

ATTACHMENT A
Revised Planning and Development
Board Staff Report and Backup

**CITY OF HOLLYWOOD, FLORIDA
MEMORANDUM
DEPARTMENT OF PLANNING
REVISED**

DATE: March 12~~8~~, 2015 **FILE:** 15-T-07

TO: Planning & Development Board/
Local Planning Agency

VIA: Jaye M. Epstein, AICP, Director

FROM: Andria Wingett, Assistant Director

SUBJECT: North 29th Avenue, LLC. requests a Text Amendment to Article 8 of the Zoning and Land Development Regulations to increase the number of permissible billboards in the City from 14 to 15, which includes installation of a billboard at 2601 N. 29th Avenue.

APPLICANT'S REQUEST:

To increase the number of permissible billboards from 14 to 15.

STAFF'S RECOMMENDATION:

The Planning and Development Board, acting as the Local Planning Agency, forward a recommendation of denial to the City Commission.

BACKGROUND

Zoning and Land Development Regulations

The Zoning and Land Development Regulations identify billboards as a prohibited sign; with the exception of allowing a limited number (14) of these signs citywide. The 14 existing billboards include 10 along Interstate 95, three along the Florida Turnpike and one along Interstate 595. (Attachment C). The Regulations require billboards to be located *only along limited access arterial roadways, and limited in size to 14 feet x 48 feet (672 square feet), and supported by a single pole.* Although not part of the Local Planning Agency's jurisdiction, the Regulations also *require a substantial portion of the proceeds from advertising be directed to a nonprofit corporation within the City or advertising promote a city owned or sponsored project.* This is accomplished by **ONLY** the City Commission considering an agreement with the Applicant, as a separate agenda item. As such, the Board will only be considering changing the number of billboards from 14 to 15.

Holiday Inn (2600 N 29 Avenue)

In 1995 Holiday Inn was conditionally granted six Variances (V-95-08: Attachment A) relative to signage, by the Board of Appeals and Adjustments (BOAA). The Variances allowed signage on the Holiday Inn property, as well as, off-site at Days Inn (2601 N 29 Avenue). In summary, three of the approved Variances were relative to a monument sign. The remaining three Variances allowed for an off-premise pole sign: 84 100 foot tall with 681 square feet of sign area. The pole sign was to be located off-premise, on the Days Inn property advertising for Holiday Inn, which is across the street. Applicable conditions associated with the approval for an off-premise pole sign included:

- A seven foot setback be maintained from the leading edge of the sign to the property line;

- No additional signs were allowed for the Days Inn property (other than what have already been permitted); and



- Off-premise pole sign is for Holiday Inn (or other business which occupies that property) only and no secondary signs will be permitted on the pole sign.

The approved off-premise pole sign exists today, but at a lower scale (height and square footage) than what the Variances allowed for. As the Variances were vested (permitted by Hollywood and Florida Department of

Transportation), the existing off-premise sign can be reconstructed today to be larger in scale. However should the sign be reconstructed, the off-premise pole sign would have to comply with the previously approved conditions, which ONLY allows for advertising of the Holiday Inn (or other business at same location) and NOT a changeable copy sign.

REQUEST

The subject property is located proximate to Interstate-95 (I-95) north of Sheridan Street in the South Florida Industrial Park. Currently, the Applicant is requesting to, “officially recognize, on the City inventory, the existing off-premise billboard, built in 1996, and to allow non-Holiday Inn messaging”. Proposed is to, “replace/improve the steel structural components of the billboard structure and convert to changeable advertising which does not increase the number of billboards in the City of Hollywood, and in fact, would be beneficial to the City as the overall height may be lowered, the structure modernized, and designed to complement the surrounding area”. Although the Applicant refers the existing off-premise sign as a billboard, and it may have been permitted by FDOT as such, the City recognized the sign as a pole sign beginning in 1995.

The **ONLY** request before the Board is a Text Amendment to change the number of permissible billboards from 14 to 15. Typically, Text Amendments to the Zoning and Land Development Regulations are City (City Commission, Staff or Community Redevelopment Agency) initiated, however these types of requests, to increase the number of permissible billboards, have always been privately initiated. As such, North 29th Avenue, LLC is requesting to change the number of permissible billboards, which if approved, unless conditioned otherwise, would allow for a changeable copy advertising (static billboard).

The Applicant states, “It is clear that based on the fact the sign is already existing, the geographic area of the sign in a purely industrial zoning classification, IM-1, that it is an appropriate distance from any residential use of the City of Hollywood, and that it is in the Right of Way of I-95 where there exist similar uses with the state required minimum distance separations, the billboard meets the purpose stated in the Code”.

Sign location, design and compatibility of certain signs—even billboards—can contribute visual pollution and blight. While the subject property is located in an industrial park in this particular case the context of the surrounding area, outside the industrial park, must also be considered.

In 2015 the City amended development rights to Sheridan Station, located on the southwest corner of I-95 and Sheridan Street. It's the City's intent to have a highly visible successfully mixed-use project at this location. Additionally, in 2010 the City spent several hundred thousand dollars repairing and painting the City's western water tower. This water tower, proximate to a major interstate highway and principal arterial roadway, is highly visible to tourists and commuters alike.





In an effort to continue to transition the City toward sustainable prosperity, by enhancing the City's economic viability, promoting an aesthetically pleasing City, its artistic vision, as well as, Hollywood's natural resources, it's in the City's best interest not to continue to visually clutter the water towers line of sight. While there are currently two LED billboards, located in Oakwood Plaza along the east side of Interstate-95 north of Sheridan Street, as well as, numerous other signs, a.k.a. visual clutter, in the immediate area. Staff believes a billboard at this location is not appropriate.

Although billboards have been approved on similarly zoned property in the past, depending on the setting, billboards are not generally consistent with the goal, objectives and policies in the Comprehensive Plan and City-Wide Master Plan. The Goal of the Comprehensive Plan is to *promote a distribution of land uses that will enhance and improve the residential, business, resort, and natural communities while allowing land owners to maximize the use of their property*. As such, Staff finds the request inconsistent with applicable criteria and recommends denial of the proposed Text Amendment; the Applicant maintains ability to use the previously approved Variance for a pole sign.

