



City of Pompano Beach

100 West Atlantic Blvd.
Pompano Beach, FL 33060

Staff Report

File #: LN-127

Zoning Board of Appeals
Meeting Date: May 20, 2021

VARIANCE - TAMMY ANDERSON

Request: Variance
P&Z# 21-11000008
Owner: Tammy Anderson
Project Location: 3170 NE 11 Avenue
Folio Number: 4842 24 15 1450
Land Use Designation: L-Low 1-5 DU/AC
Zoning District: RS-3 (Single Family Residence 3)
Agent: Tammy Anderson
Project Planner: Scott Reale

Summary:

Applicant Landowner is requesting a Variance from Section 155.4303(OO)(3) [Screened Enclosures with Screen Roof], of the Pompano Beach Zoning Code, in order to allow the placement of a screen enclosure to be located six (6) feet from a rear yard lot line, rather than setback a minimum 15 feet as required by code.

The property is located on the east side of NE 11th Avenue between NE 30th Street and NE 33rd Street.

ZONING REGULATIONS

155.4303. STANDARDS FOR SPECIFIC ACCESSORY USES AND STRUCTURES

OO. Screened Enclosures with Screen Roof

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
A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A

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

2. Definition

Screened Enclosures with a screen roof is a building or part thereof, in whole or in part self-supporting, and having walls of insect screening with or without removable vinyl or acrylic wind break panels and a roof of insect screening material.

3. Standards

A screened enclosure with a screen roof may be permitted in a required rear yard, provided it shall be at least 15 feet from the rear lot line.

PROPERTY INFORMATION

1. The property has no open code cases and no open building permits.
2. The applicant is proposing a screened enclosure setback 6' from the rear lot line but is not requesting any relief from the interior side setback requirements. The principal dwelling is setback 20.58' from the rear lot line, which, by right, would allow for a screened enclosure with a depth of just 5.58'. If approved, the requested relief would allow for a screened enclosure with a depth of 14.58'.

LAND USE PATTERNS

Subject property (Zoning / Existing Use):

- RS-3 / single-family dwelling

Surrounding Properties (Zoning District / Existing Use):

- North: RS-3 / single-family dwelling
- South: RS-3 / single-family dwelling
- East: RS-3 / single-family dwelling
- West: RS-3 / single-family dwelling

VARIANCE REVIEW STANDARDS

A Variance application shall be approved only on a finding that there is competent substantial evidence in the record that all of 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;
- b) The extraordinary and exceptional conditions referred to in paragraph a., above, are not the result of the actions of the landowner;
- 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;
- d) The Variance would not confer any special privilege on the landowner that is denied to other lands or structures that are similarly situated.
- e) The extent of the Variance is the minimum necessary to allow a reasonable use of the land or structure;
- f) The Variance is in harmony with the general purpose and intent of this Code and preserves 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
- h) The Variance is consistent with the comprehensive plan.

Staff Conditions:

Should the Board determine that the applicant has provided competent substantial evidence to satisfy the eight Variance review standards, staff recommends the Board include the following condition as a part of the Order:

1. Obtain all necessary governmental permits and approvals including building and zoning compliance permits.

CITY OF POMPANO BEACH
AERIAL MAP



1 in = 167 ft

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES