

**DOMINION SELF STORAGE  
SIDEWALK VARIANCE JUSTIFICATION STATEMENT**

January 25, 2017

This request is for the granting of a variance to the Dominion Self Storage property for the requirement to replace an existing 6 foot wide sidewalk with a 12 foot wide sidewalk and associated landscape and stormwater system modifications in the Coconut Creek Parkway right of way. The subject property is located at 5185 Coconut Creek Parkway on the north side of the street.

The petitioner was requested by the City of Margate to replace the existing sidewalk during the site plan approval process. Construction of the self storage facility is now complete, however in discussions with city staff, it was agreed that the existing sidewalk which was recently constructed would adequately serve the needs of the public.

Following is the justification for this request based on the standards required for the granting of a variance by the Board of Adjustment:

1. It shall be demonstrated that special conditions and circumstances exist which, if there is a literal and strict enforcement of the provisions of a zoning ordinance, would constitute a hardship or practical difficulty in the use of the property involved.
  - Coconut Creek Parkway is a Broward County Right of Way. The requirement for a sidewalk of 12 foot in width does not meet the Broward County Standards for this right of way. Broward County Engineering Dept. staff have objected to the excessive width of the sidewalk for the following reasons:
    - The existing 6 foot wide sidewalk is in conformance with Broward County standards whereas the proposed sidewalk would not meet their standards.
    - There is inadequate right of way width to properly accommodate a 12 foot wide sidewalk. Broward County Standards for a 4 lane median divided arterial road stipulate 15 ft. from the travel lane to the right of way line. A 6 ft. wide sidewalk and 7 ft. of green area is included in this 15 feet. Installation of a 12 ft. wide sidewalk eliminates 6 ft. of green area.
    - There are 2 existing right turn lanes which bring the vehicular travel lane close to the wider sidewalk. The proposed 12' wide sidewalk will be as much as 5'-7' closer to the existing edge of pavement in some areas when compared to the existing 6' wide sidewalk.
    - The additional width of the 12 foot wide sidewalk results in a narrower roadway swale and the additional impervious area results in additional storm water runoff which can not be accommodated by the narrower swale. Approximately 3,000 sf. of existing green area has been replaced with impervious pavement. Significant modifications to the swale area including multiple drainage structures, hundreds of feet of pipe & exfiltration trench, and potentially a new drainage outfall connection to the existing nearby canal would be required.
    - Broward County has insisted that drainage improvements to the roadway be constructed that are in excess of those required to mitigate for the

sidewalk construction.

- The proposed sidewalk does not connect to a 12 foot wide sidewalk to the east or to the west. To the best of the petitioner's knowledge, there are no plans or programmed funding in place or contemplated to continue this width of sidewalk in either direction.
- The existing 6 foot wide sidewalk meets the City of Margate Standards
- The existing 6 foot sidewalk is in excellent condition
- The petitioner was requested to replace the existing sidewalk beyond their frontage on Coconut Creek Parkway.
- Since the 12 ft. wide sidewalk will not fit entirely within the existing right of way, a portion must be constructed on the owner's property. The county has refused to accept additional right of way dedication or a sidewalk easement and therefore the liability associated with the public's use of the sidewalk would fall on the petitioner.
- The petitioner is only requesting that they be held to the existing standards of the city, county and state regarding safe and adequate pedestrian access. These are the same standards that other businesses in the city are held to. They are not requesting any special consideration.

2. The board shall find that the granting of the *variance* will not be contrary to the public interest or the general purpose sought to be accomplished by the zoning ordinances.

The existing sidewalk is in full conformance with the Florida Department of Transportation requirements and Broward County requirements for safe and adequate pedestrian and handicapped access along Coconut Creek Parkway and to and from the subject site.

3. The board shall find that the granting of a special exception to the terms of a zoning ordinance will not be contrary to the public interest.

The existing sidewalk is in full conformance with the Florida Department of Transportation requirements and Broward County requirements for safe and adequate pedestrian and handicapped access along Coconut Creek Parkway and to and from the subject site.