



Staff Report

File #: LN-199

Zoning Board of Appeals
Meeting Date: November 18, 2021

SPECIAL EXCEPTION - SILVER THATCH ATLANTIC PLAZA CONDO

Request: Special Exception
P&Z# 21-17000010
Owner: Silver Thatch Atlantic Plaza Condo
Project Location: 531 N Ocean Blvd
Folio Number: 8331 CA COMM
Land Use Designation: H- High 25-46 DU/AC
Zoning District: RM-45 (Multiple-Family Residence 45)
Agent: Rachael Barach
Project Planner: Scott Reale

Summary:

The Applicant Landowner is requesting SPECIAL EXCEPTION approval as required by Section 155.4220(B) (1) [Districts Where Permitted] of the City's Code of Ordinances in order to utilize a former security guard post on the subject property (Zoning District: RM-45) as a professional office.

ZONING REGULATIONS

§155.4220. COMMERCIAL: OFFICE USES

B. Professional Office

1. Districts Where Permitted

RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1	B-2	B-3	B-4
							S	S	S	S		P	P	P	P

M-1	CR	I-1	I-IX	OIP	M-2	TO	PR	CF	PU	T	BP	RPUD	PCD	PD-TO	LAC	PD-1
P		P	P	P		P						P	P	P	P	P

2. Definition

A professional office is a building or portions of a building used for conducting the affairs of businesses offering professional services (e.g., offices of lawyers, engineers, architects), financial services (e.g.,

investment banking, stock brokerage, credit card services), or business services (e.g., consulting firms), or the buying or selling of real or personal property, services, or other products (e.g. artwork, artifacts). This use may also include offices for physicians and other health care professionals without examination and treatment. Offices used for examination and treatment shall be considered a Medical or Dental Clinic.

3. Standards

In the RM-12 District, a professional office use is allowed as a Special Exception only if the total gross floor area is 2,000 square feet or less.

PROPERTY INFORMATION/LAND USE PATTERNS

Subject Property (Zoning District | Existing Use): RM-45 | high-rise condominium

Surrounding Properties (Zoning District | Existing Use):

- North: RM-30 | multi-family dwelling (Five Fifty Five Ocean Townhomes)
- South: RM-45 | single-family dwelling and multi-family dwelling (Atlantic Villas)
- West: RM-45 | multi-family dwelling (Lion’s Gate Silver Thatch)
- East: RM-45 | multi-family dwelling (Silver Thatch Ocean Club)

The subject property has no open code compliance cases, no open building permits, and no Business Tax Receipts. The Silver Thatch Atlantic Plaza Condominium complex was built in the late 1970s and comprises two high-rise residential towers. The Declaration of Condominium was originally recorded in the Official Records of Broward County in ORB 7000, PG 771 on 4/25/1977 and outlined the common elements.

The request is to allow a former security guard post to serve as a professional real estate office. Professional offices are most common and permitted by right in commercial zoning districts, i.e. B-1, B-2, B-3, B-4. A Special Exception is required when a professional office is proposed in a multiple-family residence zoning district.

The applicant’s narrative states that the intended use is for a satellite office which won’t bring any public to disturb surrounding areas. Staff would like clarification on whether the office will be open to the public. Although it’s not noted in the narrative or the plans, previous correspondence with the applicant indicates the office square footage is 99.17 sq ft. One parking space per 400 sq ft of office space is the parking requirement.



SPECIAL EXCEPTION REVIEW STANDARDS

A Special Exception shall be approved only on a finding that there is competent substantial evidence in the record that the Special Exception, as proposed:

