



Strategic management of land development design, entitlements and permitting.

NUVO MARGATE SELF-STORAGE/RETAIL

750 SOUTH STATE ROAD 7, MARGATE, FLORIDA

APPLICATION FOR VARIANCE TO MAXIMUM # OF STORIES

JUSTIFICATION STATEMENT

AUGUST 4, 2016

REQUEST SUMMARY

IP Nuvo Margate Properties, LLC (the "Applicant"), is hereby requesting approval from the City of Margate (the "City") of a variance from Section 9.11(C) of the City's Land Development Regulations to allow for a fully enclosed self-storage building with five (5) interior levels to be located on a 2.80-acre property located at the northeast corner of the intersection of State Road 7 (SR7) and SW 8th Court (the "Property").

COMPANION APPLICATIONS

The Applicant has submitted development applications to the City for (1) Site Plan approval by the Development Review Committee to allow for a new development project containing a fully-enclosed self-storage facility and a retail building on the Property; and (2) a Special Exception approval by the City Commission of the self-storage facility within the Transit Oriented Corridor – Corridor (TOC-C) District. Said applications are currently under review by the City.

SUBJECT VARIANCE REQUEST

Section 9.11(C) of the City's Land Development Regulations relating to projects within the TOC-C District states that Buildings are permitted up to four (4) stories, to a maximum of 66 feet in height. Enclosed self-storage facilities require less height between floors than a typical multistory office-type building since less infrastructure is required between floors and taller ceiling heights typically desired in an office setting are not necessary. Accordingly, the proposed enclosed self-storage facility is proposed to contain five (5) interior levels but will only have a maximum height of 52 feet to the highest point of the roof deck, which is 14 feet less than the maximum height allowed in the TOC-C District within which the project is located. Also, the exterior of the building will be designed to have an appearance of a four (4) story building; therefore, from the exterior the proposed building satisfies the intent of the maximum number of stories and height limitations noted above. The Applicant believes that this waiver request is well justified based on the unique nature of the multistory use which allows for reduced ceiling heights and five (5) interior levels at a height equal to or less than a typical four (4) story office building.

COMPLIANCE WITH VARIANCE STANDARDS

The City's Land Development Regulations contain the following standards that are to be considered when granting a variance. The Applicant's demonstration of compliance with said standards are also contained below in *italics* typeface.

1. That special conditions and circumstances exist which are peculiar to the land, structures or buildings involved, and which are not applicable to other lands, structures or buildings in the same zoning district.

Demonstration of Compliance: *The special conditions that are peculiar to the self-storage building involved is that self-storage buildings require less floor-to-floor height than a typical multi-story office-type building and, thus, five (5) interior levels in a self-storage building can be achieved at the same or lesser height as a typical four (4) story office building. The exterior of the proposed self-storage building will be designed to appear as if it is a four (4) story building and will be well under the maximum building height of 66 feet.*

2. That the special conditions and/or circumstances do not result from actions of the applicant.

Demonstration of Compliance: *The special conditions noted above are a function of the general nature of a fully-enclosed self-storage building and do not result from actions of the Applicant.*

3. That granting a variance will not confer a special privilege that is denied by the Code to other lands, buildings or structures in the same zoning district.

Demonstration of Compliance: *The granting of the variance will provide for a building that still has the appearance of a four (4) story building from the exterior and, at 52 feet in height, will be well under the maximum height limitation allowed in the TOC-C district of 66 feet. Accordingly, granting of the variance will not confer on the Applicant any special privileges denied to other buildings.*

4. That a literal interpretation of the regulations of the Code would deprive the applicant of rights shared by other property owners holding property in the same zoning district under the terms of the Code and would cause unnecessary and undue hardship on the applicant.

Demonstration of Compliance: *The literal interpretation of the Code would deprive the Applicant from providing five (5) interior levels within a building of 52 feet in height which is well under the maximum height limitation of 66 feet and with an appearance of a four (4) story building from the outside. The building would be equal to or lower in height than a typical office-type building of four (4) stories; therefore, the literal interpretation of the Code would deprive the Applicant of the same rights that a neighboring property owner would have that proposes a four (4) story office-type building that is between 52 and 66 feet in height.*

5. That the variance being granted is the minimum variance that will make possible the reasonable use of land, buildings or structures.

Demonstration of Compliance: *The variance being granted is the minimum that will allow for five (5) interior levels.*

6. That the approval of the variance will be harmonious with the general intent and purpose of this chapter and that such variance will not degrade the area involved or be detrimental to public welfare.

Demonstration of Compliance: *The variance will be harmonious with the general intent and purpose of the Land Development Regulations as the proposed self-storage building would have the appearance of a four (4) story building from the exterior and would be well under the maximum height limitation of 66 feet.*

7. That the variance does not serve to permit a use not permitted in the zoning district involved.

Demonstration of Compliance: *The variance would not permit a use not permitted in the TOC-C District.*

8. Conditions and safeguards may be prescribed with the approval of the variance, the violation of which would be in violation of the Code. If necessary, a timeline may be established during which a variance may begin and shall be completed.

Demonstration of Compliance: *Standard noted.*

CLOSING

The Applicant respectfully requests the City consideration and approval of the subject application and looks forward to working with the City on bringing a first class development to the City.