

Variance Narrative and Hardship Statement

LE-PSL LLC c/o Leder Group, Inc. ("Applicant") owns the property located at 3101 N. State Road 7, Margate, Florida ("Property"). The Property is located at the intersection of North State Road 7 and NW 31st Street. Currently on the Property is an existing commercial building, and the Applicant is proposing to renovate approximately 2,100 square feet of the existing building for the new Dandee Donut Factory ("Dandee Donuts") and a drive through window located on the east side of the existing building façade. The Applicant is proposing to renovate the remaining 6,028 square feet of retail space for Blossman Gas ("Blossman") a large family-owned propane business. The Applicant is also proposing a standalone drive-through-only ATM ("ATM") at the Property (collectively "Margate Plaza") in accordance with the Applicant's site plan. The proposed business entities referenced above provide needed services or products for the convenience of residents and visitors of the City. On May 3, 2017, the City Commission approved the three special exception applications associated with these uses and corresponding redevelopment of the Margate Plaza shopping center. The zoning for the Property is transit oriented corridor – gateway (TOC-G).

As stated, the Applicant is proposing to redevelop the existing vacant shopping center without making any major changes to the existing building or to the existing surface parking lot. The Applicant recognizes the fact that with the redevelopment of the Margate Retail Plaza the visibility of the Penn Dutch Plaza is slightly reduced. The off-premise tenant identification and the location of the new proposed monument sign will allow the public traveling south on N. State Road 7 notice that the Margate Retail Plaza and the Penn Dutch Plaza as they approach the intersection. Give the Sample Road flyover at State Road 7 and FDOT and other standards for drive openings, the Applicant is unable to provide a separate access to the Margate Plaza and, instead, can only obtain access through the Penn-Dutch Plaza. This shared access, as a matter of logical, nonconfusing wayfinding, supports the proposed shared off-premises tenant identification signage.

Pursuant to the variance review criteria set forth in Section 2-78(b) of the Code, the Applicant is requesting approval of a variance from the following Code provision in relation to the proposed signage to allow for minimal site redevelopment and productive use of the existing commercial building on the Property:

Code Section	Requirement	Proposed	Variance
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Appendix A §39.17(G)	<i>Off-premises signs and billboards, including off-premises project directional shall not be installed or displayed.</i>	One off-premise sign to be placed along the east property line.	One off-premise sign.
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The Margate Plaza shopping center sits adjacent to and in front of the Penn Dutch Plaza which is located at 3105 N. State Road 7. There is an existing monument sign for the Penn Dutch Plaza north of the Margate Plaza which does not provide tenant details for the Margate Plaza tenants. The Applicant is proposing to erect a monument sign along N. State Road 7, listing the tenants of the Margate Plaza and also to provide tenant recognition for the Penn Dutch Plaza. This tenant acknowledgement will help re-enforce the public's perception that this is single, unified plaza complex.



The Margate Plaza does not have access from N. State Road 7 or NW 31st Street. It can only be accessed via the Penn Dutch Plaza site. The lack of a separate access from either of the public rights-of-way for the Margate Plaza gives rise to the need for the shared off-premise signage.



Images of the existing monument sign for the Penn Dutch Plaza

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.*

Special conditions and circumstances exist which, if there is a literal and strict enforcement of the provisions of the zoning ordinance would constitute practical difficulty in the use of the property involved. Margate Plaza occupies a small outparcel at this major intersection of the City. There are no vehicular openings for either plaza along N. State Road 7. N. State Road 7 is heavily landscaped with shade trees and visibility to the plazas are hindered. There is an existing older monument sign located approximately 750 feet north of the proposed new monument sign. The fact that there are no vehicular openings along N. State Road 7 and the current signage location is set back from the corner creates greater likelihood for the public to inadvertently travel past the Penn Dutch Plaza. As shown in the images provided the existing Penn Dutch Plaza monument sign is obscured behind the FDOT merge traffic signage.