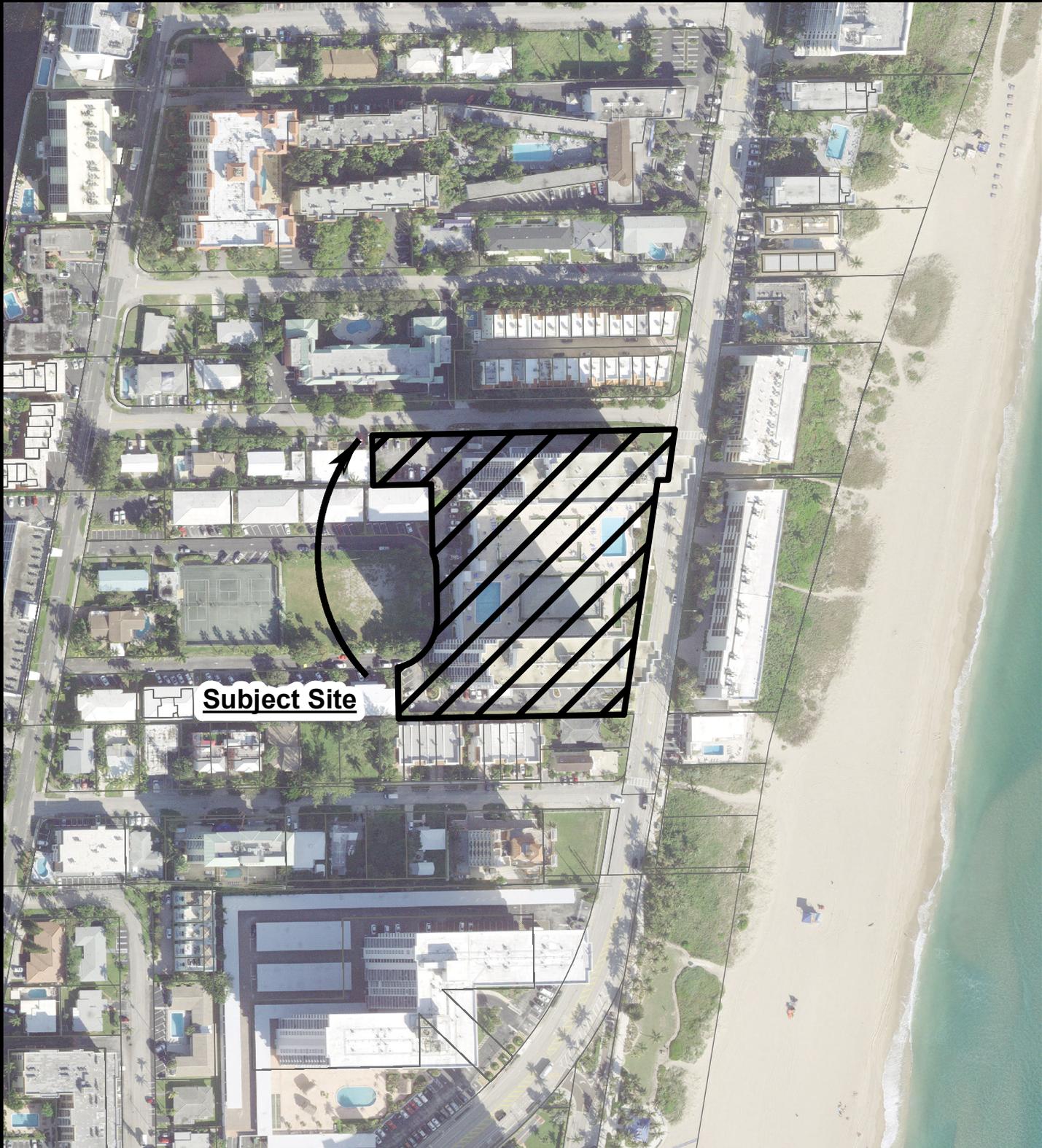
1. Is consistent with the comprehensive plan;
2. Complies with all applicable zoning district standards;
3. Complies with all applicable use-specific standards in Article 4: Use Standards;
4. Avoids overburdening the available capacity of existing public facilities and services, including, but not limited to, streets and other transportation facilities, schools, potable water facilities, sewage disposal, stormwater management, and police and fire protection;
5. Is appropriate for its location and is compatible with the general character of neighboring lands and the uses permitted in the zoning district(s) of neighboring lands. Evidence for this standard shall include, but not be limited to, population density, intensity, character of activity, traffic and parking conditions and the number of similar uses or special exception uses in the neighborhood;
6. Avoids significant adverse odor, noise, glare, and vibration impacts on surrounding lands regarding refuse collection, service delivery, parking and loading, signs, lighting, and other site elements;
7. Adequately screens, buffers, or otherwise minimizes adverse visual impacts on neighboring lands;
8. Avoids significant deterioration of water and air resources, scenic resources, and other natural resources;
9. Maintains safe and convenient ingress and egress and traffic flow onto and through the site by vehicles and pedestrians, and safe road conditions around the site and neighborhood;
10. Allows for the protection of property values and the ability of neighboring lands to develop uses permitted in the zoning district;
11. Fulfills a demonstrated need for the public convenience and service of the population of the neighborhood for the special exception use with consideration given to the present availability of such uses;
12. Complies with all other relevant city, state and federal laws and regulations.; and
13. For purposes of determining impacts on neighboring properties and/or the neighborhood, the terms neighboring properties and neighborhood shall include the area affected by the requested special exception, which is typically an area of 500 ft to a one-half mile radius from the subject site.

Staff Conditions:

Should the Board determine the applicant has provided competent substantial evidence sufficient to satisfy the thirteen Special Exception review standards, staff request the Board include the following conditions as part of the Order:

1. Obtain all necessary governmental permits and approvals, including site plan approval, building and zoning compliance permits with all necessary final inspections, zoning use certificate and city-issued Business Tax Receipt.

CITY OF POMPANO BEACH AERIAL MAP



Subject Site

1 in = 208 ft

531 N Ocean Blvd

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES