



City of Pompano Beach  
Department of Development Services  
Planning & Zoning Division

100 W. Atlantic Blvd Pompano Beach, FL 33060

Phone: 954.786.4679 Fax: 954.786.4666

## Administrative Adjustment

Administrative Adjustment	
<input type="checkbox"/> Minor	<input checked="" type="checkbox"/> Major

**DEADLINE:** Initial paper submission and fee must be received by 4:00 PM each business day.

For Major Administrative Adjustments ONLY: electronic file submission must be uploaded into the ePlan system within 24 hours of this deadline. Refer to the "Meeting Schedules and Deadlines" document provided on the City website for DRC submission dates.

### Application Review Process:

Application Type	Step 1	Step 2	Step 3	Step 4
Minor Administrative Adjustment (Pg. 2)	Pre-Application Meeting (Optional)	Staff Review	Development Order from the DSD	-
Major Administrative Adjustment (Pg. 4)	Pre-Application Meeting (Optional)	DRC Review	P&Z Review	Development Order from the P&Z

**MINOR APPLICATION SUBMISSION PROCESS:** **BOTH** the paper and the digital submission (see below) shall be submitted to the Zoning Inquires counter. The digital submission shall be submitted via a flash drive. There will not be an ePlan link sent to the applicant for a Minor Administrative Adjustment.

**MAJOR APPLICATION SUBMISSION PROCESS:** Upon reception of the **PAPER SUBMISSION** (see below) at the Zoning Inquires counter, an email will be sent to the agent with a link to ePlan where all project drawings and documents listed in the **DIGITAL SUBMISSION** section (see below) shall be uploaded.

### Initial Application Checklist:

<b>PAPER</b>	<input checked="" type="checkbox"/>	One (1) completed application with original signatures. (pg. 6)*
	<input checked="" type="checkbox"/>	Owner's Certificate (must be completed by the Landowner). (pg. 7)*
	<input checked="" type="checkbox"/>	Application Fee as established by resolution of the City Commission. See <a href="#">Appendix C - Fee Schedule</a> in the Information section of the P&Z webpage.
<b>DIGITAL</b>	<input checked="" type="checkbox"/>	Written Narrative with list of each requested Minor Administrative Adjustment and point-by-point response to each Review Standards/ Narratives must be on letterhead, dated, and with author indicated. <b>(Digital copy in WORD)</b>
	<input checked="" type="checkbox"/>	Legal Description <b>(Digital copy in WORD)</b>
	<input checked="" type="checkbox"/>	Current survey. <i>Surveys to be recent and must show all improvements on the property.</i>
	<input checked="" type="checkbox"/>	Conceptual Site Plan demonstrating requested Administrative Adjustment.

\*Updated copies of the application, proof of ownership, or narrative may be required if information has changed. For example, if the property ownership changes, the owner's certificate and application will need to be revised with the City file

P&Z

PZ21-16500001

9/22/21

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## Administrative Adjustment

### 155.2421. Administrative Adjustment (Minor)

(Below is a summary of Section 155.2421. For the complete language, please refer to the Zoning Code)

#### APPLICABILITY

Developments located within any Zoning District are eligible to apply for a Minor Administrative Adjustment as listed in the below table:

STANDARD	ADJUSTMENT		STANDARD	ADJUSTMENT	
	AOD or Brownfield	Other Development		AOD or Brownfield	Other Development
Minimum yard setback, minimum lot width	30%	20%	Minimum vehicular use area landscaped median width	20%	10%
Maximum Lot Coverage	n/a	20%	Minimum landscaping area width between vehicular use areas and buildings	20%	10%
Maximum yard encroachment	30%	20%	Minimum spacing of building base shrubs	20%	10%
Minimum stacking lane distance	20%	10%	Minimum perimeter buffer width or planting rate	20%	10%
Minimum or maximum number of off-street parking or loading spaces	20%	10%	Minimum street tree planting rate or spacing	20%	10%
Maximum percentage of shared or valet or tandem off-street parking spaces	20%	10%	Minimum screening height	1 Ft.	1 Ft.
Minimum walking distance between shared or off-site parking spaces and pedestrian entrances of buildings they serve	20%	10%	Maximum fence or wall height	1 Ft.	1 Ft.
Minimum number of off-street bicycle spaces	20%	10%	Maximum lighting height	10%	5%
Minimum height of vegetation at planting	20%	10%	Minimum or maximum illumination level	10%	5%
Minimum number of site landscaping plantings	20%	10%	Maximum multifamily building size	10%	5%
Minimum vehicular use area perimeter landscaping strip width, plant height, or plant spacing	20%	10%	Maximum percentage of street frontage occupied by off-street parking beside a building	10%	5%
Minimum pervious area of lot or Minimum pervious area of required front yard	30%	20%	Maximum percentage of large retail establishment off-street parking located between building and street it faces	10%	5%
TO: Maximum Building Length of 300-Feet	10%	10%	TO: Ground Floor Active Use Liner Minimum Depth (20-feet)	10%	10%
TO: Front Property Line Access: 1 Per 250 Feet	10%	10%	TO: Minimum Lot Depth and Width	n/a	n/a
TO: Floor Plate Size Above 5 <sup>th</sup> Floor	10%	10%	TO/EOD: Active Use Required on Tertiary Streets in the Core and Center	n/a	n/a
TO: Maximum Block Length and Perimeter	n/a	n/a		-	-
TO/EOD: Minimum open space size of 4,800 SF (not applicable to density bonus provision)	n/a	n/a		-	-

**REVIEW STANDARDS**

**(Each standard MUST be addressed in writing.)**

An application for a Minor Administrative Adjustment shall be approved only on a finding that the Adjustment:

- a. The requested Administrative Adjustment is not inconsistent with the character of development in the surrounding area, and will not result in incompatible uses.
- b. Any adverse impacts resulting from the Administrative Adjustment will be mitigated to the maximum extent practicable.
- c. The Administrative Adjustment is of a technical nature (i.e., relief from a dimensional or design standard), and is either:
  - 1. Required to compensate for some unusual aspect of the development site or the proposed development that is not shared by landowners generally;
  - 2. The proposed adjustment will provide an alternative which will achieve the purposes of the requirement through clearly superior design; or
  - 3. Proposed to protect sensitive natural resources or save healthy existing trees.
- d. The Administrative Adjustment will not substantially interfere with the convenient and enjoyable use of adjacent lands, and will not pose a danger to the public health or safety.
- e. The Administrative Adjustment is supporting an objective from the General Purpose statements of the base zoning districts where located, as specified in Sections 155.3201, 155.3301, 155.3401, or within a Purpose statement of a Special Base Zoning District, a Planned Development Zoning District, or an Overlay Zoning District.
- f. The Administrative Adjustment is consistent with the comprehensive plan.

**PROCEDURE**

- 1. Pre-Application Meeting with Principal Planner (optional).
- 2. Final decision by the Development Service Director.

**155.2421. Administrative Adjustment (Major)**

*(Below is a summary of Section 155.2421. For the complete language, please refer to the Zoning Code)*

**APPLICABILITY**

Developments located within the Atlantic Boulevard Overlay district (AOD), Transit-Oriented (TO) district, Community Redevelopment Area Overlay (CRAO) district, and any Non-Residential District, are eligible to apply for a Major Administrative Adjustment as listed in the below table:

STANDARD	ADJUSTMENT	STANDARD	ADJUSTMENT
Minimum yard setback, minimum lot width	40%	Minimum vehicular use area landscaped median width	30%
Maximum Lot Coverage	40%	Minimum landscaping area width between vehicular use areas and buildings	30%
Maximum yard encroachment	40%	Minimum spacing of building base shrubs	30%
Minimum stacking lane distance	30%	Minimum perimeter buffer width or planting rate	30%
Minimum or maximum number of off-street parking or loading spaces	40%	Minimum street tree planting rate or spacing	30%
Maximum percentage of shared or valet or tandem off-street parking spaces	30%	Minimum screening height	3 Ft.
Minimum walking distance between shared or off-site parking spaces and pedestrian entrances of buildings they serve	30%	Maximum fence or wall height	3 Ft.
Minimum number of off-street bicycle spaces	30%	Maximum lighting height	20%
Minimum height of vegetation at planting	30%	Minimum or maximum illumination level	20%
Minimum number of site landscaping plantings	30%	Maximum multifamily building size	20%
Minimum vehicular use area perimeter landscaping strip width, plant height, or plant spacing	30%	Maximum percentage of street frontage occupied by off-street parking beside a building	20%
Minimum pervious area of lot or Minimum pervious area of required front yard	40%	Maximum percentage of large retail establishment off-street parking located between building and street it faces	20%
TO: Maximum Building Length of 300-Feet	20%	TO: Ground Floor Active Use Liner Minimum Depth (20-feet)	20%
TO: Front Property Line Access: 1 Per 250 Feet	15%	TO: Minimum Lot Depth and Width	10%
TO: Floor Plate Size Above 5th Floor	15%	TO/EOD: Active Use Required on Tertiary Streets in the Core and Center	20%
TO: Maximum Block Length and Perimeter	10%		
TO/EOD: Minimum open space size of 4,800 SF (not applicable to density bonuses provisions)	20%	-	-