BACKGROUND

Applicant: North 29th Avenue, LLC.
Address/Location: 2601 N 29th Avenue
Net Size of Property: 1.4 acres
Zoning: Low Intensity Industrial and Manufacturing District (IM-1)
Existing Land Use: Industrial

ADJACENT EXISTING LAND USE

North: Industrial
South: Industrial
East: Transportation (Interstate-95)
West: Industrial

ADJACENT ZONING

North: Low Intensity Industrial and Manufacturing District (IM-1)
South: Low Intensity Industrial and Manufacturing District (IM-1)
East: Interstate-95
West: Low Intensity Industrial and Manufacturing District (IM-1)

INCONSISTENCY WITH COMPREHENSIVE PLAN

The proposed text amendment is inconsistent with the Comprehensive Plan, based upon the following:

- ❖ *Goal: Promote a distribution of land uses that will enhance and improve the residential, business, resort, and natural communities while allowing land owners to maximize the use of their property.*
- ❖ *Objective 4: Promote improved architectural and street scape design standards, code enforcement, economic development, neighborhood planning, and public information dissemination to maintain and enhance neighborhoods, businesses and tourist areas.*
- ❖ *Objective 5: Encourage appropriate infill, redevelopment in blighted areas throughout the City, and economic development in blighted business and tourist areas.*

- ❖ Objective 8, Policy 8.1: Review and amend the Zoning and Land Development Regulations as necessary to ensure that the City's population is adequately serviced by sufficient amounts of commercial with varying intensities of service areas and to ensure that the potential adverse impacts of commercial land uses on adjacent residential areas are mitigated.

Although billboards have been approved on similarly zoned property, depending on the setting, billboards are not generally consistent with the goal, objectives and policies in the Comprehensive Plan and City-Wide Master Plan. As required in Objective four and five of the City's adopted Comprehensive Plan to promote an aesthetically pleasing City with improved architectural and street scape design standards, its artistic vision, as well as, Hollywood's natural resources by encouraging economic development in blighted tourist areas, it's in the City's best interest not to continue to visually clutter the water towers line of sight. Staff believes a billboard at this location is not appropriate.

INCONSISTENCY WITH CITY-WIDE MASTER PLAN

The proposed request is inconsistent with the following policies and guiding principles of the City-Wide Master Plan:

The subject property is located in Sub-Area 7, which the northernmost part of the City. This area is geographically defined by 56th Avenue to the west, I-95 to the east, Sheridan Street to the south and SR 84 and Broward County Unincorporated areas to the north. This area includes the residential areas of Emerald Hills, Oakridge and the industrial/office area of Port 95 Commerce Park.

Guiding Principles:

- Attract and retain businesses that will increase economic opportunities for the City while enhancing the quality of life for residents.
- Promote development that will preserve and enhance natural resources.
- Promote the highest and best use of land in each sector of the City without compromising the goals of the surrounding community.

In 2015 the City amended development rights to Sheridan Station, located on the southwest corner of I-95 and Sheridan Street. It's the City's intent to have a highly visible successfully mixed-use project at this location. Additionally, in 2010 the City spent several hundred thousand dollars repairing and painting the City's western water tower. This water tower, proximate to a major interstate highway and principal arterial roadway, is highly visible to tourists and commuters alike.

Some of the Guiding Principles of the City-Wide Master Plan mention increasing economic opportunities while enhancing quality of life for residents, preserving and enhancing natural resources and promoting highest and best use without compromising goals of the community. It is Staff's opinion that approval of this petition would jeopardize some of the public and private improvements recently completed in this area as well as continue to contribute to visual blight and potentially jeopardize the City toward moving toward sustainable prosperity.

APPLICABLE CRITERIA:

Analysis of Criteria and Findings for Text Amendments as stated in the City of Hollywood's Zoning and Land Development Regulations, Article 5.

CRITERIA 1: The proposed change is consistent with and in furtherance of the goals, objectives and policies of the adopted Comprehensive Plan as amended from time to time.

ANALYSIS: Although the Applicant believes the request is consistent with some of the goals, objectives and policies of the Comprehensive Plan; Staff is recommending denial.

Billboards have been approved on similarly zoned property in the past, however, depending on the setting, billboards are not generally consistent with the goal, objectives and policies in the Comprehensive Plan and City-Wide Master Plan. As required in Objectives four and five of the City's adopted Comprehensive Plan to promote an aesthetically pleasing City with improved architectural and street scape design standards, its artistic vision, as well as, Hollywood's natural resources by encouraging economic development in blighted tourist areas, it's in the City's best interest not continue to visually clutter the water towers line of sight. Staff believes a billboard at this location is not appropriate.

FINDING: Inconsistent.

CRITERIA 2: That conditions have substantially changed from the date the present zoning regulations were established.

ANALYSIS: Conditions have substantially changed over the years with regards to billboards. Billboards are considered a prohibited sign, however when there is no or nominal impact to the City—as a whole—, the City Commission has approved them. As such, 14 exist today. However, the proposed location has a Variance to construct a pole sign. In 1995 several variances were granted, allowing for a large pole sign, similar in size to a billboard, but restricting advertising to ONLY the Holiday Inn and NO other business.

Furthermore, in 2015 the City amended development rights to Sheridan Station, located on the southwest corner of I-95 and Sheridan Street. It's the City's intent to have a highly visible successfully mixed-use project at this location. Additionally, in 2010 the City spent several hundred thousand dollars repairing and painting the City's western water tower. This water tower, proximate to a major interstate highway and principal arterial roadway, is highly visible to tourists and commuters alike.

In an effort to continue to transition the City toward sustainable prosperity, by enhancing the City's economic viability, promoting an aesthetically pleasing City, its artistic vision, as well as, Hollywood's natural resources, it's in the City's best interest not to continue to visually clutter the water towers line of sight. Although conditions have changed, Staff believes a billboard at this location is not appropriate. Additionally, the Variance approved in 1995 remains valid, as such an off-premise pole sign can be constructed consistent with the previously granted Variance.

FINDING: Inconsistent.

