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August 5, 2026

VIA CAMINO ONLINE PORTAL

To: City of Pompano Beach
Planning and Zoning Department
100 West Atlantic Blvd
Pompano Beach, FL 33060

RE: Narrative – Variance Request
Address: 3200 Dover Road, Pompano Beach, FL 33062
Parcel ID: 484329050810

To Whom It May Concern,

This firm represents the owners (collectively, the “Applicants”) of the property located at 3200 Dover Road, Pompano Beach, FL 33062 (the “Property”). This narrative is offered in tandem with the variance application submitted by the Applicants to explain the circumstances upon which a variance from Section 155.4303(P)(3)(b) of the City of Pompano Beach’s Municipal Code of Ordinances (the “Code”) is requested. Specifically, the Applicants seek a variance from Section 155.4303(P)(3)(b), which governs the required street side lot line setbacks that must be maintained for any proposed attached garage structure.

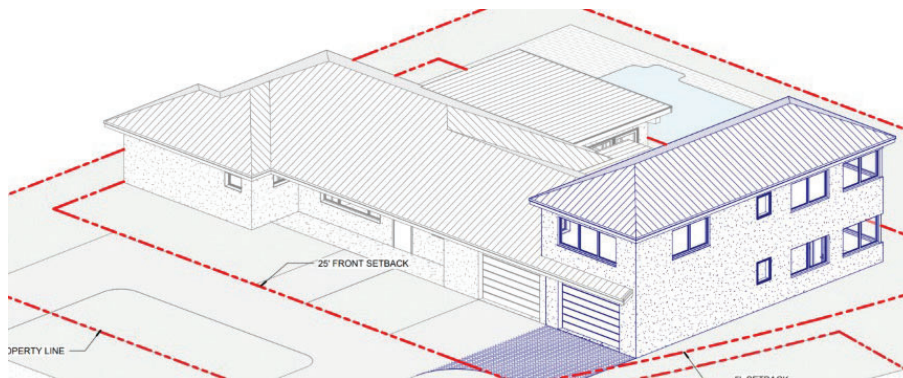
Property Information and Project Details

The approximately 0.32-acre Property is located at the terminus of Dover Road and N. Riverside Drive and is situated on a canal with direct access to the Intracoastal Waterway. The Property is within the City of Pompano Beach (the “City”) Single-Family Residence (RS-2) zoning district and is subject to the development standards in Section 155.3203.

Although the Property fronts Dover Road, it also abuts N. Riverside Drive along its west property line. Pursuant to Section 100.01(A)(2)(b) of the Code, entitled “Minimum Right-of-Way,” the minimum required width of rights-of-way for residential streets such as N. Riverside Drive is fifty (50) feet. As a result, the Property does not have a standard square or rectangular lot configuration. Instead, the lot is irregularly shaped and resembles a boot, as illustrated below. Together, these conditions limit the buildable area and influence where potential improvements may be placed in accordance with Code requirements.



The Applicants are proposing to construct an attached two-story addition to the current single-family structure. The first floor will be an expansion of the principal structure and will be utilized as a five-hundred ninety-two (592) square foot garage. This expansion will transform the present one-car garage into a two-car garage that is separated by a support beam and stem walls in the front.



Stacked directly on top of the garage addition will be an eight-hundred forty-eight (848) square foot accessory dwelling unit. This unit will include a bedroom, kitchenette, and bathroom and will function as a mother-in-law suite that is expressly permitted by right within RS-2 zoning districts. § 155.4303(A)(1)-(3), Code.

The second-floor accessory dwelling unit will only be accessed through an interior stairwell located at the rear of the newly expanded garage which will also have an entry way to access the backyard area. The principal structure expansion (the garage) and the accessory dwelling unit will be collectively referred to as the “Addition”. The proposed Addition will

measure approximately sixteen (16) feet in width by forty-five (45) feet in length. *See Site Plan, Exhibit A.*

In accordance with RS-2 zoning district regulations, the Property must comply with the minimum following setback requirements: Front Yard – 25 feet, Street Side Yard – 15 feet, Setback from a Waterway or Canal – 25 feet, and Interior Side Yard – 7.5 feet. However, because the Applicants are intending to construct a garage, the structure is subject to following more restrictive setbacks set forth in Sec. 155.4303(P)(3)(b) of the Code which states, “A garage or carport, including attached and unattached, shall be located at least 20 feet from the street side lot line.”

Currently, the Property meets all the required setbacks; however, the proposed Addition would encroach into the required west street side yard setback. Accordingly, the Applicants are requesting a variance of up to fifteen (15) feet to permit the proposed Addition. The requested variance is not uniform along the length of the proposed Addition. As previously noted, the Property is an irregular shaped lot, and the greatest encroachment would occur at the northern end of the Addition, where the west property line is closest to the proposed structure. As the west property line angles away from the residence toward the south, the required variance progressively decreases because the distance between the proposed Addition and the property line increases.

Review Standards

The Code provides that “[t]he purpose of a Variance is to allow certain deviations from standards of this Code when the landowner demonstrates that, owing to special circumstances or conditions beyond the landowner's control (such as exceptional topographical conditions or the narrowness, shallowness, or shape of a specific parcel of land), the literal application of the standards would result in undue and unique hardship to the landowner and the deviation would not be contrary to the public interest. Variances are to be sparingly exercised and only in rare instances and under exceptional circumstances to relieve undue and unique hardships to the landowner. No change in permitted uses or increases in maximum allowable density may be authorized by variance.” § 155.2420(A), Code.

Per Section 155.2420(D) of the Code, a variance application shall be approved only upon 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.”

The Applicants respectfully submit that each of the above criteria is 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.

The Applicants request approval of the variance because of the extraordinary and exceptional conditions that are particular to the Property. Here is a photograph of the Property compared to the adjacent lots:



As is shown above, the Property does not have a standard square or rectangular shape that is typical of the neighboring lots. The Property is the only property in that photograph with a boot-shaped lot. The following paragraphs provide a history of the Property and how its shape has changed over time.

