

CITY OF MARGATE, FLORIDA

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MARGATE, FLORIDA,
DENYING SPECIAL EXCEPTION USE TO PERMIT A NEW
POPEYES LOUISIANA KITCHEN RESTAURANT WITH
DOUBLE DRIVE THROUGH LOCATED AT 830 S. STATE
ROAD 7; PROVIDING FOR FINDINGS PURSUANT TO
CODE SECTION 31-54(C); PROVIDING FOR EFFECTIVE
DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MARGATE,
FLORIDA:

SECTION 1: That the City Commission of the City of Margate,
Florida hereby denies a special exception use to permit a new
Popeyes Louisiana Kitchen Restaurant located at 830 S. State Road
7, Margate based upon the following findings, as provided in
Section 31-54(c) of the Code of the City of Margate.

SECTION 2: That this Resolution shall become effective
immediately upon its passage.

PASSED, ADOPTED AND APPROVED THIS _____ day of _____ 2019.

ATTEST:

JOSEPH J. KAVANAGH
CITY CLERK

MAYOR ANTHONY N. CAGGIANO

RECORD OF VOTE

Simone	_____
Arserio	_____
Schwartz	_____
Ruzzano	_____
Caggiano	_____

CITY OF MARGATE, FLORIDA

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MARGATE, FLORIDA,
APPROVING, WITH CONDITIONS SPECIAL EXCEPTION
USE TO PERMIT A NEW POPEYES LOUISIANA KITCHEN
RESTAURANT WITH DOUBLE DRIVE THROUGH LOCATED
AT 830 S. STATE ROAD 7; PROVIDING FOR SPECIFIC
FINDINGS PURSUANT TO CODE SECTION 31-54(C);
PROVIDING FOR FINDINGS OF THE DEVELOPMENT
REVIEW COMMITTEE AND PLANNING AND ZONING
BOARD; PROVIDING FOR EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MARGATE,
FLORIDA:

SECTION 1: That the City Commission of the City of
Margate, Florida hereby approves, with the following conditions:
_____, a special exception use to permit a new
Popeyes Louisiana Kitchen Restaurant located at 830 S. State Road
7; and makes the following findings as provided in Section 31-
54(c) of the Code of the City of Margate:

(a) The special exception is consistent with the purposes,
goals, objectives and policies of the Margate Comprehensive Plan
and the Margate Code of Ordinances.

(b) The establishment, maintenance or operation of the
proposed use is not detrimental to or endangers the public health,
safety, or general welfare.

(c) The establishment, maintenance or operation of the
proposed use is in the best interest of the City. A genuine need
for the use is present in the city to support and justify the
approval order and does not create a proliferation of said special
exception use.

(d) The proposed use is compatible with the existing natural
environment and community character of the properties within the
immediate neighborhood.

(e) Utilities, roadway capacity, drainage, and other
necessary public facilities, including police, fire and emergency
services, exist at the city's adopted levels of service, or will
be available concurrent with demand as provided for in the
requirement of this Code of Ordinances.

(f) Adequate measures exist or shall be taken to provide ingress and egress to the proposed use, for both vehicles and pedestrians, in a manner that minimizes traffic congestion on public streets, and the use may not result in a significantly greater amount of traffic on local streets than would result from development permitted by right.

(g) There is adequate parking areas and off street truck loading spaces (if applicable) consistent with the parking requirements of the Code, and the layout of the parking and vehicular use areas shall be convenient and conducive to safe operation consistent with city standards to the greatest extent possible.

(h) The establishment of the special exception use shall not impede the development of surrounding properties for uses permitted in the zoning district nor have a negative impact on the value of those properties.

(i) The design of the proposed use shall minimize adverse effects, including visual impacts, of the proposed use on adjacent property through the use of building orientation, setbacks, buffers, landscaping and other design criteria.

(j) The City Commission finds that the granting of the application will be in the best interest of the city.

SECTION 2: That all representations and determinations by the Development Review Committee and Planning and Zoning Board are incorporated as part of the conditions for this special exception.

SECTION 3: That this Resolution shall become effective immediately upon its passage.

PASSED, ADOPTED AND APPROVED THIS _____ day of _____ 2019.

ATTEST:

JOSEPH J. KAVANAGH
CITY CLERK

MAYOR ANTHONY N. CAGGIANO

RECORD OF VOTE

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CITY OF MARGATE, FLORIDA

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APPROVING SPECIAL EXCEPTION USE TO PERMIT A
NEW POPEYES LOUISIANA KITCHEN RESTAURANT WITH
DOUBLE DRIVE THROUGH LOCATED AT 830 S. STATE
ROAD 7; PROVIDING FOR SPECIFIC FINDINGS
PURSUANT TO CODE SECTION 31-54(c); PROVIDING
FOR FINDINGS OF THE DEVELOPMENT REVIEW
COMMITTEE AND PLANNING AND ZONING BOARD;
PROVIDING FOR EFFECTIVE DATE.

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goals, objectives and policies of the Margate Comprehensive Plan
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(b) The establishment, maintenance or operation of the
proposed use is not detrimental to or endangers the public health,
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(c) The establishment, maintenance or operation of the
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