



Staff Report

File #: LN-695

ZONING BOARD OF APPEALS

Meeting Date: MARCH 20, 2025

MCNAB BUILDING VENTURE LLC

Request: Variance
P&Z# 25-11000004
Owner: McNab Building Venture, LLC
Project Location: 3141 W McNab Road
Folio Number: 494204050130
Land Use Designation: I (Industrial)
Zoning District: I-1 (General Industrial)
Agent: Sharee Eriks
Project Planner: Scott Reale

Summary:

The Applicant Landowner is requesting a Variance from Section §155.5301(A)(1)(a) of the Pompano Beach Zoning Code, which outlines the mechanical equipment screening standards for new development. Specifically, the request is to waive the screening requirements for two 40-foot-tall grain silos associated with a beer manufacturing facility, rather than providing screening that extends at least six inches above the height of the equipment being screened.

The property is located along the north side of W McNab Road, between SW 31st Avenue and SW 32nd Avenue.

ZONING REGULATIONS

§155.5301. SCREENING

A. Mechanical Equipment

1. Applicability

a. New Development Screening Standards

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ii. Mechanical equipment mounted on ground level, or mounted within 3 feet from ground level, shall be screened by dense continuous hedges installed in accordance with Section 155.5203.B.2.f., Shrubs and Hedges, or semi-opaque fences or solid walls. The height of the vegetation, wall or fence, shall be maintained at least six inches above the height of the mechanical equipment being screened.

PROPERTY INFORMATION AND STAFF ANALYSIS

1. The subject property was developed in the late 1970s with a 10,000-square-foot building when it was still part of unincorporated Broward County. In 1983, the properties in the Gateway Industrial Center north of McNab Road were annexed into Pompano Beach via House Bill 923.
2. The current Business Tax Receipt (BTR) is issued for a professional medical lab. However, the applicant intends to convert the property into a beer production facility. As part of this conversion, the applicant proposes to install two 40-foot-tall grain silos behind the existing building. These silos are classified as mechanical equipment under the Zoning Code, which requires them to be screened from view by a fence, wall, or hedges, at least six inches higher than the equipment being screened.
3. The applicant argues (and staff concurs) that screening for this type of mechanical equipment would be impractical. Typically, the screening requirement applies to smaller mechanical equipment such as air conditioning units, generators, and swimming pool equipment. However, with two silos, both 40 feet in height, complying with the screening requirement would, according to the applicant, significantly hinder truck access for product distribution and delivery of supplies.
4. The property is considered a through lot, meaning it has right-of-way along both the front and rear lot lines. This configuration provides the benefit that no property directly abuts the rear lot line. Additionally, the surrounding area is predominantly comprised of heavy business and industrial warehouse uses. Staff finds that waiving the screening requirement would not have any adverse impact on neighboring properties.

LAND USE PATTERNS

Subject property (Zoning District | Existing Use):

- I-1 | medical lab

Surrounding Properties (Zoning District | Existing Use):

- North: I-1 | no active BTR on file
- South: ROW and I (Fort Lauderdale) | McNab Rd and printing & packaging facility
- West: I-1 | professional office
- East: I-1 | labor union (CWA)

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 meet the eight Variance review standards, staff recommends the following conditions be included as part of the Board's Order:

- 1. The applicant must secure all required permits and approvals, including Building and Zoning Compliance permits, as well as a Business Tax Receipt.
- 2. The applicant must demonstrate substantial compliance with the plans submitted with this application.

CITY OF POMPANO BEACH AERIAL MAP



Folio: 494204050130
Area: 0.58 Acres

SW 14TH CT

SW 31ST AVE

SW 32ND AVE

W MCNAB RD

SERVICE RD

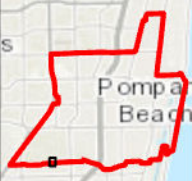
NW 17TH AVE

NW 16TH TER

NW 15TH AVE

Legend

-  Pompano Beach Parcels
-  Applicant Parcel



Scale: 1:2,000

Scale:
1:2,000

McNab Building Venture LLC

Variance

3141 E McNab Road

Created by:
Department of
Development Services

