



# Town Council Agenda Report

**SUBJECT:** Quasi Judicial Hearing: Variance

## **CONTACT PERSON/NUMBER**

Name: Jason Eppy, Planner II  
Dept. Planning and Zoning Division  
Phone: (954) 797-1108

## **TITLE OF AGENDA ITEM:**

V 11-2-99 "Courtesy Computers", Woodbell Enterprises, owner, Courtesy Computers, Inc., petitioner - 6700 Griffin Road - Generally located on the south side of Griffin Road between SW 70 Terrace and SW 66 Terrace.

## **REPORT IN BRIEF:**

The Florida Department of Transportation (FDOT) is in the process of widening 2-lane Griffin Road to 6 lanes, from SR 7 to University Drive. Since Griffin Road is constrained on the north by the South New River Canal, FDOT is using its powers of eminent domain to acquire properties and portions of properties abutting the south side of Griffin Road in order to accommodate the right-of-way required for the new 6-lane facility. Pursuant to the taking, the petitioner purchased the property and is required to bring the property into code compliance in order to operate their business. However, there are existing conditions on the site, which met the code at the time the property was originally developed, and do not meet current codes.

The petitioner has indicated that there will be no changes to the existing building, although, they will be creating a new parking area at the rear of the property with landscape improvements for the entire site. However, a small portion of the west building setback does not meet the current code. In addition, the petitioner does not meet the 10 foot buffer width requirement adjacent to the west building face. All other areas along the south and west property lines meet the current buffer width. A 10 foot wide landscape buffer is also required along the east property line, however, there is an existing drainage canal approximately 50 feet wide, centered on the east property line. Therefore, the petitioner is physically unable to provide the required buffer width. Staff believes the existing buffers meet the general intent of the code and the deficient setback and buffer adjacent to the west building face was not self-created as the building existed prior to the taking.

Prior to the taking, a total of 20 parking spaces existed on this site, all of which were located in the front of the existing structure. The taking of the north 53 feet eliminated 13 of these spaces, leaving only 7 spaces in the front. The current code requires 40 parking spaces. In response, the petitioner has redesigned the front area to provide for 10 parking spaces, with 23 parking spaces to be provided to the rear of the existing building, for a total of 33 parking spaces. The petitioner has stated, they are physically unable to accommodate the remaining 7 parking spaces in the rear due to on-site drainage retention requirements and minimum drive aisle widths. The petitioner has attempted to meet the minimum parking requirements to the extent possible given the existing conditions of the site, and can be considered to have a hardship as this variance request is not self-created.

The requested parking variance is also consistent with the parking requirements of the Griffin Corridor District which is pending consideration by the Town Council on December 15, 1999. If approved, the parking requirements for office use will be reduced, resulting in a surplus of 3 parking spaces on the subject site.

The proposed Griffin Corridor District may require connections between the parking and circulation facilities of adjacent parcels, with access limitations onto Griffin Road to improve traffic flow. Therefore, staff recommends a condition be placed on the approval of this request, that should the Griffin Corridor District be approved and adjacent properties be redeveloped the petitioner shall; 1) connect the front access aisle of the subject site to that of the adjoining properties should they be redeveloped. This may require removal of excess parking spaces in the front of the building along the west property line and removal of some landscaped area along the west property line; and 2) close the western most access opening, and grant an access easement for such shared off-street traffic circulation.

**PREVIOUS ACTIONS:** None

**CONCURRENCES:**

The Planning and Zoning Board made a recommendation to approve (4-0, motion by Mr. Pisula, second by Mr. Sthal, Mr. Kuvin absent), subject to the planning report, at its December 8, 1999 meeting.

Staff recommends approval with a finding that the request meets the general intent and purpose of the code, is the minimum variance necessary, and will not be injurious to the planned and adjacent uses, subject to the conditions outlined in the planning report.