When the Property was formally platted in 1946, its configuration was consistent with the surrounding properties and maintained a general rectangular shape. *See* Plat, **Exhibit B**. At that time, N. Riverside Drive, formerly known as Del Faro Drive, extended to the canal. The Property maintained this original configuration when the existing single-family residence was constructed in 1955.

The Property's configuration did not change until 1991, when the City adopted an ordinance abandoning a portion of N. Riverside Drive, which is attached hereto: *see* Ordinance, **Exhibit C**. This action added land to both the Property and the property to the west, creating the Property's current boot-shaped configuration. The abandonment occurred twenty-one (21) years before the Applicants purchased the Property in 2012.

Because the remaining portion of N. Riverside Drive abutting the Property is still actively used as a right of way, the Applicants are unable to request that the City abandon this area, and the City cannot lawfully do so. Therefore, the Applicants must adhere to Section 100.01(A)(2)(b) of the Code. This provision in the Code states that because N. Riverside Drive is a residential street, the width shall not be less than fifty (50) feet. Although the Property appears to be wider, the swale area contributes to the ROW width requirement and is not actually owned by the Applicant and therefore is not buildable area. § 100.40(B), Code (explaining that swales are included in right-of-way).

This ROW requirement is in addition to the RS-2 development standards, including the applicable twenty (20) foot garage setback requirement, with which the Property must comply. Together, these requirements limit the improvements that the Applicants are permitted to make on the Property.

Along with the conditions outlined above that predate the Applicants' ownership, the Applicants' setback requirements are specific to corner lots that abut a street. If the Property were situated between two residential lots and not N. Riverside Drive, for example, then any new developments would follow the interior side yard setback that is seven and a half (7.5) feet. Because the Property is on a corner lot and adjacent to a street, it is obligated to follow the street side yard setback at fifteen (15) feet, which is not generally applicable to most of the neighboring properties within the vicinity. Moreover, the Code mandates that garage additions that are constructed on street side lots must have a setback of twenty (20) feet, which is five (5) extra feet due to the use and the Property's location on a corner lot which is also not generally applicable.

(b) The extraordinary and exceptional conditions referred to in paragraph a., above, are not the result of the actions of the landowner

The extraordinary and exceptional conditions referred to in paragraph (a) are not self-created and are not the result of any action by the Applicants. The conditions stem from the ROW abandonment by City ordinance in 1991, attached hereto as Exhibit C and described in more detail above, and Code regulations that were adopted well before the Applicants purchased the Property.

In addition, the Applicants have also modified the proposed Addition design to reduce its size in effort to minimize the extent of the requested variance while still allowing for the development of the desired structure.

(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.

Because of the extraordinary and exceptional conditions affecting the Property, including the lot shape and the increased street side yard setback resulting from an adjacent ROW, strict application of the Code would significantly restrict the Applicants' ability to construct the Addition.

There is no other feasible location on the Property to construct the proposed Addition without encroaching upon another required setback. The Applicants are proposing an Addition that is aligned with and flush with the principal building to maintain a functional and cohesive residential design. As depicted in the Broward County Property Appraiser's illustration below, the existing structure is already located at the minimum required fifteen (15) foot setback per the RS-2 zoning regulations, leaving no opportunity to expand the residence without requiring additional relief from applicable Code requirements.



15 feet from Property Line Inwards

Alternative placement of the proposed improvement would not eliminate the hardship created by the Property's constraints. For example, a detached accessory structure could only potentially be placed at the southwest portion of the Property, which would also encroach into the

required rear setback and require relief through a variance. Even with complete redesign that staggers the Addition from the principal structure will result in rear setback encroachments. There is no feasible location on the Property where the Applicants can construct the proposed Addition while complying with all Code requirements.

Therefore, strict application of the Code would unreasonably restrict the utilization of the Property 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.

Granting the requested variance would not confer a special privilege upon the Applicants that is denied to other similarly situated properties. Rather, the requested relief is necessary to address the unique physical characteristics of the Property while allowing the Applicants to construct an Addition to the Property.

The Board has previously approved variances to setback requirements for residential improvements where the applicable variance criteria were satisfied. For example, in 1995, the owners of the property located at 2307 N. Riverside Drive, Pompano Beach, FL 33062, were granted relief from the required 7.5-foot side yard setback to construct a second-story addition. The same property also received approval for a variance from the required twenty-five (25) feet front yard setback to accommodate a garage addition, and a variance to maintain a twenty-two (22) foot rear setback rather than twenty-five (25) feet. *See Exhibit D.* These prior approvals demonstrate the Board's consistent application of the variance process to residential properties where site-specific circumstances warranted relief.

Likewise, the Applicants seek only the minimum relief necessary to reasonably utilize their Property in light of its unique dimensional constraints. Granting the requested variance would therefore be consistent with the Board's prior actions and would not confer a special privilege unavailable to other similarly situated property owners.

(e) The extent of the Variance is the minimum necessary to allow a reasonable use of the land or structure

The extent of the requested variance of fifteen (15) feet to the required twenty (20) foot setback is at minimum necessary to allow reasonable use of the Property and accommodate the proposed Addition. The Applicants are not requesting relief beyond what is absolutely necessary to address the constraints created by the Property's irregular shape and the street side yard setback requirement.

Although the Applicants are requesting a variance of up to fifteen (15) feet, the requested relief is limited to only a portion of the proposed Addition. As outlined above, the greatest encroachment occurs only at the northern end of the proposed Addition, where the irregularly shaped west property line is closest to the structure. As the west property line angles away from

the residence towards the south, the encroachment progressively increases while the required variance progressively decreases.

