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December 12, 2022

Christy Dominguez, Planning and Zoning Manager
City of Hallandale Beach
400 S Federal Highway
Hallandale Beach, FL 33009

RE: Revised Letter of Intent for The Neighborhood Veterinary Center

Dear Ms. Dominguez:

PETT INC, ("Applicant") is the owner of the property located at 26 SW 4th Avenue ("Property")(Folio: 514228021510), which is generally located at the northwest corner of SW 1st Street and SW 4th Avenue in the City of Hallandale Beach ("City"). The Property has a zoning designation of Hallandale Beach Boulevard West subdistrict. The Applicant is proposing to construct a +/-6,685 square foot veterinary clinic which will include: exam rooms, a surgical area, animal grooming, an animal pharmacy, and other ancillary veterinary uses ("Project"). Animal Hospitals and clinics are permitted within the Hallandale Beach Boulevard West Subdistrict pursuant to a conditional use approval. Applicant has submitted a conditional use application, site plan application, two (2) variance requests, and an administrative parking waiver, in furtherance of the development of the Project.

The Project will provide veterinary care and services to a variety of animals from in and around the City. In addition, the veterinary clinic will provide overnight boarding services for animals, including those recovering from surgical procedures. The Project will also create a new and exciting use on a currently underutilized parcel. Once approved, the Project will continue the current pattern of development along the corridor. As proposed, the state of the art facility will provide a needed service to the area, without placing a burden on exiting City facilities. This new Project also allows an existing and thriving City business to remain in the City.

Please do not hesitate to contact me should you have any questions or require additional information.

Sincerely,

Hope W. Calhoun, Esq.
Dunay, Miskel & Backman, LLP

Neighborhood Veterinary Center Conditional Use Justification

PETT INC, ("Applicant") is the owner of the property located at 26 SW 4th Avenue ("Property") in the city of Hallandale Beach ("City"). The Property has a B-G (business general) zoning designation and is located in the Hallandale Beach Boulevard West overlay subdistrict. The Applicant is proposing the construction of a 6,685 square foot veterinary clinic which will include: exam rooms, a surgical area, animal grooming, an animal pharmacy, and other ancillary veterinary uses ("Project"). Within the BG zoning district, the proposed Project is permitted as conditional use. As outlined below, the Applicant will demonstrate compliance with Conditional Use section 32-964 of the City's code of ordinances in order to support the approval of the requested use.

Sec. 32-964. Conditional uses.

Applications for conditional uses shall be reviewed with consideration given to the following:

- (1) That the use is compatible with the existing natural environment and other properties within the neighborhood.**

The proposed use is located adjacent to Hallandale Beach Boulevard. Hallandale Beach Boulevard is a major thoroughfare in the City, and as a result the placement of the Project at this location presents a perfect opportunity for easy pedestrian and vehicular access.

- (2) That the use will create no substantial detrimental effects on property values in the neighborhood.**

The use does not create a detrimental effect on property values in the neighborhood. In fact, the location of the Project in the area is consistent with the current pattern of development in the area. To permit the Project will allow for the development of a parcel that it is not positively developed currently and will allow for the provision of a service (veterinary clinic) that is important to the community.

- (3) That there are adequate public facilities such as schools, roads, parks and utilities within the service areas involved.**

The Project is commercial in nature (consistent with the zoning designation), and as such there will be no impact on public school facilities. With regard to the other public facilities, the Applicant will work with the City to ensure that adequate facilities exist to service the Project without negatively impacting the area.

- (4) That there will be adequate provisions for the traffic movement, both vehicular and pedestrian, both internal to the use and in the area which will serve the use.**

The Project as planned will install new sidewalks in the areas where there are no existing sidewalks. Additionally, more than one means of ingress and egress exists for the Project, and the internal driveways provide adequate width for vehicular circulation and parking.

- (5) That there will be adequate drainage systems to service the use with particular attention to the necessity for on-site retention systems to alleviate drainage and pollution problems.**

As evidenced by the proposed plans, the Project is being designed with adequate drainage to service the Property. As a result, no drainage, or pollution problems are anticipated.

- (6) That there are adequate setbacks, buffering and general amenities in order to control any adverse effects of noise, light, dust and other nuisances.**

Pursuant to the attached site plan, the Project meets all the required setbacks, and does provide adequate buffering to surrounding properties. Further, the construction of the Project will prevent surrounding properties from being impacted by the proposed use.