RECOMMENDATION:

Staff finds this application inconsistent with the goals, objectives and policies in both the Comprehensive and City-Wide Master Plans and the Text Amendment Criteria of the Zoning and Land Development Regulations. Therefore, Staff recommends the Planning and Development Board acting as the Local Planning Agency forward a recommendation of denial to the City Commission.

ATTACHMENTS:

- Attachment A: Application Package
- Attachment B: Land Use and Zoning Map
- Attachment C: Existing Billboard Locations
- Attachment D: Existing Zoning and Land Development Regulations

ATTACHMENT A

Application Package

PLANNING & DEVELOPMENT SERVICES



File No. (Internal use only): _____

2600 Hollywood Boulevard Room 315
Hollywood, FL 33022

GENERAL APPLICATION



Tel: (954) 921-3471
Fax: (954) 921-3347

This application must be completed in full and submitted with all documents to be placed on a Board or Committee's agenda.

The applicant is responsible for obtaining the appropriate checklist for each type of application.

Applicant(s) or their authorized legal agent must be present at all Board or Committee meetings.

At least one set of the submitted plans for each application must be signed and sealed (i.e. Architect or Engineer).

*Documents and forms can be accessed on the City's website at
http://www.hollywoodfl.org/comm_planning/appforms.htm*



APPLICATION TYPE (CHECK ONE):

- ☐ Technical Advisory Committee ☐ Historic Preservation Board
☐ City Commission ☒ Planning and Development Board

Date of Application: February 12, 2015

Location Address: 2601 N 29th Ave, Hollywood, FL 33020

Lot(s): _____ Block(s): _____ Subdivision: _____

Folio Number(s): _____

Zoning Classification: IM-1 Land Use Classification: IND
Leased area and easement

Existing Property Use: currently off-premises Billboard Sq Ft/Number of Units: _____

Is the request the result of a violation notice? () Yes (X) No If yes, attach a copy of violation.

Has this property been presented to the City before? If yes, check all that apply and provide File Number(s) and Resolution(s): Board of Appeals and Adjustments V-95-8

- ☐ Economic Roundtable ☐ Technical Advisory Committee ☐ Historic Preservation Board
☐ City Commission ☒ Planning and Development

Explanation of Request: Officially recognize, on the City inventory, the existing off-premises billboard, built in 1996, and to allow non-Holiday Inn messaging.

Number of units/rooms: _____ Sq Ft: _____

Value of Improvement: _____ Estimated Date of Completion: _____

Will Project be Phased? () Yes () No If Phased, Estimated Completion of Each Phase _____

Name of Current Property Owner: Billboard, lease & easement owner: North 29th Avenue, LLC

Address of Property Owner: 3837 Hollywood Blvd., Suite B, Hollywood, FL 33021

Telephone: 954-235-3707 Fax: _____ Email Address: chrislegglaw@gmail.com

Name of Consultant/Representative/Tenant (circle one): Grant J. Smith, Esq. - StrategySmith, P.A.

Address: 2860 SR 84, Suite 103, Fort Lauderdale, FL 33312 Telephone: 954-328-9064

Fax: _____ Email Address: gsmith@strategysmith.com

Date of Purchase: _____ Is there an option to purchase the Property? Yes () No (X)

If Yes, Attach Copy of the Contract.

List Anyone Else Who Should Receive Notice of the Hearing: _____

Address: _____

Email Address: _____

PLANNING & DEVELOPMENT SERVICES



2600 Hollywood Boulevard Room 315
Hollywood, FL 33022

GENERAL APPLICATION

CERTIFICATION OF COMPLIANCE WITH APPLICABLE REGULATIONS

The applicant/owner(s) signature certifies that he/she has been made aware of the criteria, regulations and guidelines applicable to the request. This information can be obtained in Room 315 of City Hall or on our website at www.hollywoodfl.org. The owner(s) further certifies that when required by applicable law, including but not limited to the City's Zoning and Land Development Regulations, they will post the site with a sign provided by the Office of Planning and Development Services. The owner(s) will photograph the sign the day of posting and submit photographs to the Office of Planning and Development Services as required by applicable law. Failure to post the sign will result in violation of State and Municipal Notification Requirements and Laws.

(I)(We) certify that (I) (we) understand and will comply with the provisions and regulations of the City's Zoning and Land Development Regulations, Design Guidelines, Design Guidelines for Historic Properties and City's Comprehensive Plan as they apply to this project. (I)(We) further certify that the above statements and drawings made on any paper or plans submitted herewith are true to the best of (my)(our) knowledge. (I)(We) understand that the application and attachments become part of the official public records of the City and are not returnable.

Signature of Current Owner: _____ Date: 2-11-15

PRINT NAME: Christopher Legg

Signature of Consultant/Representative: _____ Date: _____

Signature of Consultant/Representative: Grant J. Smith Date: 2-11-15

PRINT NAME: Grant J. Smith

Signature of Tenant: _____ Date: _____

PRINT NAME: _____ Date: _____

CURRENT OWNER POWER OF ATTORNEY

billboard, lease & easement

I am the current owner of the described real property and that I am aware of the nature and effect the request for (project description) Officially recognize, on the City inventory, the existing off-premises billboard, built in 1996, and to allow non-Holiday Inn messaging. to my property, which is hereby made by me or I

am hereby authorizing (name of the representative) Grant J Smith to be my legal representative before the P&D and/or City Commission (Board and/or Committee) relative to all matters concerning this application.

Sworn to and subscribed before me

this 11th day of February, 2015



SIGNATURE OF CURRENT OWNER of billboard, lease & easement

Christopher Legg

PRINT NAME

Notary Public State of Florida

My Commission Expires: 3/13/18 (Check One) ☒ Personally known to me; OR _____

North 29th Avenue LLC's Text Amendment Narrative

Applicant/Property Leasehold & Easement Owner: North 29th Avenue, LLC. – Christopher Legg, Manager

Subject: Request the Board approve a text amendment to Hollywood Code of Ordinances Section 8.6 (G)(2) to 15 billboards to officially recognize as part of the City's inventory and as conforming, an already existing off premises billboard constructed in 1996. The billboard, limited to promoting "Holiday Inn" was originally permitted by the City after a variance was granted by the Board of Appeals and Adjustment in 1995 and the billboard was constructed and given a "C.O." and has existed in substantially the same form since. The only substantial change being requested is that the static display message be able to be changed. The applicant is NOT requesting digital facing. The applicant plans to apply for the issuance of Building and Electrical permits to replace/improve steel structural components and to utilize one (1) pole supporting two (2) fixed/static faced billboards at the currently existing billboard/site oriented for traffic on Interstate 95 and located at the easement for said use at 2601 N. 29th Avenue (Parcel ID#514204040100), Hollywood, Florida.

