



## CITY COMMISSION ORDINANCE/RESOLUTION

**TITLE:** Resolution 22-48 (Community Development)

**DESCRIPTION:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, GRANTING THE REQUEST FOR VARIANCE PETITION #V10-6-21, ATTACHED HERETO AS EXHIBIT "A" AND INCORPORATED HEREIN, SUBMITTED BY NUR-UL-ISLAM OF SOUTH FLORIDA, INC., FOR THE PROPERTY GENERALLY LOCATED AT 10600 S.W. 59<sup>TH</sup> AVENUE IN COOPER CITY, FLORIDA; GRANTING A VARIANCE FROM BROWARD COUNTY CODE SECTION 39-367 AND SECTION 39-103 TO ALLOW FOR THE CONSTRUCTION OF A TWO-STORY MOSQUE TOTALING 11,927 SQ/FT, INCLUDING ONE MINARET TOWER AT A HEIGHT OF 100FT AND TWO MINARET TOWERS AT A HEIGHT OF 70FT, ALONG WITH A DOME AT 51FT IN HEIGHT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**CITY MANAGER RECOMMENDATION:**

The City Manager recommends the Planning and Zoning Board's **Approval** of the proposed Variance At their meeting on October 17, 2022, the vote was 5-3 with Mr. David Rouse, Ms. Kelly Brown and Mr. Jim Federici, dissenting.

**ANALYSIS:**

This item is a variance petition seeking deviation from Broward County Code Section 39-367 & 39-103 which limits a height of two stories (20ft.) plus 25% for towers/domes if the building is located within 200ft of a residentially zoned property. The mosque building is proposed 192ft from a residentially zoned property.

The new two-story mosque building totals 11,927 sq./ft. On the roof of this building are 3 minaret towers with one at 100ft and two at 70ft along with a dome at 51ft in height. The new mosque building at 35ft and a minaret at 100ft had been previously approved by Broward County in Sept of 2000 when the property was unincorporated, but that height variance expired after 180 days. The request is to restore the mosque building on the site plan as originally approved by the County along with two new 70ft minarets and a 51ft dome.

HISTORICAL BACKGROUND:

- 10/21/1999 Pre-annexation paperwork filed with Cooper City which included a letter to Mike Woolsey (Planning Dept. Director), which noted Broward County approvals for the construction of up to 36,000 sq/ft of a full-time school building and a mosque/hall facility. (Letter in variance justification packet)
  
- 9/7/2000 Broward County approved a height variance of a 28ft tall school building, 30ft for a cafeteria, 35ft for a mosque, and 100ft for a tower instead of the maximum allowable height of 20ft. Variance approval expired after 180 days per County Code section 39-43. (County variance approval in justification packet).
  
- 10/1/2000 Nur-UI-Islam property is annexed into the City of Cooper City.

**VARIANCE JUSTIFICATION:** The applicant has responded to the variance review criteria in an effort to justify approval of the variance stating that both domes and minarets are important features of Islamic architecture.

The applicant’s full justification packet is included in the backup materials.

The proposed heights will need approval from the Broward County Aviation Dept.

**STRATEGIC PLAN:**

Provides additional school capacity and religious opportunities to residents of the City.

**FISCAL IMPACT:**

None

**ATTACHMENTS:**

- Ex.1 – Resolution 22-48
- Ex.2 - Variance Backup Docs (apps, just. statement, pre-annex letter, County approval)
- Ex.3 - P&Z Minutes
- Ex.4 - Elevation Plans

Workflow History			
User	Task	Action	Date/Time
Chockley, Jason	NEW ITEM: Not Yet Routed	*COMPLETE: Forwar...	11/16/22 04:50 PM
Horowitz, Jacob	Assigned to Attorney	COMPLETE: Forwar...	11/16/22 04:50 PM
Napoli, Joseph	Assigned to City Manager	COMPLETE: Forwar...	11/16/22 06:16 PM
Allen, Tedra	Assigned to City Clerk	APPROVE ITEM: En...	11/17/22 08:48 AM
Allen, Tedra	END WORKFLOW - APPROV...		11/17/22 10:48 AM