



### City Commission

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## REGULAR MEETING OF THE BOARD OF ADJUSTMENT MINUTES

**Tuesday, February 2, 2016**

**7:01 PM**

City of Margate  
Municipal Building

### PRESENT:

Casey Ahlbum, Chair

Edward DeCristofaro, Vice Chair

Frederick Schweitzer, Secretary

Sydney King

Ruben Rivadeneira

### ALSO PRESENT:

Benjamin J. Ziskal, AICP, CEcD, Director of Economic Development

Jay Huebner, HSQ Group

The regular meeting of the Board of Adjustment of the City of Margate, having been properly noticed, was called to order by Chair Casey Ahlbum at 7:01 p.m. on Tuesday, February 2, 2016. The Pledge of Allegiance was recited. A roll call of the Board members was taken. There were no communications.

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- 1) **APPROVAL OF THE MINUTES FROM THE JANUARY 5, 2016 BOARD OF ADJUSTMENT MEETING**

Mr. Schweitzer made the following motion, seconded by Mr. DeCristofaro:

**MOTION:** SO MOVE TO APPROVE THE MINUTES AS WRITTEN

**ROLL CALL:** Mr. Rivadeneira, Yes; Mr. Schweitzer, Yes; Mr. King, Yes; Mr. DeCristofaro, Yes; Mr. Ahlbum, Yes. The motion passed with a 5-0 vote.

- 2) **NEW BUSINESS**

- 2A) **BA-01-2016:** PERMISSION TO ERECT A WALL IN THE FRONT YARD AND SET BUILDING BEHIND THE WALL

Andrew Pinney, proceeded with an overview and a PowerPoint presentation that covered both items. He explained that the subject property was approximately 4.5 acres and was located at the northwest corner of Banks Road and N.W. 24<sup>th</sup>

### Economic Development Department

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Street and was zoned for industrial. He displayed the site plan and pointed out the location of the proposed 2,650 principal structure, noting it would be where staff would be located and the vehicles would be inspected. He indicated that there would be a seven-foot high perimeter wall along the roadway frontage and a fence in the back. He pointed out the locations of the gates, specifically noting that the gate on N.W. 24<sup>th</sup> Street was set back over 113 feet from the front property line to allow for stacking for vehicle transit trucks. He said the Code normally required a 60 foot stacking and this would be almost double.

He referenced Section 3.14, paragraph 16 of the Code which indicated that no fence or wall shall be erected or maintained in any front yard in commercial, mixed use, and industrial districts. He explained that one of the key factors in the selection of their design layout was the need for their operators to be able maintain visual contact with both gates for security and operational purposes. He said the design also lent itself to easy maneuverability for the tractor trailers entering or leaving via N.W. 24<sup>th</sup> Street. He said reconfiguring the site by moving the building forward or the wall back would result in the loss of a substantial amount of secured parking that was needed for the vehicles.

Mr. Pinney said Staff recommended approval.

Mr. Schweitzer commented that the request seemed reasonable and being that there were no objections from the City or Police, he made the following motion, seconded by Mr. DeCristofaro:

**MOTION:** TO APPROVE

**ROLL CALL:** Mr. Rivendeneira, Yes; Mr. Schweitzer, Yes; Mr. King, Yes;  
Mr. DeCristofaro, Yes; Mr. Ahlbum, Yes. The motion passed with a 5-0 vote.

2B) **BA-02-2016:** PERMISSION TO PROVIDE A 25-FOOT SETBACK TO THE WALL ON BANKS ROAD INSTEAD OF THE REQUIRED 35-FOOT SETBACK.

Andrew Pinney advised that there were two sections of the Code that would be reviewed for this request. The first, Section 3.10 stated that no storage area or wall surrounding same shall be located in a required setback area. He said this section of the Code was particular to an automobile storage facility which technically this request would fall under; however, he said it was important to distinguish between the uses. He explained that the Code normally referred to automobile storage as being tow yards. Although this request would be considered automobile storage, he said it a very different operation as they would have new cars coming straight from the factory for inspection that would be held at the location until the car dealership was ready to take the car inventory to their site.

He said that Section 24.7 from the M-1 Light Industrial zoning district set the setback area and it stated that the minimum building setback from all street rights-of-way 80 feet in width or greater shall be 35 feet. He said being that Banks Road was much greater than 80 feet in width; a 35 foot setback was required.

Mr. Pinney showed slides of the site plan which depicted both the 25 foot setback area and the requested 35 foot setback.



He said that Staff was recommending approval with the conditions that they would provide double the required amount of landscaping on all street yard setbacks and to also create a greener more attractive appearance by installing vines on the wall.

Mr. Schweitzer asked if the wall would be precast instead of CBS stucco.

Jay Hueber, HSQ Group, having been duly sworn, said the seven-foot high wall would likely be precast. He said they did not have any issues with double landscaping but he was not sure about installing double trees because of the spacing requirements; however, double shrubs and vines were fine. He said they could do it within the 25 foot buffer. He commented that Banks Road was about 47 foot from the wall to the edge of pavement; however, he said it was actually 25 foot from the property line, not the edge of pavement, so there would be almost 50 foot of green area. He said they met Code on N.W. 24<sup>th</sup> Street on the setback.

Mr. DeCristofaro asked Mr. Huebner if there were any problems with installing vines. Mr. Huebner said security was their main purpose and he did not see any issues with vines, noting that they might provide additional security protection.

Mr. DeCristofaro made the following motion, seconded by Mr. Schweitzer:

**MOTION:** TO APPROVE WITH STAFF'S LANDSCAPING CONDITIONS

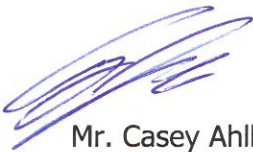
**ROLL CALL:** Mr. Rivendeneira, Yes; Mr. Schweitzer, Yes; Mr. King, Yes;  
Mr. DeCristofaro, Yes; Mr. Ahlbum, Yes. The motion passed with a  
5-0 vote.

3) **GENERAL DISCUSSION**

There being no further business, the meeting was adjourned at 7:12 p.m.

Respectfully submitted,

Prepared by Rita Rodi



Mr. Casey Ahlbum  
Chair

cc: City Commission, City Manager, City Attorney, City Clerk, Director of DEES, Engineer,  
Building Director, Board of Adjustment, Petitioner(s)