- (7) That the land area is sufficient, appropriate and adequate for the use and for any reasonably anticipated expansion of the use.**

The land area is sufficient for the proposed Project. It is not anticipated that the use on the Property will be expanded because as designed, sufficient space has been given to accommodate the current and future uses at the veterinary clinic.

- (8) Any other conditions as may be stipulated and made a requirement in granting any application for a conditional use, when it is considered necessary to further the intent and general welfare, including, but not limited to:**

- a. Limitations on the hours of business operations.**
- b. Limitations on the number of occupants of any building at any one time.**

Acknowledged.



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Neighborhood Veterinary Center
Variance Justification Statement

PETT INC, ("Applicant") is the owner of the property located at 26 SW 4th Avenue ("Property") (Folio: 514228021510), which is generally located at the northwest corner of SW 1st Street and SW 4th Avenue in the City of Hallandale Beach ("City"). The Property has a Hallandale Beach Boulevard West zoning designation, which permits the proposed veterinary clinic as a conditional use ("Project"). The proposed +/- 6,685 square foot veterinary clinic will include: exam rooms, a surgical area, animal grooming, an animal pharmacy, overnight animal boarding, and other ancillary veterinary uses. In order to develop this state of the art facility, the Applicant is requesting the following variances:

1. A variance from code section 32-384 (e)(2) which requires that perimeter landscaping abutting a rear or side common property line must be a minimum of 5' in width; and
2. A variance from code section 32-384(2) which requires that one interior island be provided for every ten spaces in a row. Each interior island shall also be not less than seven feet in width and extend the entire length of the parking space. At least one tree shall be provided within each interior island.

In accordance with the above outlined requests, Applicant will demonstrate that each variance request meets the following criteria enumerated in Section 32-965(b) of the City land development code ("Code"): (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not generally applicable to other lands, structures or building in the same zoning district; (2) The special conditions and circumstances do not result from the actions of the Applicant; (3) Granting the variance requested will not confer on the Applicant any special privilege that is denied by this chapter to other lands, buildings or structures in the same district; (4) Literal interpretation of the provisions of this chapter would deprive the Applicant of the rights commonly enjoyed by the properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardships on the Applicant; (5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure; (6) The grant of the variance will be in harmony with the general intent and purpose of this chapter; and (7) Such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

1. A variance from code section 32-384 (e) (2) which requires that perimeter landscaping abutting a rear or side common property line must be a minimum of 5' in width

1. **Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not generally applicable to other lands, structures or building in the same zoning district.**

Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not generally applicable to other lands, structures or buildings in the same zoning district. In this case the veterinary clinic is moving to a corner lot next to an existing commercial building. Specifically, the portion of the Property (west property line) that needs this variance is adjacent to the side of an existing building which will obstruct sunlight from reaching landscaping in that area. Therefore, the Applicant is proposing Astroturf in the area, so that the appearance of greenspace is provided, which provides an attractive appearance and benefits the Project without negatively impacting the adjacent parcel. To that end, there is no negative impact to the Property, the City, or the surrounding area.

2. **The special conditions and circumstances do not result from the actions of the Applicant.**

The special conditions and circumstances do not result from the actions of the Applicant. As stated above, the existing building to the west of the Property would block any natural light from reaching that portion of the Property. Therefore, it is best for the Applicant, from a maintenance standpoint, not to install landscaping on that portion of the Property. Furthermore, the lack of live landscaping on the Property allows for the installation of Astroturf in the area, which will be more aesthetically pleasing in the long term.

3. **Granting the variance requested will not confer on the Applicant any special privilege that is denied by this chapter to other lands, buildings or structures in the same district.**

Granting the variance requested will not confer on the Applicant any special privilege that is denied by this chapter to other lands, buildings or structures in the same district. The City Code permits the use of Astroturf, so allowing the Applicant to utilize same on the west side of the Property is consistent with the opportunities available to other lands, buildings, and structures in the same district.

4. **Literal interpretation of the provisions of this chapter would deprive the Applicant of the rights commonly enjoyed by the properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardships on the Applicant.**

Literal interpretation of the provisions of this chapter would deprive the Applicant of the rights commonly enjoyed by the properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardships on the Applicant. The portion of the Property that needs the requested variance is not wide, and from an aesthetic perspective, there is not a negative impact created by allowing the requested variance. If the Applicant were required to

install landscaping along the west Property line, the burden of maintaining the installed landscaping would be unjust, and the end result likely unattractive.

