

**COMMISSION ORDER OF THE
CITY OF PEMBROKE PINES, FLORIDA
CITY COMMISSION**

COMMISSION ORDER NUMBER: 2022-05

DATE AND AGENDA June 1, 2022

BOARD ACTION: APPROVED

APPLICANT: Jimmy Newmon (Clayton Signs), as Agent for Verizon

FILE NUMBERS: ZV 2022-04

PETITION FOR: Request to Appeal the Planning and Zoning Board decision pertaining to commercial zoning variances for the property located at 16040 Pines Boulevard, P-101, owned by 16000 Pines Retail Investments LLC:

- ZV 2022-04: to allow three (3) wall signs instead of the permitted two (2) wall signs for Tenants occupying a corner bay within a shopping center.

LOCATION: 16040 Pines Blvd. STE P101, Pembroke Pines, FL 33028

LEGAL DESCRIPTION: UNITED STATES POSTAL SERVICE PLAT 137-18 B PORTION TRACT A, DESC AS BEG NECOR TR A, S 229.81, W 30.28, S 307.73, W 907.98, N 10, W 60.77, S 24.76, W 39, N 14.76, W 32.73, NLY 230.49, N 213.39, NE 118.39, E 282.78, E 692.05 TO POB & POR DESC AS COMM SE COR TR A, N 562.82, W 906.94 TO POB, SLY 17.19 SE 21.68, SLY 60.44, SWLY 38.73, SWLY 90.48, NW 41.98, WLY 9.36, NLY 164.88, E 32.73, S 14.76, E 39, N 24.76, E 60.77, S 10, E 1.04 TO POB

FINDINGS OF FACT: The City Commission after having heard and considered the following matters hereby makes the following findings of fact:

1. Petitioner request (Intent to Appeal dated 4-20-2022), **Exhibit "1"**, is on file in the City Clerk's Office and by this reference is incorporated herein and made a part hereof.
2. Appeal Justification Letter ZV 2022-04, **Exhibit "2"**, is on file in the City Clerk's Office and by this reference is incorporated herein and made part thereof.

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3. Unified Development Application, **Exhibit "3"**, is on file in the City Clerk's Office and by this reference is incorporated herein and made a part hereof.
4. Drawings and Elevations, **Exhibit "4"**, is on file in the City Clerk's Office and by this reference is incorporated herein and made a part hereof.
5. Site Location Aerial, **Exhibit "5"**, is on file in the City Clerk's Office and by this reference is incorporated herein and made a part hereof.
6. Portion of Planning and Zoning Board Minutes for April 14, 2022, **Exhibit "6"**, is on file in the City Clerk's Office and by this reference is incorporated herein and made a part hereof.
7. At the June 1, 2022 meeting, there was no public comment regarding this matter.
8. In accordance with City Code of Ordinances §155.311, members of the City Commission reviewed the written record on appeal for competent and substantial evidence and no new evidence was presented.

CONCLUSION AND ORDER:

After consideration and review of the City's records and arguments presented as reflected above in the FINDINGS OF FACT, the City Commission hereby GRANTS Petitioner's appeal of the decision of the Planning and Zoning Board and APPROVES, the following variance request:

ZV 2022-04: to allow three (3) wall signs instead of the permitted two (2) wall signs for the Tenants occupying a corner bay within the shopping center located at 16040 Pines Blvd. STE P101, Pembroke Pines, FL 33028.

Furthermore, the Petitioner voluntarily agrees that the square footage of the three (3) wall signs shall not exceed one-hundred-twenty (120) square feet and that all three (3) wall signs shall be the same size.

NOTICES: All notices or other communications required by one party to another shall be given in writing by personal delivery or by regular U.S. mail or sent by telex, facsimile or similar method of electronic communication addressed to such other party or delivered to such other party as follows:

CITY: Charles F. Dodge, City Manager
601 City Center Way
Pembroke Pines, FL 33025
Telephone No. (954) 431-4884

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Facsimile No. (954) 437-1149

Copy To:

Samuel S. Goren, City Attorney
Goren, Cherof, Doody & Ezrol, P.A.
3099 East Commercial Blvd., Suite 200
Fort Lauderdale, Florida 33308
Telephone No. (954) 771-4500
Facsimile No. (954) 771-4923

PETITIONER:

Jimmy Newmon, as Agent for Verizon
Clayton Signs, Inc.
5198 N. Lake Dr.
Lake City, GA 30260
Telephone No. (404) 361-3800

Issuance of this development order by the City of Pembroke Pines does not create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the City of Pembroke Pines for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. All other applicable state or federal permits must be obtained before commencement of the development.

DONE AND ORDERED on this 7th day of September, 2022, nunc pro tunc to June, 1, 2022 in Pembroke Pines, Florida.

ATTEST:



Marlene A. Graham 9/8/2022
MARLENE A. GRAHAM, CITY CLERK

CITY OF PEMBROKE PINES, FLORIDA

BY:

Frank Ortis
MAYOR FRANK ORTIS

APPROVED AS TO FORM:

Samuel S. Goren 9/15/22
OFFICE OF THE CITY ATTORNEY