**FISCAL IMPACT:** Not Applicable.

**RECOMMENDATION(S):** Motion to approve.

**Attachment(s):** Planning Report, Land Use Map, Subject Site Map, and Aerial.

**Application #: V 11-2-99**

**Revisions:**

**Exhibit "A":**

**Original Report Date: 12/1/99**

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**TOWN OF DAVIE  
Development Services Department  
Planning & Zoning Division Staff  
Report and Recommendation**

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**APPLICANT INFORMATION**

**Owner:**

**Name:** Woodbell Enterprises  
**Address:** 6700 Griffin Road  
**City:** Davie, FL 33314  
**Phone:** (954) 321-8605

**Agent:**

**Name:** Courtesy Computers, Inc.  
**Address:** 6700 Griffin Road  
**City:** Davie, FL 33314  
**Phone:** (954) 321-8605

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**BACKGROUND INFORMATION**

**Application Request:**

1. To reduce the minimum required west side setback from 20 feet to 8.10 feet, for a distance of 70 feet adjacent to the west building elevation (total property line depth is 360.55 feet).
2. To reduce the required 10 foot landscape buffer along the west property line to 8.10 feet, for a distance of 70 feet adjacent to the west building elevation.
3. To reduce the required 10 foot landscape buffer along the entire east property line to zero feet.
4. To reduce the required parking from 40 parking spaces to 33 parking spaces.

**Address/Location:** 6700 Griffin Road / Generally located on the south side of Griffin Road between SW 70 Terrace and SW 66 Terrace.

**Future Land Plan Use Designation:** Regional Activity Center

**Zoning:** B-1, Neighborhood Business District, and A-1, Agricultural District

**Existing Use:** Office/Retail

**Proposed Use:** Office/Retail

**Parcel Size:** 75,215.50 square feet / 1.726 acres

**Surrounding Land Use:**

**North:** Griffin Road and the New River Canal

**South:** Vacant Land

**East:** The Old Davie School

**West:** Single Family Residential Home, and vacant land.

**Surrounding Zoning:**

**North:** B-1, across Griffin Road and the New River Canal

**South:** A-1, Agricultural District

**East:** CF, Community Facilities

**West:** R-5, Low Medium Dwelling District, and A-1, Agricultural District

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**ZONING HISTORY**

**Related Zoning History:** A zoning-in-progress is in effect until December 15, 1999 for those properties affected by the Florida Department of Transportation taking for the Griffin Road widening project. This property lies within the designated zoning-in-progress area.

**Previous Request on same property:** None

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**DEVELOPMENT PLAN DETAILS**

**Development Details:** The Applicant's SUBMISSION indicates the following:

1. Square footage of existing buildings: **11,286.30 square feet**
2. Access points/number of parking spaces: **2 proposed access points/33 parking spaces**
3. Drainage/Open Space information: **54% open space**
4. Building Setbacks:

<b>Front (Griffin Road):</b>	<b>77.4 feet</b>
<b>West Side:</b>	<b>8.10 feet</b>
<b>East Side</b>	<b>55.5 feet</b>
<b>Rear (south)</b>	<b>187 feet</b>

**Rear (accessory bld.): 25.5 feet**

**Metal building in rear to be removed.**
5. Perimeter Buffers: **North: 20 feet.**  
**South: 10 feet.**  
**East: 0 feet (canal)**  
**West: 10 feet with the exception of 8.10 feet for the length of**  
**the west side building face (70 feet). Depth of west side** **property line is 360.55**  
**feet.**

**Applicable Codes and Ordinances**

Section 12-83, which requires a minimum side setback of 20 feet within the B-1 District.

Section 12-107(D)(3), which requires a minimum 10-foot landscape buffer adjacent to any residentially zoned or used property.

Section 12-107(D)(4) which states a 10 foot landscape buffer shall be provided adjacent to all

other abutting properties.

Section 12-208(22), which requires 1 parking space for each 200 square feet of gross floor area for office use.