Furthermore, the Applicants have modified the proposed design to reduce the size of the Addition in an effort to minimize the extent of the requested variance while still allowing for a reasonable residential improvement. The requested variance represents the minimum relief necessary to allow reasonable use of the Property.

(f) The Variance is in harmony with the general purpose and intent of this Code and preserves its spirit

The Applicants have intentionally designed the Addition in a way that is consistent and harmonious with the purpose and intent of the Code. The Addition is a residential improvement to an existing single-family residence within the RS-2 zoning district and is consistent with the established residential character of the surrounding neighborhood. The requested variance does not change the permitted use of the Property, increase residential density, or introduce a use that is incompatible with the surrounding area.

The purpose of the setback requirement is to promote orderly development and maintain appropriate separation between structures. As noted above, the ROW abutting the Property is required to have a fifty (50) foot minimum width which also includes the swale area that is adjacent to the Property. This swale provides an approximate fifteen (15) foot grassy area that creates additional visual separation between the Property and the adjacent ROW.

Even though the Addition will encroach upon the setback by fifteen (15) feet, the overall separation between the Addition, ROW, and neighboring Property will remain consistent with the intent of the setback requirements.

Alongside this, the Board previously recognized that limited setback relief for residential improvements may be appropriate where site-specific conditions warrant such relief. For example, the neighboring property located at 2307 N. Riverside Drive received a variance to construct their second story addition at four point four (4.4) feet setback opposed to the required seven point five (7.5) feet side setback. Both the Applicants' variance request and the previously approved variance seek relief from the applicable setback requirements. The City has previously determined that a reduction in the required setback was appropriate under comparable circumstances. The neighboring property's variance approval is attached hereto as **Exhibit D**. The reduction is consistent with the general purpose and intent of the Code, and is consistent with relief given to neighboring property owners in the past.

(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 proposed Addition will not adversely affect the health or safety of persons residing or working in the neighborhood, or be injurious to property or improvements in the neighborhood, or otherwise be detrimental to the public welfare.

The Addition is a simple addition to the existing residential structure and does not introduce a new use, increase the density, or create impacts beyond those typically associated with residential development. The Property is located at the end of the intersecting streets (Dover Road and N. Riverside Drive) and is situated along the canal, which limits through traffic. The Addition will not create additional traffic or safety concerns.

The proposed improvements will help beautify the Property and the surrounding area through the installation of new trees within the Property. The potential location of the proposed trees is represented on the site plans, *see Exhibit A*.

(h) The Variance is consistent with the comprehensive plan

The requested variance is consistent and does not conflict with the goals, objectives, and policies of the City's Comprehensive Plan.

The Comprehensive Plan promotes a range of residential development forms, including flexible setback arrangements. Policy 01.07.04 directs the City, through ongoing updates to its land development regulations, to consider various housing types and residential lots "including single family, cluster homes, zero lot line, staggered setbacks and zipper lots, coach houses, townhouses, stacked townhouses, courtyard buildings, terraced buildings and sculptured towers." Because the Plan expressly contemplates reduced and non-standard setbacks such as zero lot line and staggered setbacks, the requested reduced setback, which will allow new development on the Property, is consistent with the Plan's intent. The mother-in-law suite addition allows for more efficient use of an already-developed property in an established neighborhood, consistent with urban infill principles. This maximizes utilization of existing infrastructure rather than sprawling development in accordance with the Comprehensive Plan.

Conclusion

The Applicants respectfully request a variance from Section 155.4303(P)(3)(b) of the Code, that requires a minimum side street yard setback of twenty (20) feet from the lot line to the proposed garage addition. The Applicant is proposing to develop an Addition which is permitted within the Code, to the single-family residence that would encroach on the required setback, necessitating a fifteen (15) foot variance on the west side of the Property. All other development standards can be met. Moreover, the request is not a result of an action made by the Applicants. The Property abuts a public ROW that was partially abandoned that contributed to the irregular shape of the Property. Granting the variance is consistent with requests that have been previously made and is not considered a special privilege.

