

**September 12, 2017 Board of Adjustment Special Meeting
Staff Recommendation**

PETITIONER: Rising Tide 2 P&B Corp. (Owner)

LOCATION: 2970 North State Road 7, Margate, FL 33063

ZONING: Transit Oriented Corridor – Corridor (TOC-C) District

INTRODUCTION

Rising Tide Car Wash is a new, full-service car wash facility located at 2970 North State Road 7. The drive-through car wash was approved by the City Commission as a special exception use within the Transit-Oriented Corridor-Corridor (TOC-C) zoning district on September 16, 2015. The facility is nearing final stages of construction in accordance with the approved final site plan, which was issued a building permit on February 2, 2017. The property will include an indoor car wash facility, outdoor vacuums, and an outdoor area for additional car wash services. The property incorporates multiple drive-through lanes for these facilities. The applicant is requesting a variance for permission to construct a main identification monument sign, four menu board signs with pricing, and six directional signs that do not comply with requirements of the sign code. The applicant claims that the Code provisions do not account for the signage needed to safely direct traffic flow throughout the site. The applicant also claims that the Code does not provide applicable signage provisions for menu boards in a drive-through car wash facility.

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SECTION OF CODE: Section 39.8(B)(3)(a); Section 39.17(N); Section 39.6(G)(1); Section 39.6(G)(3)

Section 39.8(B)(3)(a) of the Margate Zoning Code provides for a one, single-faced moveable letter sign showing a menu or featured items. The applicant is requesting four menu signs displaying pricing options. Section 39.17(N) prohibits any sign not specifically permitted by the sign code. The applicant is requesting a main identification monument sign that contains advertising copy. Section 39.6(G)(1) restricts directional signs to 4 square feet in sign area, and Section 39.6(G)(3) prohibits advertising copy on directional signs. The applicant is requesting six directional signs that contain advertising copy and exceed the maximum sign area for directional signs.

Planning staff finds that a literal interpretation of the regulations of the sign code would deprive the applicant of rights shared by other property owners holding property in the same zoning district, and such an interpretation would cause unnecessary and undue hardship on the applicant. The sign code was written with the intent of providing effective signage opportunities for the city's business community, per the statement of purpose in Section 39.1 of the Margate Zoning Code. The Code was not written to address a large scale car wash facility, which is a new use within the city. Section 39.17(N) prohibits any sign not specifically permitted by the sign code, which creates an undue hardship for the applicant.

The property is being developed subject to an approved final site plan. Planning staff finds that the pricing signs and directional signs are consistent with the scale and general aesthetic appearance of the approved final site plan. Because the signs are internally located behind the building, they would not detract from the surrounding area. Due to the unique nature of the use, the proposed signs are necessary to the general operation of the facility and promote safe direction of traffic without visual distraction.

Staff recommends approval of this variance request.

RECOMMENDATION:

APPROVE

APPROVE WITH
CONDITIONS

DENY



Acting Director of Economic Development.

Date

9/6/17