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CITY OF COOPER CITY
PLANNING DIVISION

**First Baptist Church of Southwest Broward, Inc.
Parking Variance Justification**

First Baptist Church of Southwest Broward, Inc. (“Applicant”) is the owner of the 8-acre parcel generally located on the east side of N. Palm Ave., between Sheridan St. and Stirling Rd. in Cooper City (“Property”). The Property contains a split zoning designation, with a portion containing a Broward County zoning designation of A-1 (Agricultural Estate) and the remaining portion containing a Cooper City zoning designation of X-1 (Civic District). The entire Property has a future land use designation of Estate. The Property is currently developed with a church and private school associated with the church use on the portion of the Property zoned X-1. The Applicant is proposing to construct the following accessory uses on the portion of the Property containing the A-1 zoning designation; a new 23,000 square foot gymnasium building with additional classrooms, a new playground with 2 basketball courts and additional parking (“Project”). The gymnasium building will contain 2 elementary school classrooms, 4 middle school classrooms, and 4 high school classrooms with a total of 200 maximum students, while the existing church and school building contains 8 classrooms for grades K4-3rd with a total of 190 maximum students. Upon completion of the Project, the two school buildings will have a total maximum of 390 students.

First Baptist Academy is part of the Florida Christian Activity Association (FCAA), a small Christian school league, serving schools with under 500 students. The school will have a basketball and volleyball league with approximately 75-100 attendees at each game with between 50-75 students participating in the after school athletic program. Occasionally, students may be transported off property using a school vehicle, such as a van or bus to practice on a rented field or gym off-site or play an away game. Aftercare is available for all ages from 3:45 pm – 6:00 pm on Monday-Friday. There are typically around 10-20 students in the aftercare program on any given day.

In order to develop the accessory uses on the Property, the following applications and approvals are being requested: 1.) rezoning application to change the zoning designation from Broward County A-1 to the Cooper City zoning designation of X-1 (Civic District); 2.) a site plan application; 3.) a conditional use application to allow the accessory uses for the school use in the X-1 zoning district; 4.) an amendment to the restrictive note on the plat; and 5.) a variance to allow the uses on both sites to operate with 236 parking spaces rather than 328 parking spaces.

Per the City's variance application, the Applicant must demonstrate compliance with the following standards for approval:

a) Special and unique conditions exist which are peculiar to the petitioner's case and which are not generally applicable to other property located in the zoning district.

Special and unique conditions exist which are peculiar to the Applicant's case. The Property is currently developed with a church and a private school. The Applicant is proposing to construct a new gym building with additional classrooms on the vacant land area to the east of the existing church. The amount of parking required for the two uses is unique to this case as the two uses are controlled by a single owner, operate separately, and at different times, making this a perfect situation to share parking. The church operates on Sundays from 9:45 am – 12:15 pm and 6:00 pm – 7:15 pm and Wednesday evenings from 7:00 pm – 8:15 pm, while the school operates Monday – Friday from 8:45 am – 3:45 pm with after school sports, activities and after school care operating on Monday – Friday from 3:45 pm – 6:00 pm.

As evidenced by the schedules provided, the two uses do not operate at the same time, which allows them to share the same parking spaces, therefore not requiring the 328 parking spaces required by Code for each individual use.

b) The special and unique conditions are not directly attributable to the actions of the petitioner.

The special and unique conditions are not directly attributable to the actions of the Applicant. The Applicant owns the Property in its current condition with the water body located to the east and the single-family homes located to the north. Requiring the installation of parking spaces for this particular use are constrained by the existing physical conditions of the surrounding property. Furthermore, from a practical perspective additional parking is not needed, requiring the Applicant to provide additional parking spaces when there are already sufficient spaces available on site just creates more asphalt that unnecessarily negatively impacts the environment.

- c) **The literal interpretation of the zoning code, as applied to the petitioner, would deprive the petitioner of rights commonly enjoyed by the owners of other property in the zoning district.**

Requiring the Applicant to provide the additional 92 parking spaces as required by Code would deprive the Applicant of rights commonly enjoyed by the owners of other property in the A-1 and X-1 zoning districts as it would not allow the Applicant to operate the church and school uses together on the Property. In this case, the Applicant owns the land surrounding the proposed use as well as the existing property and uses. To deny the variance application would deprive the Applicant of reasonable use of the Property because any use contemplated by the Applicant would likely require a variance considering the types of uses that the Applicant is likely to request on property that they own.

- d) **The variance granted is the minimum variance necessary for the petitioner to make reasonable use of the property.**

The variance requested is the minimum variance necessary for the Applicant to make reasonable use of the Property. As previously stated, the site plan provides the maximum amount of parking spaces that can be constructed on the Property with the new gym building/classrooms due to the physical restraints placed on the site design by the existing lake and buildings on the Property. Furthermore, there is ample parking available on property owned by the Applicant which is directly adjacent to the proposed use. Granting the request will allow the Applicant to make reasonable use of the Property.

- e) **Granting the variance is not detrimental to the public welfare, or injurious to property or improvements in the zoning district or neighborhood involved.**

Granting the variance will not be detrimental to the public welfare, or injurious to property or improvements in the zoning district or surrounding neighborhood. As stated above, the two uses operate at different times, utilizing shared parking. Therefore, there will be no vehicles blocking traffic or parking off-site. The provided 236 parking spaces is sufficient to meet the needs of the two uses on the Property. Additionally, no parcels outside of the Applicant's Property will be impacted by the granting of the requested variance.

- f) **Granting the variance is not contrary to the objectives of the Comprehensive Plan as adopted April 6, 1989 by the Cooper City Commission.**

The proposed use is not contrary to the City's adopted Comprehensive Plan. Specifically, the City's Future Land Use Element of the Comprehensive Plan, residential land use categories (which includes the Estate land use designation) provides that: "community facilities designed to serve the residential area including, schools, day care centers, churches, governmental administrative, police and fire stations, museums, libraries and civic centers."

Furthermore, the proposed use is consistent with the following policies listed in the Comprehensive Plan:

Policy 1.2.5: Promote infill development by encouraging new projects to locate adjacent to existing development where water and wastewater facilities are in place and through the provision of potable water and sanitary sewer service to those developed areas, which are currently inadequately served.

The Property is located within an existing urbanized area, thus not considered to be urban sprawl. The proposed Project will allow for the development of a vacant parcel in an urbanized area. Public facilities and services are available to the Property.

Policy 2.2.1: Cooper City shall continue to assure that all new development has safe and adequate direct access to roadways.

The Property is located on N. Palm Ave. between Sheridan St. and Stirling Rd. Both Sheridan St. and Stirling Rd. have direct access to I-95 and I-75. Additionally, N. Palm Ave. (also named Nob Hill Rd.) runs through the entirety of Broward County and into Miami-Dade County, traversing many major roadways.