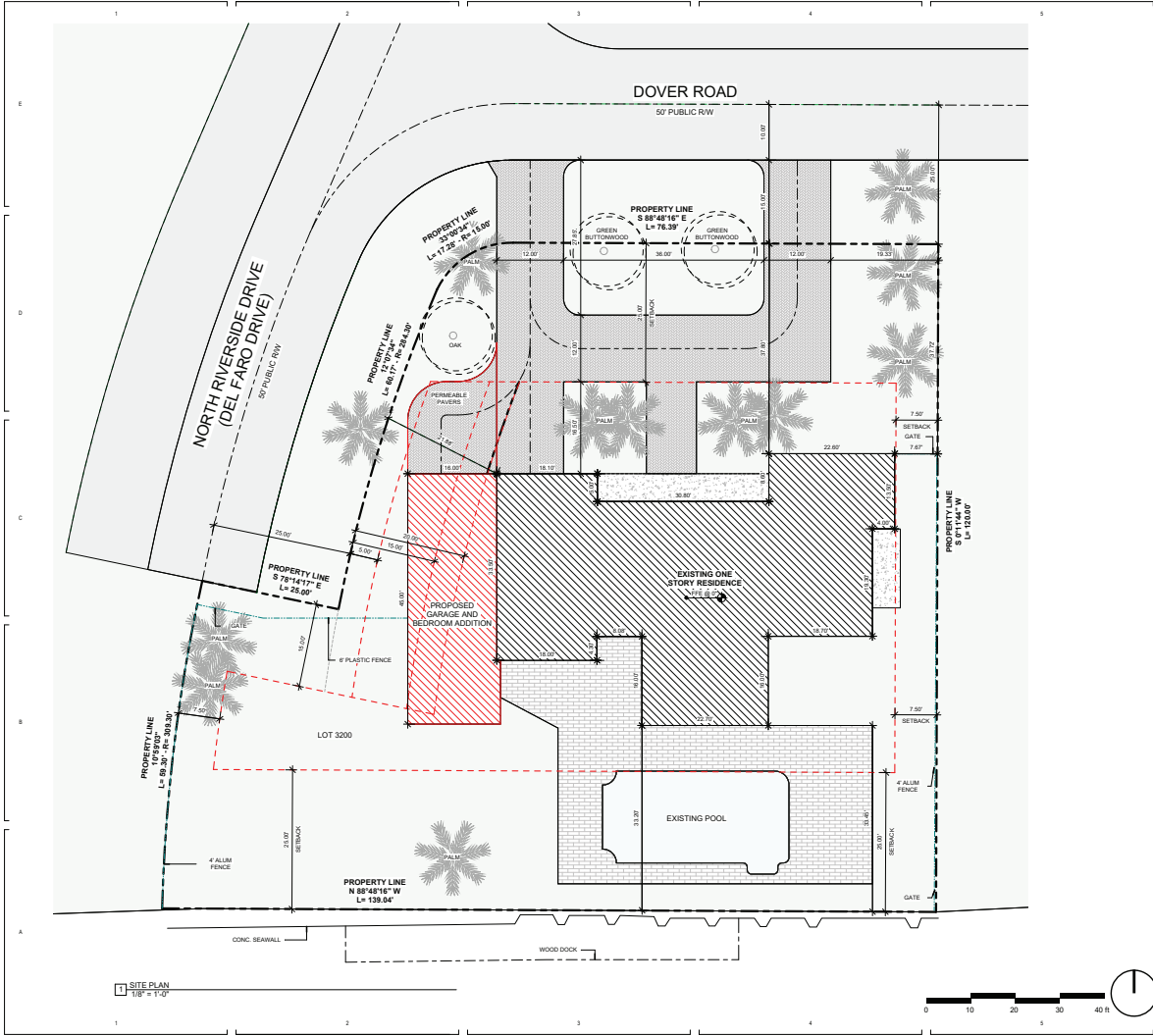
The proposed Addition is harmonious with the surrounding areas and will not adversely affect the surrounding neighborhood. The Applicant is willing to accommodate additional trees on the Property to promote greenery that is aesthetically and environmentally pleasing.

Thank you in advance for your time and attention to this matter. If you have any questions, or if I may be of assistance, my office is available by phone or e-mail at your convenience.

Sincerely,

/s/ Ryan A. Abrams
Ryan A. Abrams, Esq.

EXHIBIT A



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2020 THE PRINTING OR REPRODUCTION OF ANY PART OF THIS PLAN OR DESIGN IS CONSIDERED UNAUTHORIZED WITHOUT A WRITTEN LICENSE NUMBER PROVIDED BY DESIGNED, INC. THE LICENSE NUMBER LISTED BELOW GRANTS THE CUSTOMER THE RIGHT TO CONSTRUCT ONE HOME FROM THESE PLANS. ALL OTHERS ARE PROHIBITED FROM REPRODUCING OR USING THESE PLANS OR DESIGN WITHOUT A WRITTEN LICENSE NUMBER. ANY VIOLATION OF THIS LICENSE AGREEMENT WILL BE PROSECUTED TO THE FULL EXTENT OF THE LAW. LICENSE # A1010200	
EXISTING	2,379 SF
CONDITIONED AREA	156 SF
UNCONDITIONED AREA	2,330 SF
TOTAL EXISTING AREA	2,330 SF
PROPOSED	720 SF
CONDITIONED SECOND FLOOR	720 SF
UNCONDITIONED FIRST FLOOR	1,440 SF
TOTAL AREA	3,975 SF
TOTAL PROPOSED AREA	3,975 SF
LOT COVERAGE	
LOT AREA	13,962 SF
MAX. ALLOWED: 49.1%	5,504 SF
EXISTING	2,330 SF
PROPOSED	1,440 SF
TOTAL AREA	3,975 SF
LOT COVERAGE PROVIDED:	28.1%
IMPERVIOUS SURFACE RATIO (I.S.R.)	
LOT AREA	13,962 SF
MAX. ALLOWED: 70%	9,773 SF
EXISTING	2,535 SF
FOOTPRINT	3,526 SF
PAVERS	902 SF
POOL	720 SF
PROPOSED	265 SF
FOOTPRINT	7,605 SF
TOTAL IMPERVIOUS SURFACE	11,827 SF
IMPERVIOUS SURFACE PROVIDED:	84.8%
PERVIOUS SURFACE (GREEN AREA)	
LOT AREA	13,962 SF
MIN. REQUIRED: 30.1%	4,198 SF
TOTAL PERVIOUS SURFACE	6,873 SF
PERVIOUS SURFACE PROVIDED:	83.3%
LOT FRONT IMPERVIOUS COVERAGE	
FRONT AREA:	2,273 SF
EXISTING	1,032 SF (45.4%)
EXISTING DRIVEWAY	11 SF (0.5%)
PROPOSED	11 SF (0.5%)
PROPOSED PERVIOUS PAVERS	1,043 SF (45.9%)
TOTAL PROPOSED	1,043 SF (45.9%)
LOT FRONT PERVIOUS SURFACE (GREEN AREA)	
FRONT AREA:	2,273 SF
TOTAL PERVIOUS SURFACE	1,230 SF (54.1%)

DESIGNER:
DESIGNED, INC.
100 HIRSHCREEK AVE. SUITE 100
Ft. Lauderdale, FL 33304
www.designedinc.com
C. 2019.08.01

ENGINEER:
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WAGNER RESIDENCE

3200 DOVER RD., POMPANO BEACH, FL 33062, USA

ADDITION

BILL KRAUSE

PHASE:

SCHEMATIC DESIGN

REV

DATE

DESCRIPTION

THIS PROCESS SET IS NOT FOR CONSTRUCTION

PROJECT CODE: Project Number

SCALE: As Indicated

DATE: 10/08/2018 12:47 p.m.

