

**March 6, 2018 Board of Adjustment Meeting
Staff Recommendation**

PETITIONER: Jerry Baruch, Value Graphics, Corp, agent for Jorlex, LLC

LOCATION: 5431-5441 Northwest 15th Street

ZONING: Light Industrial (M-1) District

INTRODUCTION

The subject property is located on a local roadway within an industrial zoning district. The subject property has several businesses desiring additional visibility and identification from the roadway.

HEARING NO.: BA-02-2018

SECTION OF CODE: Sections 39.6(A) and 39.3(L) of the Margate Zoning Code

Code requires a minimum side setback of 10 feet, a minimum separation of 100 feet between monument signs, and prohibits signs from being erected within a defined "sight triangle." Petitioner is requesting permission to erect a new monument sign that is located within a "sight triangle," is located approximately 75 feet from an existing monument sign, and provides a 5 foot side setback.

The intent of the above referenced code requirements is to be conducive to promoting traffic safety by preventing visual distraction. The Sign Code describes a "sight triangle" as the triangular area formed by the chord connecting twenty five feet from the intersection of the right-of-way line and a perpendicular line formed by the outer edge of the driveway pavement. By preventing signs from being located in the sight triangle area and requiring a minimum separation with side setback, the regulations reduce the possibility of drivers being distracted by roadside signage and therefore enhance safety as well as aesthetics.

The portion of Northwest 15th Street where the subject property is located is within an industrial zoning district; it is 60 feet wide, has two lanes of east-west traffic, and connects State Road 7 to Banks Road. This road provides sidewalks, swales, and a hard shoulder on the outer edges of the travel lanes. Due to these features of the road, the edge of the travel lanes are located approximately 18 feet into the right-of-way. The subject property has a driveway apron in this area of the right-of-way. A strict interpretation of the Code requires the delineation of a sight triangle to begin where a private driveway intersects with a public right-of-way, and traverse 25 feet into private property. The sight triangle would envelope the entire landscape area at the entrance of this property and leaves no opportunity for signage.

The lengthy 18 foot driveway apron within the Northwest 15th Street right-of-way provides drivers an opportunity to cautiously proceed forward and obtain visual confirmation for when it is safe to enter the travel lanes of the roadway. The driveway apron allows exiting vehicles unobstructed visibility of oncoming traffic. If the sight triangle were measured from the point where the apron intersects with the travel lanes of the right-of-way, then the proposed sign would only encroach two feet into the sight triangle. As a remedy, staff recommends the petitioner narrow the proposed monument sign to six feet wide, and increase the front setback from five feet to seven feet.

The subject property has a flag staff shape, with a very narrow front property line. The property expands at the rear. The majority of the building area on this property was developed facing the east, rather than facing the adjacent roadway to the north. Due to the flag staff shape of the property, the buildings are visibly obstructed from the adjacent roadway due to an existing building located at 5451 NW 15th Street. The

narrow width and deep lot size provide excessive distances from the buildings to the adjacent roadway, making wall signs nearly ineffective at identifying businesses from the street.

The neighboring property to the east has an existing masonry wall that runs along the front property line. Directly behind the wall are parking spaces, which are typically occupied by vans, pick-up trucks, and box trucks, due to the industrial nature of the properties. If a literal interpretation of the sight triangle was enforced on this property, and the proposed monument sign was pushed back into the property 25 feet, then the wall and tall vehicles on the adjacent property would limit the effectiveness of the signage. The visibility and therefore effectiveness of the signage improves as it is brought closer to the front property line.

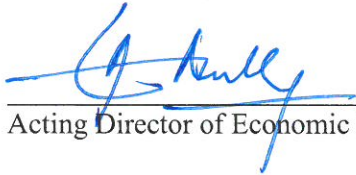
Staff finds a hardship in signage opportunities at the subject property due to the size and shape of the property, as well as the manner in which the area was developed. Staff finds that the granting of this sign waiver will not create a nuisance or adversely affect any neighboring properties. **Staff recommends approval of this sign waiver request, subject to the following conditions:**

- 1) Provide a stop sign and stop bar at the driveway connection of NW 15th Street; and
- 2) Reduce the width of the proposed monument sign to six feet and increase the front setback to at least seven feet.

RECOMMENDATION: APPROVE

APPROVE WITH
CONDITIONS

DENY



Acting Director of Economic Development.

2/28/18
Date