
body. Further, it is understood that by complying
with this section, the \$150 cash bond will be
returned to the Petitioner of record.

If said public hearing sign is not removed in two
(2) business days, I hereby authorize the
Administration of the City of Margate to remove
said sign, billing the costs of the removal of the
sign to the owner of the property.

I understand that the \$150 (one hundred fifty
dollar) cash bond shall be forfeited and applied
against the cost of removal to the City of Margate
if said public hearing sign is not removed in two
(2) business days.

Professional Signs, Inc.
Business Name

6460 SW 35th Miami
Street location FL 33155

[Signature]
Signature

1/14/16
Date

BA-13-16
OFFICE USE ONLY

Date of Decision: 3-1-16

Tabled to date certain? _____

Two Business
Days (after decision) _____

COMPLIED? Y N

If Yes, initiate check request to Finance
(601-0000-220.18-00).

If No, inform Finance to deposit bond
(001-0000-369.90-01).

Signature / Date

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

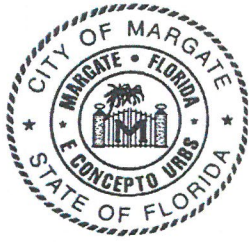
Batch ID: RRODI 2/08/16 00 Receipt no: 65560

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

PROFESSIONAL SIGNS, INC.
6460 SW 35TH STREET
MIAMI, FL 33155-3960
RE:SIGN VARIANCE # BA-13-16
FOR DD'S DISCOUNTS
5307 W. ATLANTIC BLVD
MARGATE, FL
LAKEWOOD SHOPPING CENTER
BY SERGIO BERTOT
PROFESSIONAL SIGNS INC.
6460 SW 35TH STREET
MIAMI, FL 33155-3960
(305) 281-4464
BERTOTSS@YAHOO.COM

Tender detail
CK Ref#: 6105 \$150.00
Total tendered: \$150.00
Total payment: \$150.00

Trans date: 2/08/16 Time: 10:31:04
HAVE A GREAT DAY!



CITY OF MARGATE

BOARD OF ADJUSTMENT

PUBLIC HEARING NOTICE VARIANCE REQUEST BA-13-16

You are hereby notified of a Public Hearing before the Board of Adjustment of the City of Margate on Tuesday, March 1, 2016, which begins at 7:01 p.m., in the Municipal Building, 5790 Margate Boulevard, Florida 33063, to consider a request of petitioner, to wit:

PETITIONER: Professional Signs, Inc., agent for dd's Discounts

VARIANCE REQUEST: BA-13-16

PERMISSION to install a main identification wall sign that is 420 square feet in area on a business with 120 linear feet of frontage. Section 39.6 of the Margate Zoning Code allows one square foot of sign area per linear foot of frontage. The petitioner is requesting permission to install two "wall plaques" on the primary façade in addition to the main identification wall sign. Code limits wall signs to one main identification wall sign on a qualified frontage. Zoning is Transit Oriented Corridor-City Center (TOC-CC).

SUBJECT PROPERTY: Located at 5307 West Atlantic Boulevard, Margate, FL, in Lakewood Shopping Center.

All interested persons may be present at this public hearing and be heard regarding the above-mentioned matter. All representations made in front of this Board in the granting of any permit shall be deemed a condition of said permit.

If a person decides to appeal any decision made by the Board of Adjustment with respect to any matter considered at this meeting, she/he will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based. (Anyone desiring a verbatim transcript shall have the responsibility, at his/her own expense, to arrange for the transcript). Any person wishing to appeal a decision of the Board of Adjustment to the City Commission must do so in the City Clerk's office within seven (7) days of the written decision of the Board.

Any person with a disability requiring auxiliary aids and services for this meeting may call the City Clerk's office at (954) 972-6454 with their request at least two business days prior to the meeting date.

CITY OF MARGATE, FLORIDA
Joseph J. Kavanagh, City Clerk