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

The special conditions and/or circumstances do not result from actions of the applicant. The Margate Plaza occupies a small portion of the entire shopping center site. There is no access to Margate Plaza from N. State Road 7 or NW 31st Street. The access to the Margate Plaza is through the existing Penn Dutch Plaza site only. The proposed monument sign showing the Penn Dutch tenants will provide proper recognition to the public that both plazas are located together and give the proper impression of these properties as a single unified plaza complex. The applicant is unable to provide separate ingress/egress from either N. State Road 7 or NW 31st Street and is restricted to sharing access with the Penn Dutch Plaza.

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

The granting of the requested variances, as discussed above, will not confer a special privilege that is denied by the Code to other lands, buildings and structures in the same zoning district. The Penn Dutch Plaza and the Margate Plaza are commonly and customarily regarded as a single, unified plaza complex, and erecting a monument sign with major tenants listed is typical for similar such plaza complexes and would not be considered a special privilege.

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 to the applicant.*

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 to the applicant. As shown on the aerial

image, there are no vehicular access openings to either plaza site from N. State Road 7. As the Penn Dutch Plaza is a well-established retail plaza, allowing the Margate Plaza signage to reference the Penn Dutch Plaza tenants provides the public a needed wayfinding mechanism.

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

The variance being granted is the minimum variance that will make possible the reasonable use of land, buildings or structure. The request is to allow off premise tenant identification on the proposed new monument sign for the Margate Plaza. The current monument sign for the Penn Dutch Plaza is over 750 feet from the intersection. It is partially concealed by the large shade trees along N. State Road 7. The fast paced speed along N. State Road 7 creates visibility issues if looking for the Penn Dutch Plaza sign. The shared monument sign notifies the travelling public that both plazas share the same location.

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.*

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. The proposed monument sign will have clean, modern, and sleek design, allowing ease of tenant recognition. The signage will reflect the style and design of the redeveloped Margate Plaza. The sign will be slightly illuminated at night to avoid undue distraction but still provide information to the travelling public. The variance would be aligned with the public welfare by allowing the public an alternate wayfinding sign to Penn Dutch than the existing sign 750 feet to the north.

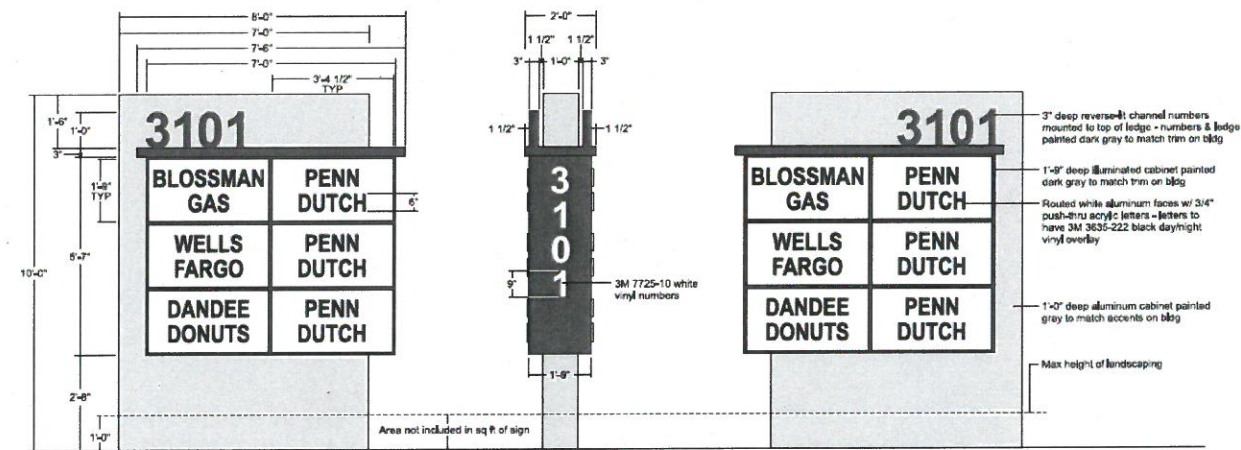
7. *That the variance does not serve to permit a use not permitted in the zoning district involved.*

The variance does not serve to permit a use not permitted in the zoning district involved. Monument signs are allowed in commercial districts and if the two properties were under one owner, the monument sign would be allowed as presented.

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

Acknowledged.

Proposed Margate Plaza monument sign



Proposed Margate Plaza building signage



Nighttime Rendering