**REVIEW STANDARDS**

**(Each standard MUST be addressed in writing.)**

An application for a Major Administrative Adjustment shall be approved only on a finding that the Adjustment:

- a. Achieves the intent of the subject standard to the same or a higher degree than the subject standard;
- b. Is consistent with the comprehensive plan and advances the goals of this Code to the same or a higher degree than the subject standard;
- c. Imposes no greater impacts on adjacent lands than would occur through compliance with the specific requirements of this Code; and
- d. Provides one or more of the following public benefits to an extent sufficient to compensate for the requested modification of standards:
  1. Deed-restricted workforce and/or affordable housing;
  2. Permanent conservation of natural areas or lands;
  3. Preservation of protected trees in addition to that required by this Code's tree preservation standards;
  4. Protection against flood damage in addition to that required by the floodplain management requirements in Chapter 152 (Buildings) of the Code of Ordinances;
  5. Permanent protection of scenic views;
  6. Public parks and recreational facilities;
  7. Public trails and trail linkages;
  8. Public art;
  9. Cultural or historic facilities deeded to the city or qualified not-for-profit agencies; or
  10. Other benefits approved by the P&Z.

**PROCEDURE**

1. Pre-Application Meeting with Principal Planner.
2. DRC review and comment.
3. Recommendation by the Development Service Director.
4. Final decision by the P&Z, following a quasi-judicial public hearing.



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**Administrative Adjustment**

Administrative Adjustment	
<input type="checkbox"/> Minor	<input checked="" type="checkbox"/> Major

Street Address: 2250 N Federal Highway	Folio Number: 4843 3045 0010	Zoning District: B-3
Subdivision: Wellens Family Trust Property 178-150	Block: Parcel A	Lot:
Project Name: Chick-Fil-A Drive Thru Modification		
Applicant's interest in property (Owner, Lessee, Etc.)	Owner	
Has any previous application(s) been filed?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
If Yes, give date of hearing and finding:		

Owner's Representative or Agent	Landowner (Owner of Record)
Business Name (if applicable): Bowman Consulting Group Ltd.	Business Name (if applicable): The David R Wellens revocable trust U/A 06/01/05
Print Name and Title: Jenny Baez, Branch Manager	Print Name and Title: David R. Wellens, Trustee.
Signature: 	Signature: 
Date: June 30, 2021	Date: 7/2/2021
Street Address: 910 SE 17th Street, Suite 300	Street Address: 616 Rosa Court
Mailing Address City/ State/ Zip: Fort Lauderdale, FL 33316	Mailing Address City/ State/ Zip: Palm Beach Gardens, FL 33410
Phone Number: 954-814-8468	Phone Number: 561.801-0605
Email: jbaze@bowman.com	Email: davidwellens@aol.com
Email of ePlan agent (if different): jbaze@bowman.com	

P&Z

PZ21-16500001  
9/22/21

**OWNER'S CERTIFICATE**

This is to certify that I am the owner of the subject lands described in this application and that I have authorized the filing of the aforesaid application.

By signing below, I acknowledge that development applications must have a determination by the governing municipality of approved, approved with conditions, or denied within 120 days from a complete submittal for projects that do not require final action through a quasi-judicial hearing or a public meeting and within 180 days from a complete submittal for projects that do require final action through a quasi-judicial hearing or a public meeting per FL Stat § 166.033 and the Pompano Beach Code Section 155.2303.F.3. It is the responsibility of the applicant to receive all final Development Orders and receive this determination within the allotted timeframe. If the applicant fails to resubmit an application within 30 calendar days after being first notified of deficiencies of the submittal, the application shall be considered withdrawn and a \$100 non-refundable administrative fee will apply (155.2303.F.2.b). Additionally, if all required approvals are not received within the allotted timeframe the application will automatically be denied unless both the City and the applicant agree to an extension of time (155.2303.I).

**Owner's Name:**  
(Print or Type)

The David R Wellens revocable trust U/A 06/01/05, David R. Wellens, Trustee

**Address:**

616 Rosa Court

Palm Beach Gardens,

FL 33410

(Zip Code)

**Phone:**

561-801-0605

**Email address:**

davidwellens@aol.com

(Signature of Owner or Authorized Official)

**SWORN AND SUBSCRIBED** before me this 9<sup>th</sup> day of July, 2021 by means of  
☒ physical presence or ☐ online notarization.

**NOTARY PUBLIC, STATE OF FLORIDA** maine

(Name of Notary Public: Print, stamp, or Type as Commissioned.)

J. PENA  
Notary Public - Maine  
My Commission Expires Aug 7, 2024

☐ Personally know to me, or  
☒ Produced identification:

(Type of Identification Produced)