SHEET NUMBER:

A101

SHEET NAME:

SITE PLAN

DESIGNED, INC. 01-21-18

PHASE LEGEND

_____ EXISTING CONDITIONS

_____ NEW CONSTRUCTION

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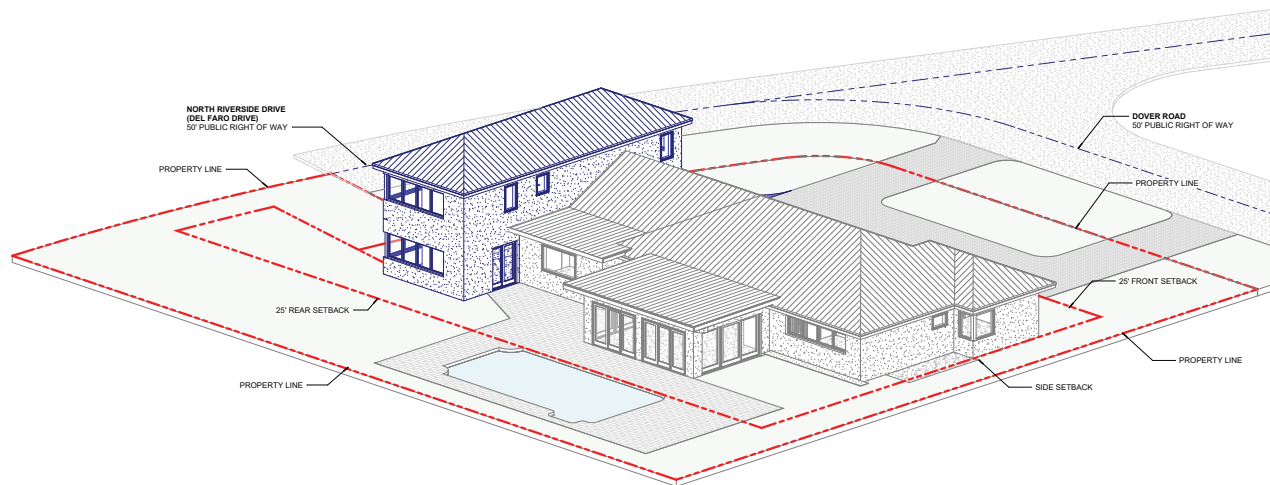
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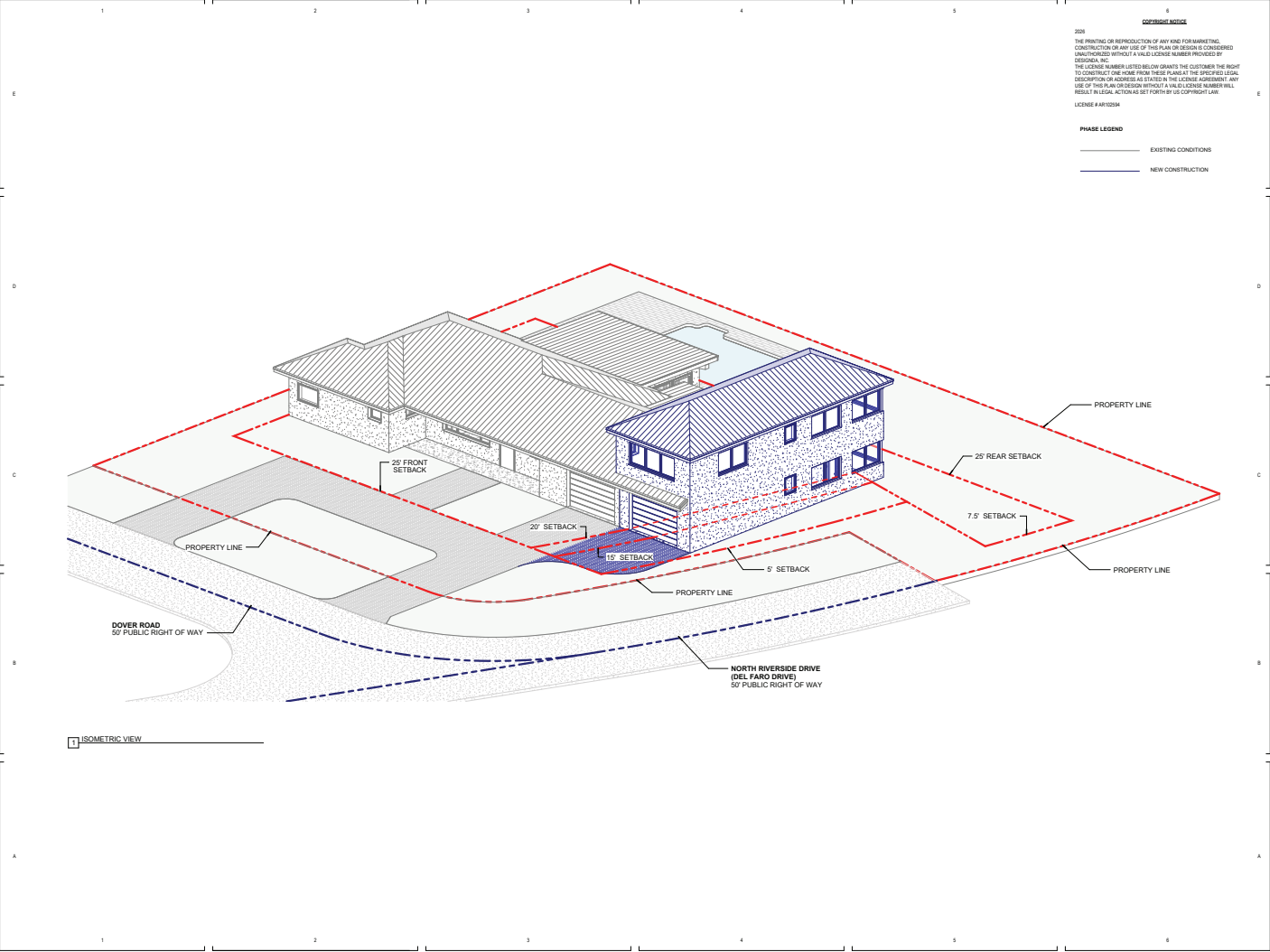
SHEET NAME:

3D VIEW

WILSON J. G. & C.



2 ISOMETRIC VIEW 2



DESIGNER:

DESIGNA

3200 DOVER RD, POMPANO BEACH, FL 33062, USA

FL Architect License Number: AR000384

www.designafla.com

C 2023-2024

ENGINEER:

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ADDITION

BILL KRAUSE

PHASE:

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REV	DATE	DESCRIPTION
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PROJECT CODE:	Project Number:
SCALE:	1/4" = 1'-0"
DATE:	10/01/2024 12:21:45 p.m.

SHEET NUMBER:

A302

SHEET NAME:

3D VIEW

000001-000-000-000



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2024
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BILL KRAUSE

PHASE:
SCHEMATIC DESIGN

REV DATE DESCRIPTION

THIS PROCESS SET IS NOT FOR CONSTRUCTION

PROJECT CODE: Project Number
SCALE:
DATE: 10/01/2024 12:45 p.m.

SHEET NUMBER:
A303

SHEET NAME:
RENDERINGS

000001-000-000-000

EXHIBIT B

HILLSBORO SHORES

SECTION 'B'

A SUBDIVISION IN SECTIONS 29 & 30 TOWNSHIP 48 SOUTH, RANGE 43 E.

BROWARD CO., FLORIDA

WALTER A. McELFRESH, ENGINEER.

SCALE: 1"=100'

DATED: OCT. 1946

DESCRIPTION

That portion of the E 1/4 of Section 30, T48S, R43E, Broward County, Florida, lying South and East of the Easely R/W line of the Intracoastal Waterway from Jacksonville, Florida to Miami, Florida, and that portion of Government Lot 2, Section 29, T48S, R43E, Broward County, Florida, lying between the Easely R/W line of said Intracoastal Waterway and State Road No. 140, as now constructed, and occupied together with that portion of Block 2 of Hillsboro Shores, Section A, as recorded in plat book 21 on page 14 of the public records of Broward County, Florida, lying East of the West boundary of said Section 30, also lots 1 and 2, Block 1, Block 2, Block 3, Block 4, Block 5, Block 6, Block 7, Block 8, Block 9, Block 10, Block 11, Block 12, Block 13, Block 14, Block 15, Block 16, Block 17, Block 18, Block 19, Block 20, Block 21, Block 22, Block 23, Block 24, Block 25, Block 26, Block 27, Block 28, Block 29, Block 30, Block 31, Block 32, Block 33, Block 34, Block 35, Block 36, Block 37, Block 38, Block 39, Block 40, Block 41, Block 42, Block 43, Block 44, Block 45, Block 46, Block 47, Block 48, Block 49, Block 50, Block 51, Block 52, Block 53, Block 54, Block 55, Block 56, Block 57, Block 58, Block 59, Block 60, Block 61, Block 62, Block 63, Block 64, Block 65, Block 66, Block 67, Block 68, Block 69, Block 70, Block 71, Block 72, Block 73, Block 74, Block 75, Block 76, Block 77, Block 78, Block 79, Block 80, Block 81, Block 82, Block 83, Block 84, Block 85, Block 86, Block 87, Block 88, Block 89, Block 90, Block 91, Block 92, Block 93, Block 94, Block 95, Block 96, Block 97, Block 98, Block 99, Block 100, Block 101, Block 102, Block 103, Block 104, Block 105, Block 106, Block 107, Block 108, Block 109, Block 110, Block 111, Block 112, Block 113, Block 114, Block 115, Block 116, Block 117, Block 118, Block 119, Block 120, Block 121, Block 122, Block 123, Block 124, Block 125, Block 126, Block 127, Block 128, Block 129, Block 130, Block 131, Block 132, Block 133, Block 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This is to Certify that the Town Council of the Town of Pompano Beach accepted and approved this plat this 12th day of November, A.D. 1946.

by Mayor, Town of Pompano Beach

Attest: Mayor, Town of Pompano Beach

Attest: Mayor, Town of Pompano Beach

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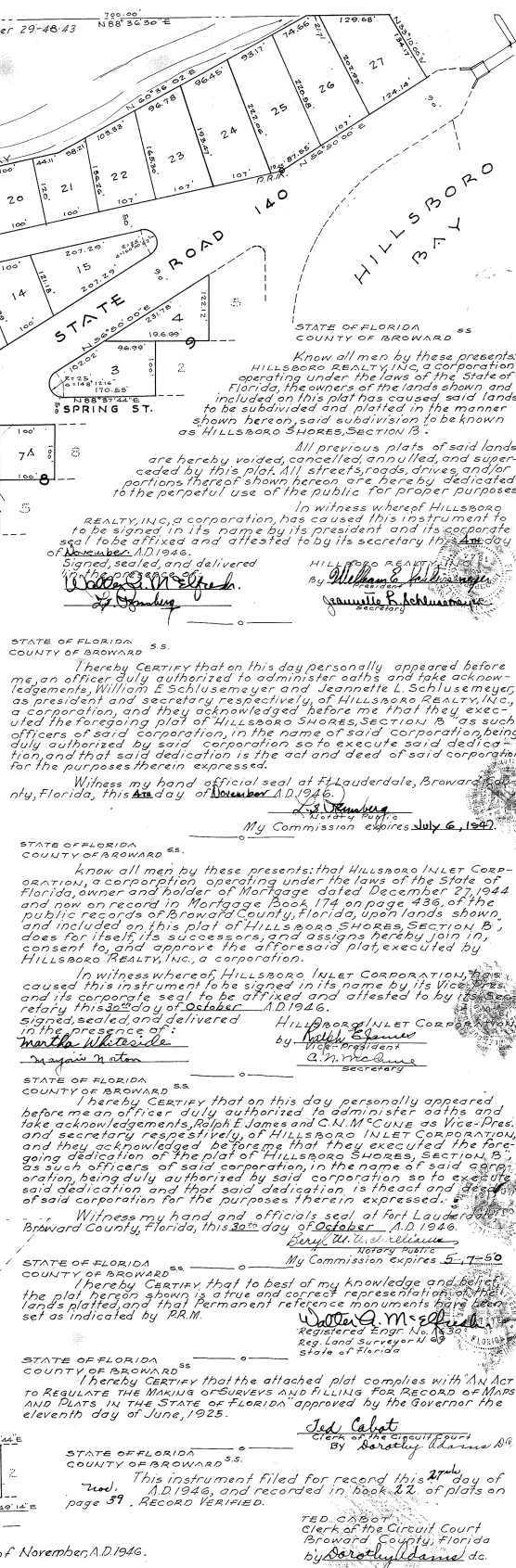
Attest: Mayor, Town of Pompano Beach

Note: All block corners have radii of 15' unless otherwise designated. Lot dimensions shown are to points of curvature of said radii.

This plat of Hillsboro Shores, Section B, Approved for record this 26th day of November, A.D. 1946.

County Engineer, Florida Registry No. 48

HILLSBORO SHORES, SECTION B



Know all men by these presents, Hillsboro Realty, Inc., a corporation operating under the laws of the State of Florida, the owners of the lands shown and included on this plat has caused said lands to be subdivided and platted in the manner shown hereon, said subdivision to be known as Hillsboro Shores, Section B.

All previous plats of said lands are hereby voided, cancelled, annulled, and superseded by this plat. All streets, roads, drives, and/or portions thereof shown hereon are hereby dedicated to the perpetual use of the public for public purposes.

In witness whereof Hillsboro Realty, Inc., a corporation, has caused this instrument to be signed in its name by its president and its corporate seal to be affixed and attested to by its secretary this 1st day of November, A.D. 1946.

Signed, sealed, and delivered
In the presence of
Walter A. McElfresh
Attest:
Attest: Mayor, Town of Pompano Beach

HILLSBORO REALTY, INC.
By William E. Schlusemeyer
President
Jeannette L. Schlusemeyer
Secretary

STATE OF FLORIDA
COUNTY OF BROWARD ss.

Thereby Certify that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgements, William E. Schlusemeyer and Jeannette L. Schlusemeyer, as president and secretary respectively of Hillsboro Realty, Inc., a corporation, and they acknowledged before me that they executed the foregoing plat of Hillsboro Shores, Section B, as such officers of said corporation, in the name of said corporation, being duly authorized by said corporation so to execute said dedication, and that said dedication is the act and deed of said corporation for the purposes therein expressed.

Witness my hand and official seal at Ft. Lauderdale, Broward County, Florida, this 1st day of November, A.D. 1946.

Attest: Mayor, Town of Pompano Beach
My Commission expires July 6, 1947.

STATE OF FLORIDA
COUNTY OF BROWARD ss.

Know all men by these presents, that Hillsboro Inlet Corporation, a corporation, operating under the laws of the State of Florida, owner and holder of Mortgage dated December 27, 1944 and now on record in Mortgage Book 174 on page 436, of the public records of Broward County, Florida, upon lands shown, and included on this plat of Hillsboro Shores, Section B, as such officers of said corporation, in the name of said corporation, being duly authorized by said corporation so to execute said dedication, and that said dedication is the act and deed of said corporation for the purposes therein expressed.

In witness whereof, Hillsboro Inlet Corporation, has caused this instrument to be signed in its name by its Vice-President and its corporate seal to be affixed and attested to by its secretary this 30th day of October, A.D. 1946.

Signed, sealed, and delivered
In the presence of:
Martha Whitelock
Attest:
Attest: Mayor, Town of Pompano Beach

HILLSBORO INLET CORPORATION
By Ralph E. James
Vice-President
C. M. McCune
Secretary

STATE OF FLORIDA
COUNTY OF BROWARD ss.

I hereby Certify that on this day, personally appeared before me an officer duly authorized to administer oaths and take acknowledgements, Ralph E. James and C. M. McCune as Vice-President and secretary respectively, of Hillsboro Inlet Corporation, and they acknowledged before me that they executed the foregoing dedication of the plat of Hillsboro Shores, Section B, as such officers of said corporation, in the name of said corporation, being duly authorized by said corporation so to execute said dedication, and that said dedication is the act and deed of said corporation for the purposes therein expressed.

Witness my hand and official seal at Ft. Lauderdale, Broward County, Florida, this 30th day of October, A.D. 1946.

Attest: Mayor, Town of Pompano Beach
My Commission Expires 5-7-50

I hereby Certify that to best of my knowledge and belief the plat hereon shown is a true and correct representation of the lands platted and that permanent reference monuments have been set as indicated by P.R.M.

Walter A. McElfresh
Registered Engr. No. 1830
State of Florida

STATE OF FLORIDA
COUNTY OF BROWARD ss.

I hereby Certify that the attached plat complies with an Act to regulate the making of surveys and plating for record of maps and plats in the State of Florida approved by the Governor the eleventh day of June, 1925.

Attest: Mayor, Town of Pompano Beach
By Bartholomew Adams
Clerk of the Circuit Court

This instrument filed for record this 27th day of November, A.D. 1946, and recorded in Book 22 of plats on page 39. RECORD VERIFIED.

