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Point By Point 155.2420 Variance Review Standards

- 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;**
I purchase my property in 1997. My home was built in 1965. I have applied for several permits over the years for improvements and upgrades to the property. Fortunately, none have required any type of special exception. All modifications were within property lines, easements and setbacks.
- b. **The extraordinary and exceptional conditions referred to in paragraph a., above, are not the result of the actions of the landowner;**
Because all previous permit applications for modifications were within the easement and setback requirements, I did not foresee the 15 foot from rear property line requirement; I only anticipated the 6-foot Utility Easement requirement.
- 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;**
Two of my neighbors have pools, one of which is not maintained or chemically treated properly, and has created a huge breeding ground for disease spreading mosquitos. It is nearly impossible to use the backyard area of my property without the use of bug spray, candles, fans, etc. Constructing a screened-in patio would allow my family and I to use the backyard comfortably without being eaten alive. Additionally, the solid roof structure would offer some relief from the dangers of the hot Florida sun.
- d. **The Variance would not confer any special privilege on the landowner that is denied to other lands or structures that are similarly situated;**
The screened-in patio enclosure would be within all my property lines. Specifically, it would be 15+ feet from my North property line, 28+ feet from my South property line and 6 foot from the rear property line; not encroaching into the rear Utility Easement.
- e. **The extent of the Variance is the minimum necessary to allow a reasonable use of the land or structure;**
I am only requesting additional space from the rear property line. The purpose of the screened-in patio is not to enclose the entire yard, only the area directly behind my home allowing access from my home and out to the patio
- f. **The Variance is in harmony with the general purpose and intent of this Code and preserves its spirit;**
The structure design will be proportionate to the size of my home. The screened-in patio design will also enhance the rear and side yard appearance to my neighbors.
- 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;**
The structure would be contained to the area behind my home and have no impact on the neighboring properties. There would be enough clearance to allow FPL access, when needed, for clearing foliage from power lines along the rear Utility Easement
- h. **The Variance is consistent with the comprehensive plan;**
As a long-time owner of my older Pompano Beach home, I endeavor to enhance and upgrade my property regularly in an effort to maintain the appearance and aesthetic appeal comparable with the other homes in my area. My periodic improvements have helped uphold the value and beauty of my home. I believe the screened-in patio is would continue my enhancement efforts and afford me the opportunity to utilization a larger portion of my property.