

PROCEEDINGS BEFORE THE ZONING BOARD OF APPEALS  
CITY OF POMPAÑO BEACH, FLORIDA

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IN RE APPEAL:

APPEAL #15-11000030

DP Development of Pompano LLC  
2240 NW 22<sup>nd</sup> Street  
Pompano Beach, FL 33069

LOT 10, POWER PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED  
IN PLAT BOOK 112, PAGE 45 OF THE PUBLIC RECORDS OF BROWARD  
COUNTY, FLORIDA

AKA: 2240 NW 22ND STREET  
ZONED: I-1 (GENERAL INDUSTRIAL)  
FOLIO: 484228100100

APPLICANT LANDOWNERS: DP Development of Pompano, LLC

REQUEST:

Applicant landowner requested a Variance be granted from the following provisions:

- 1) Section 155.5203 F. [Perimeter Buffers] and 155.4228. A. 3. ii [Outdoor Storage (as a principal use)/Standards] of the City of Pompano Beach Code of Ordinances, in order to allow an outdoor storage yard to reduce the perimeter buffer and landscaping requirements. The applicant has requested to provide an 8 foot front yard buffer with landscaping and 5 foot side and rear yard buffer without landscaping, rather than provide the required 10 foot yard buffer around the entire perimeter with landscaping on the interior and exterior of the wall, as per Code.
- 2) Section 155.5203 D. 4. a. i. [Interior Landscaping Standards/ General] of the City of Pompano Beach Code of Ordinances, in order to eliminate the requirement that 15% of the vehicular use area (VUA) be comprised of landscape materials, rather than maintain at least 15% landscape materials within the VUA, as per Code.
- 3) Section 155.5203. D. 5. [Landscaping Between Vehicular Use Areas and Building] of the City of Pompano Beach Code of Ordinances, in order to allow a 5 foot landscape strip between the building and the vehicular use area, rather than provide an 8 foot landscape strip, as per Code.
- 4) Section 155.3402. C. [Intensity and Dimension Standards] of the City of Pompano Beach Code of Ordinances, in order to allow for the development of the site without providing the minimum 20% pervious area, rather than maintain a minimum of 20% pervious area throughout the site, as per Code.

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**ORDER**

WHEREAS, upon presentation at a public hearing before the Zoning Board of Appeals of the application for a variance by the applicant landowner or his or her representative and upon review and consideration of all testimony, evidence and argument presented at said hearing, which constitutes substantial competent evidence, the Board determined by a vote of 4 – 2, that the first variance requested does meet all prerequisites as set forth in Section 155.2420(D) of the Pompano Beach Code of Ordinances.

IT IS, THEREFORE, ORDERED THAT THE APPLICANT LANDOWNER'S FIRST REQUEST FOR VARIANCE IS **DENIED**.

\* \* \* \* \*

WHEREAS, upon presentation at a public hearing before the Zoning Board of Appeals of the application for a variance by the applicant landowner or his or her representative and upon review and consideration of all testimony, evidence and argument presented at said hearing, which constitutes substantial competent evidence, the Board determined by a vote of 1 – 5, that the second variance requested does meet all prerequisites as set forth in Section 155.2420(D) of the Pompano Beach Code of Ordinances.

IT IS, THEREFORE, ORDERED THAT THE APPLICANT LANDOWNER'S SECOND REQUEST FOR VARIANCE IS **DENIED**.

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WHEREAS, upon presentation at a public hearing before the Zoning Board of Appeals of the application for a variance by the applicant landowner or his or her representative and upon review and consideration of all testimony, evidence and argument presented at said hearing, the Board determined by a vote of 6 – 0, that the third variance requested does meet all prerequisites as set forth in Section 155.2420(D) of the Pompano Beach Code of Ordinances.

IT IS, THEREFORE, ORDERED THAT THE APPLICANT LANDOWNER'S THIRD REQUEST FOR VARIANCE IS **APPROVED**.

This approval is subject to the following six (6) conditions:

1. Obtain all necessary governmental permits and approvals including Special Exception, Site Plan, Zoning Compliance, Building Permit, and Building & Zoning Inspections.
2. Substantial conformance to the plan submitted with Major Site Plan #: 15-12000069.
3. All outdoor storage areas must be a hard, bonded surface as required by code.
4. Materials and equipment being stored are restricted to the height of the wall.
5. The minimum pervious area must be maintained or exceed 5%, as indicated on the site plan submitted.

6. Provide site data calculation sheets on all future site plan submittals, which shall include zoning information, setbacks (required and proposed), lot coverage, pervious/impervious calculations, parking space calculations, etc.

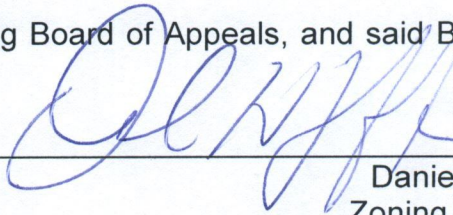
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WHEREAS, upon presentation at a public hearing before the Zoning Board of Appeals of the application for a variance by the applicant landowner or his or her representative and upon review and consideration of all testimony, evidence and argument presented at said hearing, which constitutes substantial competent evidence, the Board determined by a vote of 3 – 3, that the fourth variance requested does meet all prerequisites as set forth in Section 155.2420(D) of the Pompano Beach Code of Ordinances.

IT IS, THEREFORE, ORDERED THAT THE APPLICANT LANDOWNER'S FOURTH REQUEST FOR VARIANCE IS **DENIED**.

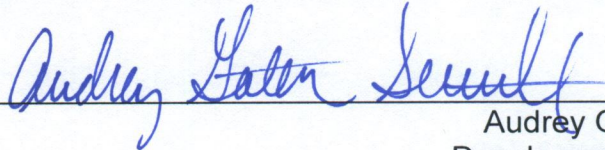
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This matter was heard before the Zoning Board of Appeals, and said Board pronounced its decision on February 16, 2017.



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Daniel Yaffe, Chairman  
Zoning Board of Appeals

Filed with the Development Services Department this 24th day of March, 2017.



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Audrey Gaten Suttle  
Development Services  
Department Head Secretary