

RESOLUTION NO. 2018-104

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, APPROVING THE SIGN DEVIATION REQUEST TO SECTION 13-466.8, "WALL IDENTIFICATION SIGNS," BY GUNTHER MOTORS CO. TO ALLOW A SECOND FAÇADE SIGN FOR THE PROPERTY LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF, BEING GENERALLY KNOWN AS TRACTS "A" AND "C," WHITWORTH PLAT NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 164, PAGE 1, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, PURSUANT TO THE PROVISIONS OF SECTION 13-473, "DEVIATIONS," OF THE CITY OF COCONUT CREEK CODE OF ORDINANCES; PROVIDING FOR PUBLIC PURPOSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Subdivision V of the City's Land Development Code provides for regulations for the use and control of signs; and

WHEREAS, said Subdivision contains a process for modification for requirements of this subdivision through a sign deviation application; and

WHEREAS, Gunther Motors Co. has made application for a sign deviation pursuant to Section 13-473 of the City's Land Development Code for the property described in Exhibit "A," attached hereto and made a part hereof; and

WHEREAS, at its public hearing held on April 11, 2018, the Planning and Zoning Board heard, reviewed, and duly considered the reports, findings, and recommendations of the City staff, together with the opinions and testimony stated at the public hearing and has recommended approval of this item to the City Commission subject to the following condition:

1. Outstanding DRC comments remain effective throughout the development review process and must be addressed prior to issuance of a building permit; and
2. Subject to the applicant providing additional information to the City Commission

with respect to the justification for the deviation.

WHEREAS, the City Commission has determined that the applicant has demonstrated compliance with the criteria for said deviation and that it serves a public purpose based upon all the Development Review Committee comments and minutes, Planning and Zoning Board minutes, City staff reports, and findings of fact pertaining to this project located within the official City Development/Project file kept within the Department of Sustainable Development.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

Section 1: That the foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution. All Exhibits attached hereto are incorporated herein and made a specific part of this Resolution.

Section 2: That the City Commission finds and determines that the above described sign deviation is in the best interest of the residents of the City of Coconut Creek and serves a public purpose.

Section 3: That the City Commission hereby accepts the recommendation of the Planning and Zoning Board of April 11, 2018, which recommended approval of the sign deviation application, and has determined that the applicant has demonstrated compliance with the required criteria and standards as contained in Section 13-473, and hereby grants the request to the applicant for a sign deviation.

Section 4: That if any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portion or applications of this Resolution.

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

Adopted this 24th day of May, 2018.

Joshua Rydell, Mayor

Attest:

Leslie Wallace May, City Clerk

Rydell Aye

Welch Aye

Tooley Aye

Sarbone Aye

Belvedere Aye

WSS:jw

\\pdc\data\Development Services\Common\Documents\PLANNING & ZONING\Project Coordinator\Ordinances\ORD 2018-011 - Sign Deviation Gunther Volvo.docx

EXHIBIT "A"

Legal Description:

Tracts "A" and "C," Whitworth Plat No. 1, according to the Plat thereof, as recorded in Plat Book 164, Page 1, of the Public Records of Broward County, Florida.