Section 12-208(29), which requires 1 parking space for each 200 square feet of gross floor area for retail use.

Section 12-208(37), which requires 1 parking space for each 600 square feet of gross floor area for storage buildings.

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## **Comprehensive Plan Considerations**

**Planning Area:** The subject property falls within Planning Area 9. This area is characterized by agricultural lands and scattered low-density single-family residential development. Low profile commercial development lines the Griffin Road, Davie Road, and Stirling Road corridors. Agricultural uses are expected to diminish due to infill development in the upcoming years, succumbing to increased demand for residential and commercial development given the enhanced accessibility, afforded by the Griffin Road widening.

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## **Broward County Comprehensive Plan Considerations**

This property falls within flexibility Zone 102.

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## **Staff Analysis**

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## Findings of Fact

### Variations:

#### **Section 12-309(B)(1):**

**(a)** There are special circumstances and conditions applying to the land and building for which the variance is sought, which circumstances or conditions are peculiar to such land or building and do not apply generally to land or buildings in the same district, and that said circumstances or conditions are such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of such land or building for which the variance is sought, and that alleged hardship is not self-created by any person having an interest in the property;

**(b)** The granting of the variance is necessary for the reasonable use of the land or building and that the variance as requested is the minimum variance that will accomplish this purpose;

**(c)** Granting of the requested variances will be in harmony with the general purpose and intent of this chapter and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

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## Staff Recommendation

**Recommendation:** Based upon the above and the finding of facts in the positive, staff recommends **approval** of the following variance requests; **1)** Reduce the minimum west side setback to 8.10 feet, **2)** To reduce the required 10 foot landscape buffer to 8.10 feet adjacent to the west building elevation, **3)** To reduce the required 10 foot landscape buffer along the east property line to zero feet, and **4)** To reduce the required parking to 33 parking spaces, subject

to the conditions outlined in the planning report.

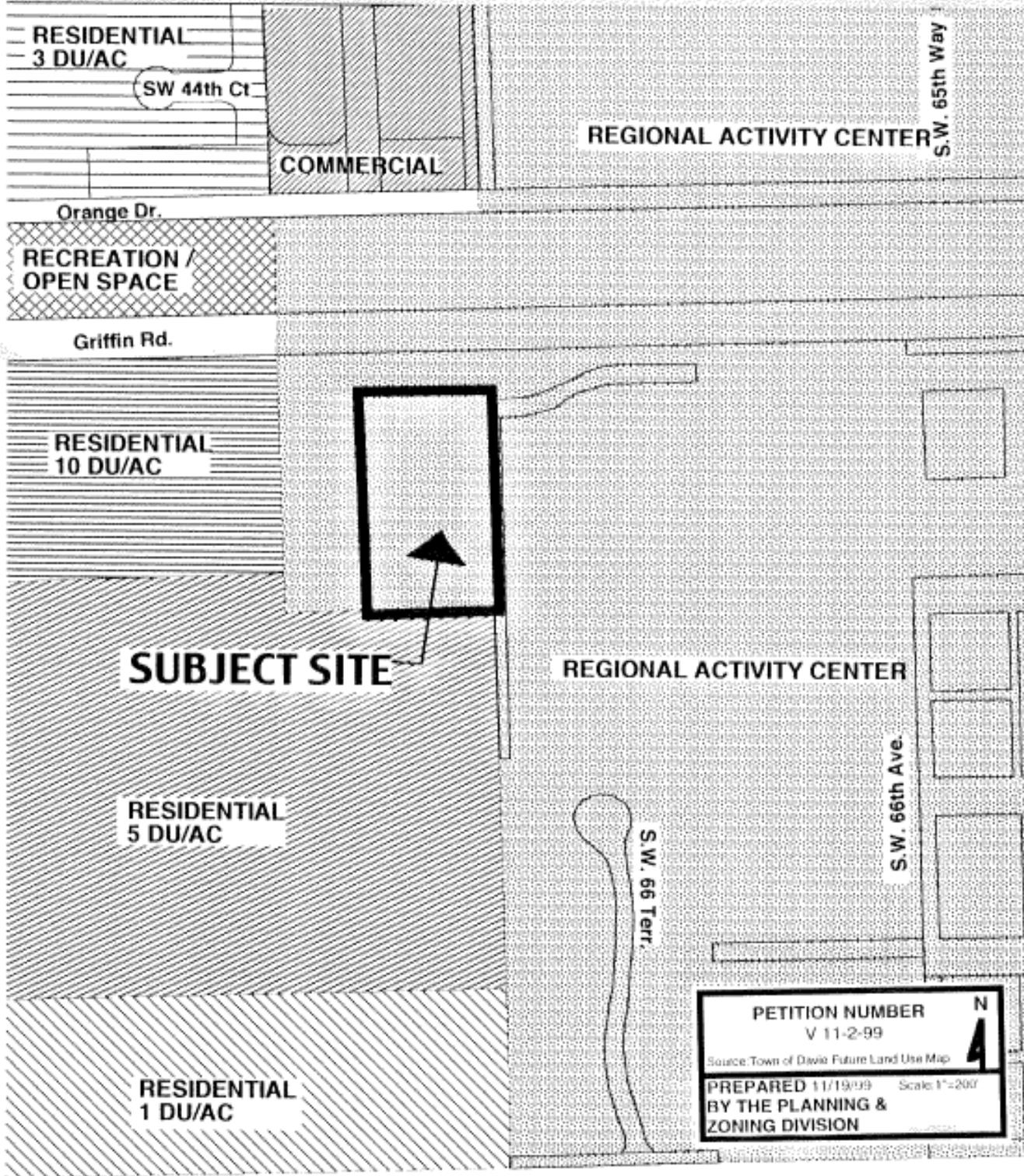
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## Exhibits