5. **The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.**

The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure. As mentioned, the requested variance only impacts a small portion of the Property, which lies near a parking area, and adjacent to an existing commercial structure. As the total length of the Property impacted by this variance is only a few feet long, the granting of the requested variance still allows for the redevelopment of the Property.

6. **The granting of the variance will be in harmony with the general intent and purpose of this chapter.**

The granting of the variance will be in harmony with the general intent and purpose of this chapter. The stated intent of the Hallandale Beach Boulevard District is to “guide the redevelopment of land located adjacent to Hallandale Beach Boulevard...”. In this case, granting the variance will allow for the redevelopment of a vibrant corner of the boulevard. The proposed veterinary clinic will replace an old building with a new use which benefits residents, and encourages investment in the area, in accordance with the Code.

7. **Such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.**

Such variance will not be injurious to the area involved or otherwise detrimental to the public welfare. Currently, the Property contains older structures which do not contribute to the area significantly. Replacing the existing structures with the new state of the art facility will create a vibrant area and actually benefit the public.

2. A variance from code section 32-384(2) which requires that one interior island be provided for every ten spaces in a row. Each interior island shall also be not less than seven feet in width and extend the entire length of the parking space. At least one tree shall be provided within each interior island.

1. **Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not generally applicable to other lands, structures or building in the same zoning district.**

Special conditions and circumstances exist which are peculiar to the land, structure or building involved, which are not generally applicable to other lands, structures or buildings in the same zoning district. The redevelopment of the Property with a new state of the art veterinary clinic creates an opportunity to activate the corridor with an interesting new use. With that in mind, the Applicant is not able to provide the one (1) required interior island. Section 32-384(2) provides that one interior island must be provided for every ten (10) spaces in a row. Applicant is proposing

to provide a row of ten (10) parking spaces adjacent to the building, which does not require an interior island. Opposite the building, Applicant is proposing to provide a row of twelve (12) parking spaces, which requires one (1) interior island. Applicant is seeking a variance to eliminate the one (1) required interior island in order to comply with other related development regulations (including landscape buffers, appropriate sidewalk width, and parking lot design). Due to the space constraints of the Property, Applicant is seeking this variance to permit twelve (12) parking spaces in a row without an interior island.

2. The special conditions and circumstances do not result from the actions of the Applicant.

The special conditions and circumstances do not result from the actions of the Applicant. Applicant is proposing to create an aesthetically pleasing new project within the confines of the Property. The Property is a corner lot that is small in size at only +/- 0.44 acres. The small size of the lot, plus the double frontage along SW 1st Street and SW 4th Avenue has created special conditions and circumstances that do not result from the actions of the Applicant. The proposed variance will ensure the adequacy of space for parking and other related development regulations including landscape buffering and sidewalk width, which will beautify the area and enhance the existing community character.

3. Granting the variance requested will not confer on the Applicant any special privilege that is denied by this chapter to other lands, buildings or structures in the same district.

Granting the variance requested will not confer on the Applicant any special privilege that is denied by this chapter to other lands, buildings, or structures in the same district. In this case, the proposed number of parking spaces, inclusive of the (1) space reduction, is permissible by the City's Code requirements. As such, sufficient parking will be provided to meet the parking demands of the use as permitted by the Code. The inclusion of the parking island will result in a greater space constraint and will be detrimental to the parking for the proposed use, and other related development regulations. The proposed variance will ensure that Applicant is able to meet the parking demands of the proposed use, while also providing significant landscaping and sidewalks along SW 1st Street and SW 4^h Avenue. Considering this, the variance will not confer on the Applicant any special privilege.

4. Literal interpretation of the provisions of this chapter would deprive the Applicant of the rights commonly enjoyed by the properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardships on the Applicant.

Literal interpretation of the provisions of this chapter would deprive the Applicant of the rights commonly enjoyed by the properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardships on the Applicant. If the Applicant were required to provide the required interior island at the required dimension, that would likely create a greater parking deficiency for the Project and would impact related development regulations including the minimum landscape buffer requirement and the pedestrian sidewalks. It appears

to be in the best interest of the Project, and the area, to instead grant the variance and permit the installation of the twelve (12) parking spaces in a row without the required interior island.

5. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure. If not granted, the Applicant will likely have to remove additional parking spaces resulting in a greater parking deficiency and doing so would not benefit the area. As mentioned, the parking area is small, consisting of only twenty-two (22) parking spaces. Only one (1) interior island is required for the proposed parking configuration. As such, the variance to remove the one (1) required parking island is the minimum variance that will make possible the reasonable use of the land. Furthermore, the Project exceeds the amount of required landscaping, which will minimize the impacts of the variance request.

6. The grant of the variance will be in harmony with the general intent and purpose of this chapter.

The grant of the variance will be in harmony with the general intent and purpose of this chapter. Granting this variance will allow for the redevelopment of the Property in a manner that creates an aesthetically pleasing new use for the Property. The intent of this code section is to prevent a sea of parking with no interior landscaped islands. However, the Property is small and will contain a total of only twenty-two (22) parking spaces. The row of spaces adjacent to the building will contain ten (10) spaces, thus no interior island is required. Only one (1) interior island is required within the row containing twelve (12) parking spaces along the south side of the Property. To mitigate the absence of the interior island, Applicant is proposing to provide significant landscaping on both sides of the twelve (12) space parking row. The landscaping will extend the entire length of the parking spaces. Additionally, Applicant is proposing to include a 10-foot landscape buffer along the entire length of SW 1st Street and SW 4th Avenue in addition to a new pedestrian sidewalk. As such, granting the variance will be in harmony with the general intent and purpose of this chapter. Failure to grant the variance does not help create a better project on the Property.

7. Such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Such variance will not be injurious to the area involved or otherwise detrimental to the public welfare. As referenced above, the amount of landscaping on the Property exceeds what is required by the City Code. Therefore, the Property has more than enough greenspace. In this case, the granting of the variance will allow for sufficient parking to be provided, and still allows for the creation of a redevelopment project.



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Pett, Inc. – 26 SW 4th Avenue
Request for Parking Reduction
12-5-22

Pett, Inc. (“Petitioner”) is the owner of the +/- 0.44-acre parcel located at 26 SW 4th Avenue (folio: 514228021510) (“Property”), which is generally located at the northwest corner of SW 1st Street and SW 4th Avenue in the City of Hallandale Beach (“City”). The Property is designated General Commercial on the City’s Future Land Use Map and has a zoning designation of Hallandale Beach Boulevard West subdistrict. Petitioner is proposing to develop a +/- 6,685 square foot veterinary clinic on the Property (“Clinic”). The Clinic is a relocation of these services from their current location on Hallandale Beach Boulevard, and will include exam rooms, a surgical area, animal grooming area, animal pharmacy, animal boarding after surgery, overnight animal boarding, and other ancillary uses. Animal hospitals and clinics are permitted in the Hallandale Beach Boulevard West subdistrict pursuant to conditional use approval. Pursuant to the development of the Project, Petitioner has submitted a conditional use application, site plan application, and two (2) variance requests.

In connection with the development of the Clinic, the Petitioner is required to provide twenty-three (23) parking spaces for the Clinic. However, in order to comply with other related development regulations (including landscape buffers, appropriate sidewalk width, and parking lot design), the Petitioner had to eliminate one (1) parking space. As a result of the forgoing, the Petitioner, would like to submit this parking waiver request in accordance with Section 32-455(c)(1) of the City’s Land Development Code. It is important to note, that although the Petitioner is removing one (1) parking space from within the Property, they are providing three (3) parking spaces adjacent to the Property, in the public right of way. These additional spaces can serve visitors of the Clinic, or the general public. As evidenced by the traffic statement provided, the Clinic is a low traffic generator, therefore, providing one less parking space will not hinder the operation of the business.

As a result of the forgoing, the Petitioner would like to request an administrative parking waiver pursuant to Section 32-455(c)(1) of the Code. As outlined in this Code section, the City manager may approve a reduction of the parking standards up to ten percent (10%) of the required number of spaces. The proposed reduction of one (1) parking space is less than 10% of the total required parking spaces. As such, Petitioner respectfully requests the approval of the parking reduction, for a total of twenty-two (22) parking spaces on the Property.