Basis for Approval:

July 17, 1991 - City of Hollywood enacted Ordinance No. 0-91-43 allowing "*no more than eight (8) additional billboards within the City of Hollywood*". Billboard permits were issued for the first time under the new code for billboards oriented to traffic on Interstate 95. Subsequent amendments to the Code, as recently as December 2013, have allowed for additional billboards.

June 15, 1995 - "Off Premises Pole Sign" variances granted by Resolution No. V 95-08, by The City of Hollywood's Board of Appeals and Adjustment were issued for this parcel (2600 & 2601 N. 29th Avenue).

March 15, 1996 - Based on the variance, Florida Department of Transportation ("FDOT") issued Outdoor Advertising Sign Permits #BL-982 and #BL-983 for a billboard on this parcel oriented for north/south traffic on Interstate 95 in the City of Hollywood within Broward County. The sign is conforming with respect to the state's outdoor advertising law.

1996 - City of Hollywood Building Permit was issued for this parcel in accordance with the plans submitted.

1996 – C.O. issued

Summary

The subject parcel lease and easement and off premises pole sign are owned by North 29th Avenue, LLC. and is technically a billboard that pre-dates most, if not all of the billboards in the

City. The site and sign were lawfully permitted by The City of Hollywood and the FDOT in 1995 & 1996.

Though Hollywood prohibited new "billboards" within the City, Hollywood issued a permit to build the existing billboard on the subject parcel in 1996, as agreed and in accordance with the previously issued variance and Florida law. The currently existing billboard on the subject parcel was constructed, inspected and approved by the City of Hollywood in 1996.

The currently existing billboard on the subject parcel is now almost twenty (20) years old and the owner, North 29th Avenue, LLC., seeks to replace/improve steel structural components and take advantage of new design and facing in accordance with state, federal and municipal laws and regulations.

Since 1991, and subsequent to the permitting of the subject billboard, the City of Hollywood has permitted at least fourteen (14) new billboards within the City, at least twelve (12) of which are oriented for traffic on Interstate 95 in the primary highway corridor through the City of Hollywood.

North 29th Avenue, LLC's request to replace/improve the steel structural components of the billboard structure and convert to changeable advertising does not increase the number of billboards in the City of Hollywood, and in fact, would be beneficial to the City as the overall height may be lowered, the structure modernized, and designed to compliment the surrounding area.

North 29th Avenue LLC's Text Amendment

Comprehensive Plan Narrative

Applicant/Property Easement Owner: North 29th Avenue, LLC. – Christopher Legg, Manager

Subject: Request the Board approve a text amendment to Hollywood Code of Ordinances Section 8.6 (G)(2) to 15 billboards to officially recognize as part of the City's inventory and as conforming, an already existing off premises billboard constructed in 1996. The billboard, limited to promoting "Holiday Inn" was originally permitted by the City after a variance was granted by the Board of Appeals and Adjustment in 1995 and the billboard was constructed and given a "C.O." and has existed in substantially the same form since. The only substantial change being requested is that the static display message be able to be changed. The applicant is NOT requesting digital facing. The applicant plans to apply for the issuance of Building and Electrical permits to replace/improve steel structural components and to utilize one (1) pole supporting two (2) fixed/static faced billboards at the currently existing billboard/site oriented for traffic on Interstate 95 and located at the easement for said use at 2601 N. 29th Avenue (Parcel ID#514204040100), Hollywood, Florida.

Basis for Approval:

The City of Hollywood Zoning and Land Development Regulations Section 8.1 states the following:

The purpose of this section is to permit signs that:

- A. Will not by their size, location, construction or manner of display, endanger the health, safety and general welfare of the public;
- B. Will be architecturally and aesthetically compatible with the buildings they are placed on; and
- C. Will be efficient in the transfer of information.

It is clear that based on the fact the sign is already existing, the geographic area of the sign in a purely industrial zoning classification, IM-1, that it is an appropriate distance from any residential use of the City of Hollywood, and that it is in the Right of Way of I-95 where there exist similar uses with the state required minimum distance separations, the billboard meets the purpose stated in the Code.

The proposed text amendment is consistent with the goals, objectives, and polices in the Land Use Element of the January 2008 City of Hollywood Comprehensive Plan in the following ways:

- 1) Based on the narratives provided, it is clear that the subject request meets **Objective 4** relating to “public information dissemination” as the Billboard Agreement North 29th Avenue, LLC. is expected to execute, has provisions for use, under certain conditions, by the City to inform the public of various matters.
- 2) This evaluation of the proposed text amendment is consistent with **Policy 4.7** insofar as this request is being reviewed in light of the existing zoning and land use. The subject property and use is in the **IM-1** and will have no additional impact on the residents of the City as there is already an existing, aging structure there.
- 3) The subject request clearly meets **Policy 5.9** as amending the Code for an already existing billboard in an exclusively industrial area in the City and will have little or no impact. The benefit to this approval will be a potential decrease in the height, a modernization of the structure, and an aesthetic improvement of the structure.
- 4) The subject request meets **Policy 8.2** as it continues the industrial use of property within the industrial zoning classification.

