

NEW BUSINESS:
QUASI-JUDICIAL ITEMS:

(Secretary's Note: All affected parties were sworn under oath to give testimony in the relevant cases by the Assistant City Attorney.)

5. **ZV 2022-03 - 04, Verizon @ 16000 Pines Market**, 16040 Pines Boulevard, variance requests.

Jimmy Newman, representing the petitioner, addressed the Planning and Zoning Board.

He gave a brief overview of the proposed variance requests.

The following summary was entered into the record:

PROJECT DESCRIPTION / BACKGROUND:

Mari Morales, as agent for Verizon, is requesting two variances for wall signage Zoning Variance #ZV 2022-03 is requesting 162 sq. ft. of total wall signage, instead of the allowed 120 sq. ft. of total wall signage; Zoning Variance #ZV 2022-04 is requesting three (3) wall signs, instead of the allowed two (2) wall signs at 16040 Pines Boulevard, #P101.

Pembroke Pines Land Development Code, and 16000 Pines Market Guidelines (MXD) Uniform Sign Plan, restrict all in line, and Perimeter Building tenants, to a maximum of two signs, not to exceed a total of 120 square feet in area.

Verizon is an endcap (corner bay) tenant with three exterior walls facing north, west and south. They currently have two 54 sq. ft. permitted wall signs installed, on the north and south façades. Requested variance is for a third 54 sq. ft. wall sign for the west façade, facing Dykes Road.

VARIANCE REQUEST DETAILS:

ZV 2022-03)

Code Section: § 155.698(A)(1)(f)(3)

(A) Uniform Sign Plan

1. Shopping center signs. A uniform sign plan shall be required by the City for all attached tenant wall signs within shopping centers. The owner or owner-designated agent of a shopping center must create or revise a uniform sign plan to reflect the requirements of this section prior to the issuance of any future sign permits by the City. Uniform sign plans shall:

- (f) Uniform sign plans shall include the following standards and specifications:
 - 3. Tenants shall be allowed a maximum of 1.5 square feet per lineal foot of leased frontage, or 120 square feet whichever is less;

ZV 2022-04)

Code Section: § 155.698(A)(1)(i)

(A) Uniform Sign Plan

- 1. Shopping center signs. A uniform sign plan shall be required by the City for all attached tenant wall signs within shopping centers. The owner or owner-designated agent of a shopping center must create or revise a uniform sign plan to reflect the requirements of this section prior to the issuance of any future sign permits by the City. Uniform sign plans shall:
 - (i) Tenants occupying a corner bay within a shopping center shall be allowed an additional sign on the store's secondary frontage which shall not exceed the size of the sign on the primary frontage. Sign area for both signs shall not exceed a maximum area of 120 square feet.

VARIANCE DETERMINATION:

The Planning & Zoning Board shall not grant any non-single-family residential variances, permits, or make any decision, finding, and determination unless it first determines that:

Its decision and action taken is in harmony with the general purposes of the zoning ordinances of the city and is not contrary to the public interest, health, or welfare, taking into account the character and use of adjoining buildings and those in the vicinity, the number of persons residing or working in the buildings, and traffic conditions in the vicinity.

In the granting of non-single-family residential variances, the Board shall follow Section 155.301(O) Variance:

- 1. Purpose: To allow for the provision of relief from certain development standards of this LDC for one or more of the following reasons:
 - a) There are special circumstances or conditions applying to the land or building for which the variance is sought, which circumstances are peculiar to the land or building and do not apply generally to land or buildings in the neighborhood, and that the strict application of the provisions of the zoning ordinances would result in an unnecessary hardship and deprive the applicant of the reasonable use of the land or building; or
 - b) Any alleged hardship is not self-created by any person having an interest in the property nor is the result of a mere disregard for or in ignorance of the provisions of the zoning ordinances of the city; or

- c) Granting the variance is not incompatible with public policy, will not adversely affect any adjacent property owners, and that the circumstances which cause the special conditions are peculiar to the subject property.

The following members of the Planning and Zoning Board spoke:

Members Girello, Gonzalez

The following member of staff spoke:

Dean Piper, Zoning Administrator

The following member of the public spoke:

Jimmy Newman, representing the petitioner

Chairman Rose inquired if there was anyone from the public who wished to speak either for or against these items. No one wished to speak.

Chairman Rose pass the gavel to Member Gonzalez.

On a motion by Chairman Rose, seconded by Member Labate, to grant, as determined by variance criteria "A", ZV 2022-03 (Verizon @ 16000 Pines Market) to allow 162 sq. ft. of total wall signage, the following vote was recorded:

AYE: Chairman Rose, Members Girello, Labate
Alternate Member Lippman

NAY: Member Gonzalez

Motion Passed

Chairman Rose moved to grant, as determined by variance criteria "A", ZV 2022-04 (Verizon @ 16000 Pines Market) to allow three (3) wall signs. Motion died for lack of second.

Member Gonzalez returned the gavel to Chairman Rose.

Member Labate moved to deny variance request ZV 2022-04. Member Girello seconded the motion.

The following members of the Planning and Zoning Board spoke:

Chairman Rose, Members Girello, Alternate Member Lippman

The following member of staff spoke:

Michael Stamm, Jr., Planning and Economic Development Director
The following members of the public spoke:

Jimmy Newman, representing the petitioner
Jimmy Baxter, representing the petitioner

After further discussion Member Labate requested to withdraw her motion. Member Girello as the seconder agreed.

The following members of the Planning and Zoning Board spoke:

Chairman Rose, Member Gonzalez, Alternate Member Lippman

The following members of the public spoke:

Jimmy Newman, representing the petitioner
Jimmy Baxter, representing the petitioner

On a motion by Member Girello, seconded by Member Gonzalez, to deny variance request, ZV 2022-04 (Verizon @ 16000 Pines Market), the following vote was recorded:

AYE: Members Girello, Gonzalez, Labate

NAY: Chairman Rose, Alternate Member Lippman

Motion Passed

RESUME ORDER OF BUSINESS:

OLD BUSINESS:

QUASI-JUDICIAL ITEMS:

(Secretary's Note: All affected parties were sworn under oath to give testimony in the relevant cases by the Assistant City Attorney.)

4. **ZV 2022-01, Westfork Plaza**, generally located on the northeast corner of Pines Boulevard and Dykes Road, variance request.

Dennis Mele, attorney representing the petitioner, addressed the Planning and Zoning Board. He gave a brief overview of the proposed variance request.

The following summary was entered into the record: