

# Variance Overview

## **Special Exception application PZ #24-11000012 ZBA**

Application of Variance to Alternate Dwelling Unit  
(ADU) Guidance

865 NE 23<sup>rd</sup> Terrace Pompano Beach, FL 33062

Folio Number(s): 4843 31 23 1050

Legal description of BEACHWAY ESTATES 30-14 B LOT 2 BLK 8.

## **12/19/2024 Zoning Board**

Owner: Jason Ortiz

Zoning Board Attendance by: Israel Kushnir

# Chronological History

- 7/2023 - Purchased home from prior Owner 7/2023
- 8/2023 - Submitted 2023 Short Term Rental Application - 1<sup>st</sup> Attempt - Denied due to violation.
- 10/2023 - Violation on Pergola and Fence without a permit - Short Term Rental Inspection Could not be completed.
- 11/2023 - Submitted 2024 Short Term Rental Application - 2<sup>nd</sup> Attempt - Denied due to Open Violation
- 5/2024 - Approval of Permit for Pergola and Fence Enhancements (after the fact permit)
- 8/2024 - Continued 2023 Short Term Rental Application -Denied due to Open Permit and end of Fiscal Year (Defer to 2024)
- 10/2024 - Closed out Pergola and Fence Permit removing pergola and Submitted 2025 Short Term Rental Application - 3<sup>rd</sup> Attempt
- 10/2024 - Short Term Rental (STR) Application 3<sup>rd</sup> Attempt Accepted and STR Inspection Complete - STR Inspection cited work done without a permit and 8-10 Items of non-compliance.
- 11/2024 - All Items Resolved from STR Inspection and only Permit Remains.
- 12/2024 - Permit dependent on this variance to Approve permit and inspect.

# Summary of Variance Justification

## ✓ Extraordinary Conditions

- Permit for 2<sup>nd</sup> Addition approved/closed in 1986
- ADU Guidance was developed after Addition Complete
- No Feasibility of Access Options
  - Option 1 - Blocks Downstair Bedroom Door
  - Option 2 - Lands Outside (not internal)
  - Option 3 - Center of Living Space

## ✓ No Cause of Landowner (Purchased 7/23)

## ✓ No special privilege compared to similar situated

- Limited/no local properties with similar 2<sup>nd</sup> floor addition

## ✓ Allows Reasonable Use of 1986 Addition

- Avoids Unusable Bedroom below 1986 addition

## ✓ In Harmony with General purpose of code