2014 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT

DOCUMENT# L13000090816

Entity Name: NORTH 29TH AVENUE, LLC

Current Principal Place of Business:

3837 HOLLYWOOD BLVD.
B
HOLLYWOOD, FL 33021

Current Mailing Address:

3837 HOLLYWOOD BLVD.
B
HOLLYWOOD, FL 33021

FEI Number: 46-3785851

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

CHRISTOPHER W. LEGG, P.A.
3837 HOLLYWOOD BLVD.
B
HOLLYWOOD, FL 33021 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE:

Electronic Signature of Registered Agent

Date

Authorized Person(s) Detail :

Title MGR
Name LEGG, CHRISTOPHER
Address 3837 HOLLYWOOD BLVD., STE. B
City-State-Zip: HOLLYWOOD FL 33021

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

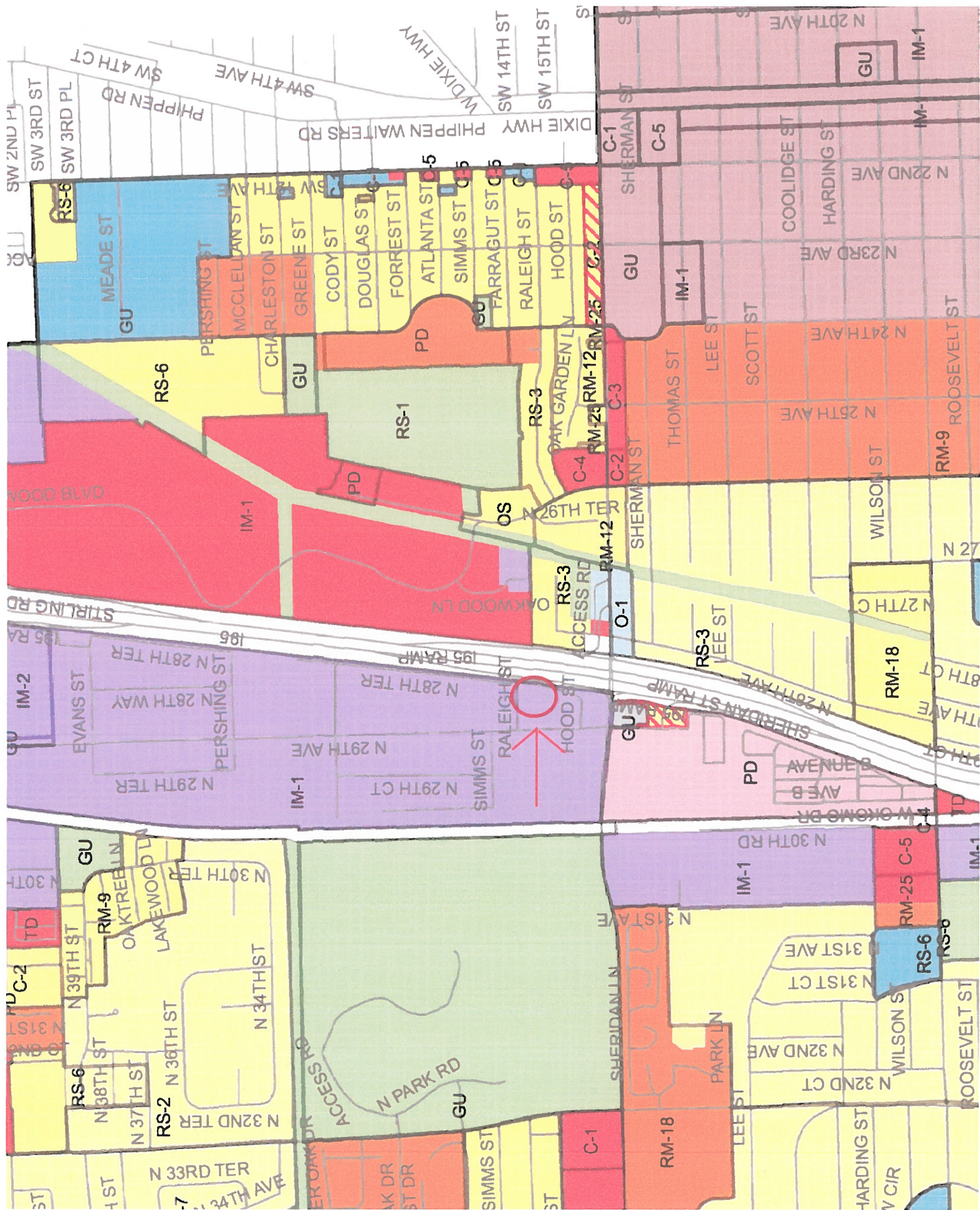
SIGNATURE: CHRISTOPHER W LEGG

MGR

01/16/2014

Electronic Signature of Signing Authorized Person(s) Detail

Date





Existing Southbound View



Existing Northbound View



SKETCH AND DESCRIPTION

PARCEL G
SOUTH FLORIDA
INDUSTRIAL PARK
(P.B. 63, PG. 38, B.C.R.)

RALEIGH STREET
(P.B. 63, PG. 38, B.C.R.)

**LOT 4 BLOCK 71
NEW LIBERIA**
(P.B. 6, PG. 43, B.C.R.)

LOT 5

PARCEL G
SOUTH FLORIDA
INDUSTRIAL PARK
(P.B. 63, PG. 38, B.C.R.)

LEGEND:

P. B.	PLAT BOOK
O. R. B.	OFFICIAL RECORDS BOOK
PG.	PAGE
R/W	RIGHT-OF-WAY
B. C. R.	BROWARD COUNTY RECORDS
P. D. B.	POINT OF BEGINNING
P. D. C.	POINT OF COMMENCEMENT

THIS IS NOT A SKETCH OF SURVEY

SHEET 2 OF 2

REVISIONS	DATE	BY	CKD	FB/PG

**PROPERTY
DESCRIPTION**

SCALE: 1" = 50'	JOB NO: 13-018 PD
FB/PG: N/A	CAD. FILE: 13\Jobs 13-018
DRAWN BY: RPM	DATE: 5/8/13
CKD. BY: TD	PROJ. FILE: 13-018

**DAVID &
GERCHAR, INC.**
SURVEYORS AND MAPPERS
12750 N.W. 40th Street, Bay 1
Coral Springs, Florida 33065
(954) 340-4025 • email: info@dgsurvey.com



CITY of HOLLYWOOD, FLORIDA

DEPARTMENT OF DEVELOPMENT ADMINISTRATION

Community Planning Division

June 21, 1995

Prince Bush Investments
227 W. New England
Winter Park, Florida 32790

RE: V-95-8
Board's Decision: Approval with conditions

Dear Mr. Prince:

The attached resolution represents the Board of Appeals and Adjustment's final determination following its public hearing on the above referenced petition.

