



Legislation Text

File #: 18-1438, **Version:** 1

ZV 2018-11, Flamingo Pines Square, generally located south of Pines Boulevard and west of Flamingo Road, variance request. (Dean)

SUMMARY EXPLANATION AND BACKGROUND: **PROJECT DESCRIPTION / BACKGROUND**

Ryan Fader/Moe Azar, as agents for the owner, JBL Flamingo Pines, LLC are requesting a variance to allow 765 parking spaces where 856 parking spaces are required. The applicant, through their consultant Traf Tech has submitted a parking study (dated 10/1/2018) to support the variance request.

Flamingo Pines Square (F.K.A. Flamingo Pines Plaza Phases II & III) is generally located at the southwest corner of Pines Boulevard and Flamingo Road. The center consists of multiple parcels as shown in the attached vicinity map. The property and variance does not include the Wal-Mart parcel, Flamingo Pines Plaza (Publix), Four Crowns (Family Tire) as well as outparcels adjacent to the subject property. In the provided parking study, the applicant has identified the parking areas included in their analysis based on zones (figure 2) and they reference the Wal-Mart parking field as shared although the spaces are not included in their request.

Per the submitted application, JBL Flamingo Pines LLC, is making the variance request to accommodate a proposed +/- 10,000 square foot medical/retail building. Should the variance request be supported, a site plan application will be required for approval of the proposed buildings.

VARIANCE REQUEST DETAILS

ZV 2018-11) To allow 765 parking spaces instead of the required 856 parking spaces.

Code Reference: §155.251 AMOUNT OF OFF-STREET PARKING REQUIRED.

(A) Other uses. Minimum parking shall be required as set forth in the matrix below (Note: for reference only - Full Parking Matrix can be viewed online at America Legal Publishing)

VARIANCE DETERMINATION

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

1. 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.

2. In the granting of variances, the Planning and Zoning Board shall determine that the variance granted is the minimum variance that will accomplish the intended purpose (stated above) and:

- A) That 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) That 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) That 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.