



Department of Planning, Zoning and Code Compliance
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Staff Analysis and Recommendation

To: Planning and Zoning Board
From: Brandon R. Schaad, AICP, LEED AP
Director of Planning
Re: **HEARING NUMBER:** VARH2016-0011
APPLICANT: Miami Lakes Center, LLC
FOLIO: 32-2013-015-0030
LEGAL DESCRIPTION: Tract "C" of "MIAMI LAKES SECTION ONE", according to the plat thereof as recorded in Plat Book 122, at Page 48, of the public records of Miami-Dade County, Florida.
LOCATION: 5875 NW 163rd Street
Miami Lakes, Florida 33014
Date: June 21, 2016

REQUEST(S)

In accordance with the Town of Miami Lakes Land Development Code (the "Town's LDC"), Miami Lakes Center, LLC (the "Applicant") is requesting the following variance(s):

1. A variance from Subsection 13-1904(3)c.4. to allow three (3) standing signs on a site where the Code limits this site to no more than two standing signs.

Summary of Proposal
and
Recommendation

The Applicant is requesting a variance in order to allow a third standing sign on the site. By the Code, this site is allowed two standing signs since it has more than 200 linear feet of road frontage. Since the site is bounded by roads on all sides, one additional sign is being requested in order to advertise the tenants within the building at each entrance.

Staff Recommendation

Request #1: Staff recommends approval with conditions.

Background

Zoning District of Property: IU-C – Industrial Use-Conditional

Future Land Use Designation: Industrial and Office

Subject Property:

This is the site of the old Dade Medical College. It is bounded by roads on all four sides; NW 165th Terrace to the north, NW 58th Avenue to the east, NW 163rd Street to the south and NW 59th Avenue to the west. The property is located within the Industrial and Office Future Land Use Designation and is zoned IU-C (Industrial Use-Conditional).

Surrounding Property:

	Future Land Use Category	Zoning District
North:	Business and Office	BU-1A
South:	Industrial and Office	IU-C
East:	Industrial and Office	IU-C
West:	Business and Office, Industrial and Office	BU-2, IU-C

Subject Property Vicinity and Location Maps



The following information is provided for informational purposes only and shall not be considered by the Planning and Zoning Board in providing its determination:

A. Open Building Permit(s) / Open Code Compliance Violation(s) / Zoning History:

There are no open building permits on file associated with this property.

There are no open code violations associated with this property.

Variance Criteria

Subsection 13-305(f)1 of the Town LDC allows the Planning and Zoning Board to approve non-use variance request(s) on the basis of practical difficulty on part of the Applicant by a majority vote of the members of the Planning and Zoning Board present. In order to authorize any variance on the basis of practical difficulty, the Planning and Zoning Board members at the meeting shall balance the rights of property owners in the Town as a whole against the need of the individual property owner to deviate from the requirements of the Land Development Code based on an evaluation of the factors below. All of the factors should be considered and given their due weight; however, no single factor is dispositive.

	PRACTICAL DIFFICULTY VARIANCE FACTORS
	FACTOR
a.	<p>The Town has received written support of the specifically identified variance requests from adjoining property owners;</p> <p><i>Analysis: The Town has not received any written support regarding this request. <u>This criterion is not met.</u></i></p>
b.	<p>The Variance would be compatible with development patterns in the Town;</p> <p><i>Analysis: This request would be compatible with development patterns in the Town. This is a very large site with more than 500 linear feet of road frontage on each side and all signs will be spaced more than 100 feet apart. <u>This criterion is met.</u></i></p>
c.	<p>The essential character of the neighborhood would be preserved;</p> <p><i>Analysis: As stated above, this request would be compatible with development patterns in the Town and the neighborhood. This is a very large site with more than 500 linear feet of road frontage on each side and all signs will be spaced more than 100 feet apart. <u>This criterion is met.</u></i></p>
d.	<p>The Variance can be approved without causing substantial detriment to adjoining properties;</p> <p><i>Analysis: The original sign is located in the northeast corner of the site at NW 165th Terrace and NW 58th Avenue. There is a sign proposed at the south entrance on NW 163rd Street set back 10+ feet from the property line, and a sign proposed at the west entrance on NW 59th Avenue set back 10+ feet from the property line.</i></p> <p><i>This request would not cause any detriment to adjoining properties as this is a very large site with more than 500 linear feet of road frontage on each side and all signs will be spaced more than 100 feet apart. Having a sign along each street frontage, given the size of each frontage, is a normal and expected feature. Combined with the character of the area, the proposal will not cause substantial detriment to adjoining properties. <u>This criterion is met.</u></i></p>
e.	<p>The Variance will do substantial justice to the property owner as well as to other property owners justifying a relaxation of this Land Development Code to provide substantial relief;</p> <p><i>Analysis: The subject property is the site of the old Dade Medical College. As</i></p>

	<p><i>stated by the Applicant, the additional signage is proposed at the south and west elevations to ensure that each entrance is properly and clearly marked with a monument sign noting the tenants relevant to each entrance. Having a sign along each street frontage, given the size of each frontage, is a normal and expected feature. Combined with the character of the area, granting the proposal will do substantial justice to both the owner of the subject property and to other property owners. <u>This criterion is met.</u></i></p>
f.	<p>The plight of the applicant is due to unique circumstances of the property and/or applicant which would render conformity with the strict requirements of the Land Development Code unnecessarily burdensome; and</p> <p><i>Analysis: The unique circumstance of the property is that it is bounded by roads on all four sides; NW 165th Terrace to the north, NW 58th Avenue to the east, NW 163rd Street to the south and NW 59th Avenue to the west. The Applicant is proposing the additional signage to clearly mark each entrance with the tenants at each location/entrance. <u>This criterion is met.</u></i></p>
g.	<p>The special conditions and circumstances which exist are the result of actions beyond the control of the applicant.</p> <p><i>Analysis: It is unusual for a piece of property to front a road on all four sides. <u>This criterion is met.</u></i></p>

ANALYSIS

The Applicant is requesting a variance in order to allow a third standing sign on the site. By the Code, this site is allowed two standing signs since it has more than 200 linear feet of road frontage. Since the site is bounded by roads on all sides, one additional sign is being requested in order to advertise the tenants within the building.

This request would be compatible with development patterns in the Town and the neighborhood. This is a very large site with more than 500 linear feet of road frontage on each side and all signs will be spaced more than 100 feet apart. Besides the number, the proposed signs comply with the other requirements of the LDC.

The original sign is located in the northeast corner of the site at NW 165th Terrace and NW 58th Avenue. There is a sign proposed at the south entrance on NW 163rd Street set back 10+ feet from the property line, and a sign proposed at the west entrance on NW 59th Avenue set back 10+ feet from the property line.

The subject property is the site of the old Dade Medical College. As stated by the Applicant, the additional signage is proposed at the south and west elevations to ensure that each entrance is properly and clearly marked with a monument sign noting the tenants relevant to each entrance.

Having a sign along each street frontage, given the size of each frontage, is a normal and expected feature. Combined with the character of the area, the proposal will be consistent and compatible with the area.

Staff's analysis shows that this request meets six (6) of the seven (7) practical difficulty criteria for a variance.

Therefore, based on the above analysis and other factors contained in this report, Staff recommends approval of this request, with conditions.

CONDITIONS

1. The location of the signs approved herein, and the specifications thereof, shall be in substantial compliance with the plans in Exhibit 1.
2. The Applicant shall obtain building permits for all requests approved herein, within one (1) year of the date of this approval. If said building permits are not obtained or an extension granted within the prescribed time limit, this approval shall become null and void.