1. Land Use Map
2. Subject Site Map
3. Aerial

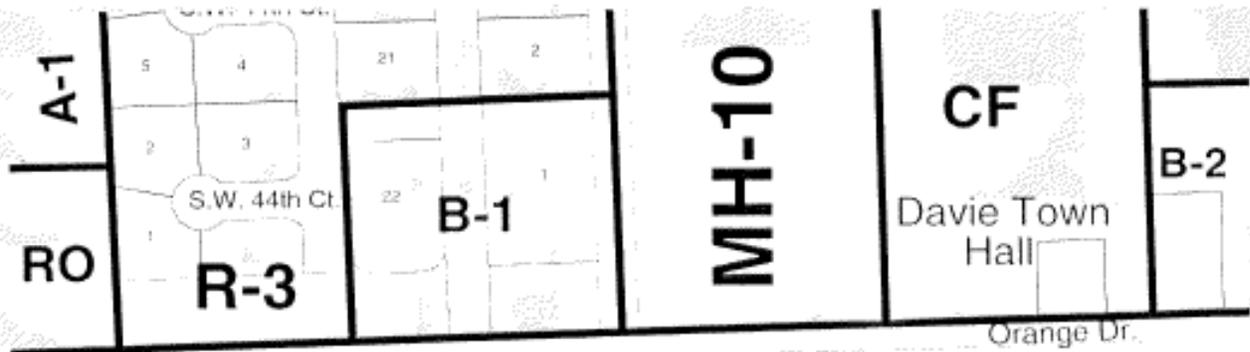
Prepared by: \_\_\_\_\_

Reviewed by: \_\_\_\_\_



PETITION NUMBER  
V 11-2-99  
Source: Town of Davis Future Land Use Map  
PREPARED 11/19/99 Scale: 1"=200'  
BY THE PLANNING &  
ZONING DIVISION





**SOUTH NEW RIVER**

Griffin Rd.

