

**May 3, 2016 Board of Adjustment
Staff Recommendations**

PETITIONER: Deena Gray, Greenspoon Marder, P.A., agent for Toscana Park Villas, LLC

LOCATION: 3050 Toscana Lane West

ZONING: TOC-G Gateway

INTRODUCTION

The subject property is located at the southwest corner of Northwest 31st Street and State Road 7 containing the recently developed 240 unit apartment complex known as Toscana Park Villas.

HEARING NO.: BA-16-2016

SECTION OF CODE: Sections 3.14(16)

Code does not permit new installations of chain link fence within any TOC zoning district. Petitioner is requesting permission to install a chain link fence for a dog park within the apartment complex.

Toscana was approved with a dog park interior to the apartment complex. Now that this project is near completion, the developer would like to complete the dog park amenity. The applicant is concerned that decorative picket type fencing is not able to adequately secure a dog park and contain all loose dogs within the park, and that a picket style fence could present conditions that harm the health and safety of the dogs by creating the potential of them getting stuck in the fence. The dog park is obscured from street views due to placement and design of the apartment buildings.

Staff acknowledges the applicant's concerns over properly securing their dog park, and ensuring the proper health and safety of the animals. Staff finds that the granting of this variance will not create a nuisance to the City, and would otherwise result in a hardship for the applicant if this request was denied. **Staff recommends approval of this variance.**

RECOMMENDATION: APPROVE

APPROVE WITH
CONDITIONS

DENY



Director of Economic Development.

26 APR 16

Date
