

ST. PHILIP CHURCH

Variance Application

PROJECT SUMMARY

November 23, 2021

I. INTRODUCTION

Randall Granberry of RDG Development Group, LLC, on behalf of St. Philip Church of the Living God, Inc., (Owner/Applicant), is requesting approval for a **Zoning Board of Appeals Variance application**. The affected parcel is under Folio No.: 48-42-33-04-02-90 and located at 2505 NW 3rd Street, Pompano Beach, FL 33069 within the City of Pompano Beach. The parcel size is +/- 0.8 AC (1,912 SF), it possesses a Community Business (B-2) Zoning Designation and a Commercial (C) and Residential Low 1-5 dwelling units per acre (L1-5du/ac) Land Use Designations and it is within the Community Redevelopment Area (CRA).

II. REQUEST

One (1) variance to Article 5, Part 1, Section 155.5101.G.3.a to allow the parcel's direct driveway access to be less than 100 feet from the SE intersection of NW 3rd Street and N Powerline Road.

III. CODE

Per Section 155.2420. Variance - a variance application shall be approved only on a finding that there is competent substantial evidence in the record that all the following standards are met:

- a. There are extraordinary and exceptional conditions (such as topographic conditions, narrowness, shallowness, or the shape of the parcel of land) pertaining to the particular land or structure for which the Variance is sought, that do not generally apply to other lands or structures in the vicinity;

RESPONSE: The one (1) variance requested meets the extraordinary and exceptional conditions provided by code.

- b. The extraordinary and exceptional conditions referred to in paragraph a., above, are not the result of the actions of the landowner;

RESPONSE: The one (1) variance requested is not the result of the landowner. The owners both the parcel with this existing condition.

- c. Because of the extraordinary and exceptional conditions referred to in paragraph a., above, the application of this Code to the land or structure for which the Variance is sought would

effectively prohibit or unreasonably restrict the utilization of the land or structure and result in unnecessary and undue hardship;

RESPONSE: Correct, not approving the variance will result in a hardship to the existing place of worship (church) and the inability to utilize this parcel for any other use.

- d. The Variance would not confer any special privilege on the landowner that is denied to other lands or structures that are similarly situated.

RESPONSE: The one (1) variance requested will not provide any privilege or special exemption to the landowner. Unfortunately, without this variance the church or any other use can be developed on this parcel.

- e. The extent of the Variance is the minimum necessary to allow a reasonable use of the land or structure;

RESPONSE: The one (1) variance is the minimum variance required to develop this parcel.

- f. The Variance is in harmony with the general purpose and intent of this Code and preserves its spirit;

RESPONSE: Yes, the one (1) variance will not interfere with the purpose and intent of the Code and its spirit.

- g. The Variance would not adversely affect the health or safety of persons residing or working in the neighborhood, be injurious to property or improvements in the neighborhood, or otherwise be detrimental to the public welfare; and

RESPONSE: No, the proposed one (1) variance will not adversely impact the health or safety of any person within this neighborhood. In fact, the current access has been in place for many years and there has been no signs or cases of unsafe vehicular incidents due to the access location of this parcel. The proposed parking conversion from grass to asphalt, the new landscape, new curbing, and new access should be making the existing vehicular circulation even better.

- h. The Variance is consistent with the comprehensive plan.

RESPONSE: The one (1) variance is consistent to the comprehensive plan.

1. The following factors do not constitute sufficient grounds for approval of a Variance:

- a. A request for a particular use that is expressly, or by inference, prohibited in the zoning district;

RESPONSE: Understood. The one (1) variance is for an existing and approved Place of Worship use within the B-2 zoning district.

- b. Hardships resulting from factors other than application of requirements of this Code;

RESPONSE: The one (1) variance was not created by the owners; the existing access has been in its current location for many years.



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- c. The fact that land or a structure may be utilized more profitably or be more marketable with a Variance; or

RESPONSE: N/A. The one (1) variance request is for the use of the existing Place of Worship use and not for the selling of the parcel.

- d. The citing of other nonconforming or conforming uses of land or structures in the same or other zoning districts.

RESPONSE: Understood. The property owners are aware of this unique condition and they are not citing any parcels or projects as part of this request.