The determination of the Board is final unless:

1. A member of the City Commission or City Administration files an appeal within ten (10) days, or
2. Any other person who appeared on the record at the public hearing or filed written notice of his/her position prior to the Board's ruling files an appeal with the Circuit Court.

Any approved variance or special exception shall become null and void unless appropriate permits and licenses pursuant thereto are applied for within eighteen (18) months of final action by the Board. The Community Planning and Development Director or his designee may authorize an additional eighteen (18) months extension upon the showing of an appropriate hardship.

Sincerely,

Jud Kurlancheek, Director
Community Planning Division

JK:pc
Enclosure

c:\...\baa1995\ltv9508

2600 Hollywood Boulevard • P.O. Box 229045 • Hollywood, FL 33022-9045
Phone (305) 921-3471 • FAX (305) 921-3347

"An Equal Opportunity and Service Provider Agency"

CITY OF HOLLYWOOD
BOARD OF APPEALS AND ADJUSTMENT

RESOLUTION NO. V 95-08

A RESOLUTION OF THE CITY OF HOLLYWOOD BOARD OF APPEALS AND ADJUSTMENT APPROVING, WITH CONDITIONS THE REQUEST OF BERRY AND CALVIN, INC. FOR REGULATORY VARIANCE OF SPECIFIED PROVISIONS OF THE CITY OF HOLLYWOOD AND ZONING AND LAND DEVELOPMENT REGULATIONS

WHEREAS, Berry and Calvin, Inc., applied for a Regulatory Variance from the City of Hollywood Zoning and Land Development Regulations as they apply to property located at 2600 N. 29 Avenue as follows:

1. Waive the prohibition against off premises signs in order to allow a pole sign adjacent to I-95 for a business located west of N. 29 Avenue.
2. Exceed the 16 ft. height limit for a pole sign by 84 ft. in order to allow a 100 ft. high pole sign adjacent to I-95.
3. Exceed the 128 sq. ft. allowable sign area for a pole sign by 553 sq. ft. in order to allow a 681 sq. ft. sign adjacent to I-95.
4. Waive 130 ft. of the required 200 ft. of frontage for a monument sign in order to allow a monument sign on approximately 70 ft. of frontage.
5. Exceed the 8 ft. allowable height of a monument sign by 5 ft. in order to allow a 13 ft. high monument sign.

6. Exceed the 36 sq. ft. maximum allowable area of a monument sign by 13.1 sq. ft. in order to allow a 49.1 sq. ft. monument sign; and

WHEREAS, the Community Planning Division Director recommended approval of the variance with conditions; and

WHEREAS, the Board at its meeting of June 15, 1995, completed a duly advertised public hearing thereon. The Board found that the applicant did make the necessary showing that the project met the criteria required for granting a variance based on the following findings:

- a. The subject property has special conditions, not applying generally to other neighboring properties in the same zoning district, which occasion the necessity for the petitioned variance.
- b. The development resulting from the granting of such variance is in harmony with the policies embodied within the City Comprehensive Plan.
- c. The granting of such variance is consistent with the general purpose and intent of the applicable zoning district regulations governing the property on which approval is granted.
- d. The granting of such variance does not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations nor hinder or discourage appropriate development and use of adjacent or nearby

land and or buildings or impair the value thereof.

e. That the literal and strict enforcement of the applicable provisions of the Zoning and Land Development Regulations and the City of Hollywood Code of Ordinances would result in an undue, unnecessary and exceptional hardship on the applicant.

f. That the granting of the requested variance will provide substantial justice and not be contrary to the public interest as reflected in the applicable regulations.

g. That the need for the variance does not arise from conditions which are personal to the owner but instead relate to the uniqueness of the property;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF APPEALS AND ADJUSTMENT OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That following review of the Community Planning Division staff report and all submitted written and oral testimony received during the public hearing, the above noted findings were made and therefore the above specified variance request is hereby approved with the following conditions:

1. Both signs will maintain a minimum of a 7 ft. setback from the property line to the leading edge of the sign.
2. No building permits shall be issued for the off-premises sign until the right-of-way has been vacated.
3. The following conditions shall be incorporated into a

covenant on the Days Inn property:

- a. No additional signs shall be allowed for the Days Inn property than have already been permitted.
- b. The off-premises sign shall be for the Holiday Inn (or whatever business occupies that property) only and no secondary signs will be permitted on that pole sign.

Section 2: That the Community Planning Division is hereby directed to forward a copy of this resolution to the applicant, and the owner of the property upon which the request was made.

PASSED AND ADOPTED THIS 15 DAY OF June, 1995.

Claude D. Blocker
CHAIRMAN

ATTEST:

Tim Kuhn
DIRECTOR

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ATTACHMENT B

Land Use and Zoning Map



PLANNING AND
DEVELOPMENT SERVICES

Legend

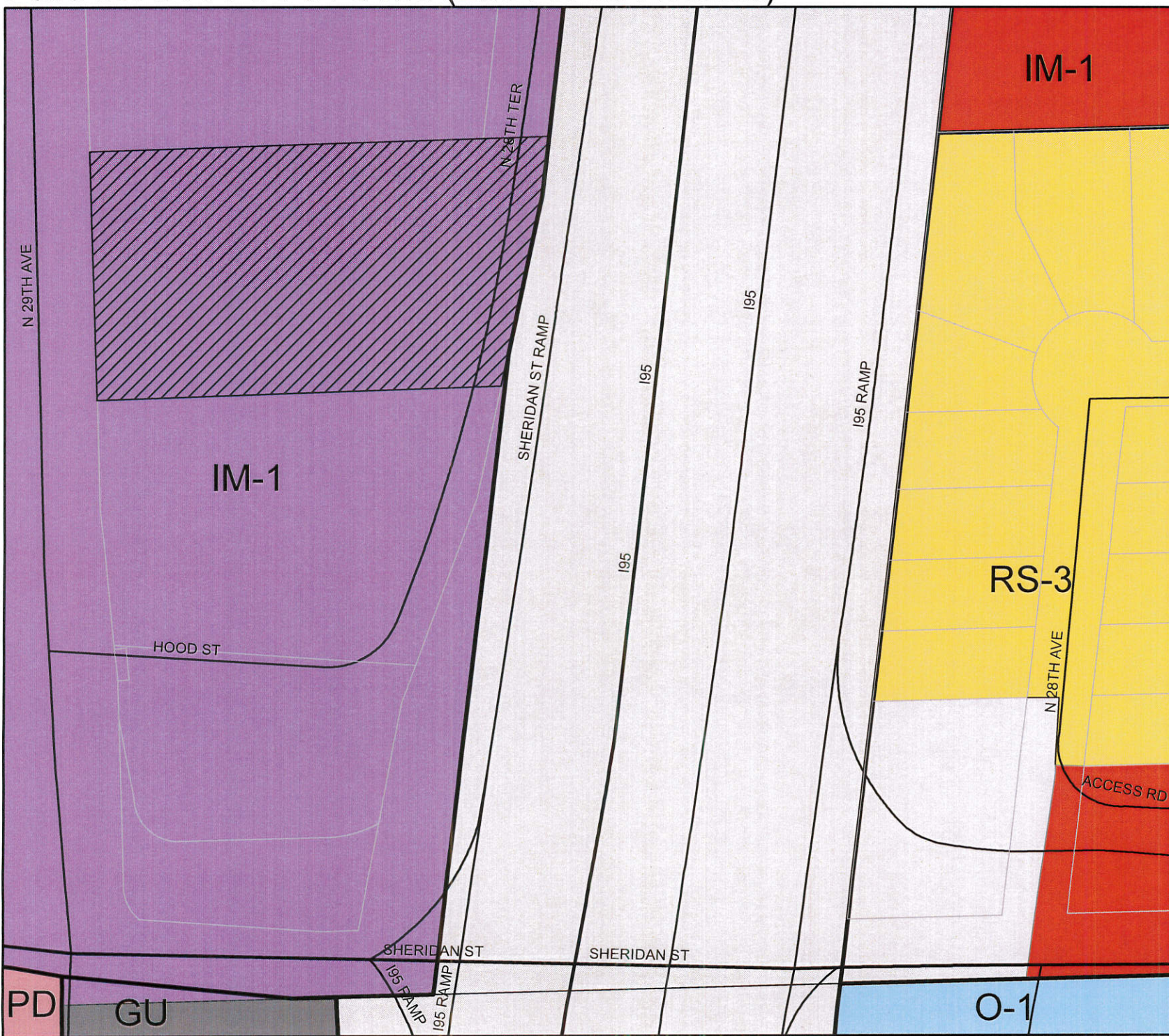
- Subject Property
- Streets
- Major Roads

LAND USE

- LMRES
- OFF
- TOD
- GBUS
- IND
- TRANS
- UTL

ZONING

- IM-1
- PD
- GU
- O-1
- RS-3



ATTACHMENT C

Existing Billboard Locations

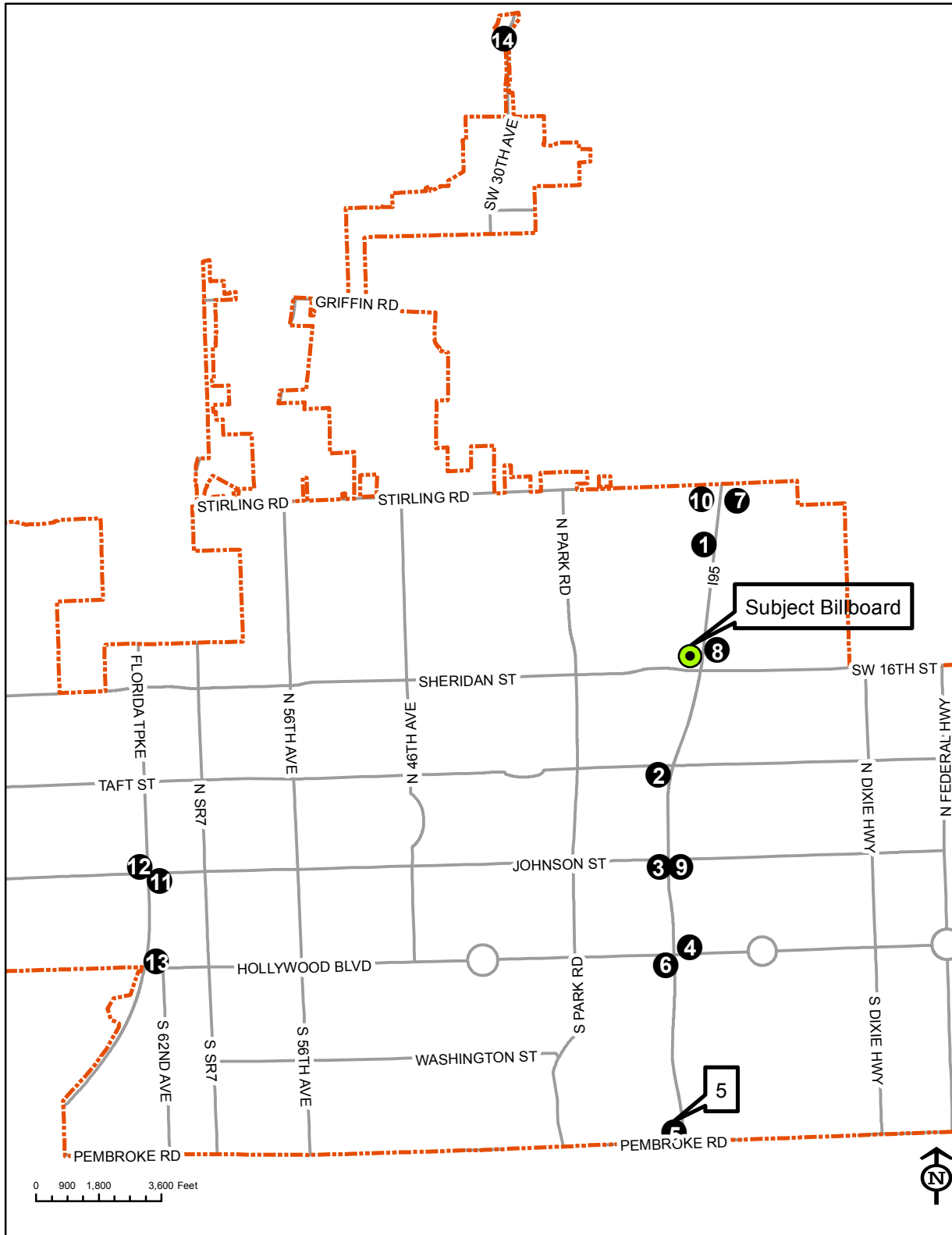
Approximate Billboard Locations by Company Hollywood, Florida



DEPARTMENT OF PLANNING

Legend

- City Boundary
- Major Roads
- Existing Billboards
- Subject Billboard



Gold Coast Advertising

1. 2801 N. 28th Terr.
2. 2960 Taft St.
3. 3000 Johnson St.
4. 2900 Polk St.
5. 1307 S. 30th Ave.
9. 2930 Johnson St.
13. 6215 Hollywood Blvd.

Universal Outdoor

6. 3100 Hollywood Blvd.
- Micheal Swerdlow Co.
7. Oakwood Plaza East of I-95
8. Oakwood Plaza East of I-95
- Exceptional Billboard
10. 2801 Evan St.

Professional Display Ads

11. 6200-28 Johnson St.
12. 6225 Johnson St.
- Harding Holdings
14. 3401 SW 29th Ave.
- Subject Billboard:
15. 2601 N. 29th Ave.

ATTACHMENT D

Existing Zoning and Land Development Regulations

ORDINANCE NO. O-2013-22

(13-T-104)

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING ARTICLE 8 "SIGN REGULATIONS" OF THE ZONING AND LAND DEVELOPMENT REGULATIONS TO INCREASE THE NUMBER OF PERMISSIBLE BILLBOARDS ALONG LIMITED ACCESS ARTERIAL ROADWAYS WITHIN THE CITY OF HOLLYWOOD FROM 13 TO 14; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on July 17, 1991, the City Commission of the City of Hollywood enacted Ordinance No. O-91-43 which permitted the City Commission to allow no more than eight (8) billboards within the City of Hollywood; and

WHEREAS, Article 8 of the City's Zoning and Land Development Regulations incorporated Ordinance O-91-43 by reference into its billboard regulations; and

WHEREAS, on September 18, 1996, the City Commission enacted Ordinance No. O-96-61 which increased the number of permissible billboards from 8 to 10; and

WHEREAS, on September 2, 1998, the City Commission enacted Ordinance No. O-98-21 which increased the number of permissible billboards from 10 to 12; and

WHEREAS, on June 5, 2002, the City Commission enacted Ordinance No. O-2002-22 which increased the number of permissible billboards from 12 to 13; and

WHEREAS, Hardin Holdings, Inc. has requested to replace a legal non-conforming billboard with an additional LED billboard at 3410 SW 29th Avenue; and

WHEREAS, this request would increase the number of billboards allowed within the City of Hollywood from thirteen (13) to fourteen (14); and

WHEREAS, on November 14, 2013, the Planning and Development Board reviewed this request and have forwarded a recommendation of approval to the City Commission;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

(Coding: Words in ~~struck-through~~ type are deletions from existing law; words underscored are additions).

Section 1: That Article 8, Subsection 8.6 of the Zoning and Land Development Regulations is hereby amended as follows:

ARTICLE 8. SIGN REGULATIONS

* * *

§ 8.6 Prohibited Signs.

G. The following signs are also prohibited:

* * *

2. Billboards, except that by City Commission determination, no more than ~~thirteen (13)~~ fourteen (14) additional billboards, located only along limited access arterial roadways, and limited in size to 14' x 48', and supported by a single pole, shall be permitted. These billboards shall be permitted only upon a finding that the above requirements have been met and at least a substantial portion of the proceeds from the advertising on said billboards are directed to nonprofit corporations, to assist in funding such nonprofit corporation's projects in the City of Hollywood, or the advertisement to be displayed on the billboard promotes a City owned or City sponsored project. The City Commission may place additional, reasonable conditions, including but not limited to the posting of a bond. The City Commission may direct the appropriate City departments to revoke any permit for failure to comply with any conditions placed by the City in the approval of any billboard under this section. The existing billboards are generally located as follows:

- a. 2801 N. 28th Terrace
- b. 2960 Taft Street
- c. 3000 Johnson Street
- d. 2900 Polk Street
- e. 1307 S. 30th Avenue
- f. 2930 Hollywood Boulevard
- g. Oakwood Plaza East of I-95-North
- h. Oakwood Plaza East of I-95-South
- i. 2930 Johnson Street
- j. 2801 Evans Street
- k. 6200-28 Johnson Street
- l. 6225 Johnson Street
- m. 6215 Hollywood Boulevard
- n. 3401 SW 29th Avenue

ORDINANCE AMENDING SECTION 8.6 OF THE ZONING AND LAND DEVELOPMENT REGULATIONS RELATING TO BILLBOARDS.

Section 2: That it is the intention of the City Commission and it is hereby ordained that the provisions of this section shall be made part of the Zoning and Land Development Regulations and the sections of the Regulations may be renumbered to accomplish such intention.

Section 3: That if any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this ordinance.

Section 4: That all sections or parts of sections of the Zoning and Land Development Regulations, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 5: That this Ordinance shall be in full force and effect immediately upon its passage and adoption.

Advertised Nov 22, 2013.

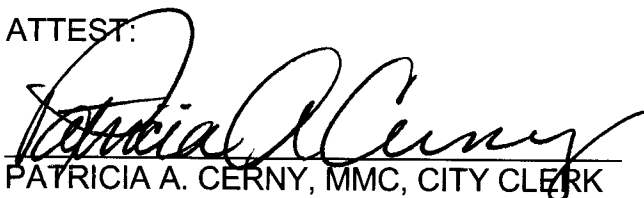
PASSED on first reading this 20 day of Nov, 2013.

PASSED AND ADOPTED on second reading this 4 day of Dec, 2013.



PETER BOBER, MAYOR

ATTEST:


PATRICIA A. CERNY, MMC, CITY CLERK

APPROVED AS TO FORM & LEGALITY
for the use and reliance of the
City of Hollywood, Florida, only.


JEFFREY P. SHEFFEL, CITY ATTORNEY