Attest: Mayor, Town of Pompano Beach
By Bartholomew Adams
Clerk of the Circuit Court
Broward County, Florida

22-39

EXHIBIT C

91395252

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE ABANDONING THAT PORTION OF THE RIGHT-OF WAY FOR NORTH RIVERSIDE DRIVE LYING IMMEDIATELY EAST OF LOT 1, BLOCK 20 OF THE SUBDIVISION OF HILLSBORO SHORES, SECTION "B," ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 22, PAGE 39 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to law, fifteen (15) days' notice has been given by publication in a paper of general circulation in the City notifying the public of this proposed Ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach Florida; and

WHEREAS, a public hearing before the City Commission was held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were, in fact, heard; and

WHEREAS, the City Commission has received a request for the abandonment of that portion of the right-of-way for North Riverside Drive lying immediately east of Lot 1, Block 20, of the Subdivision of Hillsboro Shores, Section "B," according to the plat thereof as recorded in Plat Book 22, Page 39 of the Public Records of Broward County, Florida; and

WHEREAS, the Planning and Zoning Board has made its recommendation upon said request; now, therefore

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:



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SECTION 1: It is hereby found and determined by the City Commission that the public health, welfare, safety and necessity no longer require retention of any interest by the public in that portion of the right-of-way for North Riverside Drive as more fully described below.

SECTION 2: It is hereby further found and determined that abandonment and vacation of that portion of the right-of-way for North Riverside Drive will not have a detrimental effect upon the surrounding property or area.

SECTION 3: That the City of Pompano Beach does hereby abandon and vacate the following described right-of-way:

That portion of the right-of-way for North Riverside Drive lying immediately east of Lot 1, Block 20, of the Subdivision of Hillsboro Shores, Section "B," according to the Plat thereof, as recorded in Plat Book 22, at Page 39 of the Public Records of Broward County, Florida.

Said lands situate, lying and being in the City of Pompano Beach, Broward County, Florida.

SECTION 4: That the City Clerk is hereby instructed to record this Ordinance in the Public Records of Broward County, Florida.

SECTION 5: The City of Pompano Beach reserves for its own purposes, and for the purposes of all recognized public utility companies offering public utility services in the City to its customers, including but not limited to Florida Power & Light Company, Southern Bell, Peoples Gas System, and Continental Cablevision, the reservation of an easement forever for the

BK18799PG0881

construction, operation and maintenance of overhead and underground electric facilities (including wires, poles, guys, cables, conduits, buried cables, cable terminals, markers, splicing boxes and pedestals, manholes, amplifier boxes, pipes, gas transmission lines, water and sewer lines and all appurtenant devises and equipment) to be installed from time to time; with the right to construct, reconstruct, improve, add to, enlarge, change the voltage, change pressure, as well as the size of, and to remove such facilities or any of them, together with the right to permit any other person, firm or corporation to attach wires to any facilities hereunder and lay cable and conduit within the easement and to operate the same for communication purposes, the right of ingress and egress to said premises at all times; the right to clear the land and keep it cleared of all trees, undergrowth and obstructions within the easement area; the right to trim and cut and keep trimmed and cut, all dead, weak, leaning or dangerous trees or limbs outside of the easement area which might interfere with or fall upon the lines or systems of communication or power or telephone or gas transmission or distribution; and further reserves to the fullest extent, the right and power to grant, if at all, the rights herein granted on the land heretofore described, over, along under and across the roads, streets or highways adjoining or through said property. The easement is described on Exhibit "A" attached hereto and incorporated herein by reference as if set forth in full.

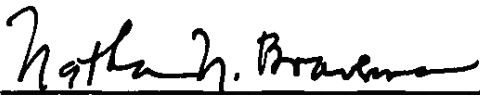
BK 8799PC0882

SECTION 6: If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 7: This Ordinance shall become effective upon passage.

PASSED FIRST READING this 3rd day of September, 1991.

PASSED SECOND READING this 10th day of September, 1991.


NATHAN N. BRAVERMAN MAYOR

ATTEST:


VERNADETTE FULLER
CITY CLERK

SVD/mh
7/11/91
D-22 91-298

RECORDED IN THE OFFICIAL RECORDS BOOK
OF BROWARD COUNTY FLORIDA
COUNTY ADMINISTRATOR

BK18799PG0883

EXHIBIT D

Variance - 95-26
PROCEEDINGS BEFORE THE ZONING BOARD OF APPEALS
OF THE CITY OF POMPAÑO BEACH, FLORIDA

IN RE APPEAL:

APPEAL #95-26

ABE BORUJERDI
2307 N. Riverside Drive
Pompano Beach, Florida 33062

Lot 2, Block 20, HILLSBORO SHORES SECTION "B"
according to the plat thereof as recorded in Plat Book
22, Page 39, of the public records of Broward County,
Florida.
AKA: 2307 North Riverside Drive
ZONED: RS-2

PETITIONER:

ABE BORUJERDI

Requests three (3) variances be granted as follows:

- 1) Variance from the provisions of Section 155.158 (G) (1) (Front Yard, RS-2) of Chapter 155 of the Code of Ordinances in order to construct a garage addition with a 19 foot front yard, rather than a 25 foot front yard as required by the Code.
- 2) Variance from the provisions of Section 155.158 (G) (2) (Side Yard) of Chapter 155 of the Code of Ordinances in order to provide a 4.4 foot side yard, rather than a 7.5 foot side yard as required by the Code.
- 3) Variance from the provisions of Section 155.158 (G) (3) (a) (Rear Yard) of Chapter 155 of the Code of Ordinances in order to provide a 22 foot rear yard, rather than a 25 foot rear yard as required by the Code.

WHEREAS, it appears that special and peculiar circumstances which are not the result of the actions of the petitioner or his representative affect the land, buildings or structures for which approval is sought, and further, that the denial of the request by the petitioner would deprive the petitioner of the reasonable use of his property, NOW, THEREFORE, the Zoning Board of Appeals finds that the granting of this permission will be in harmony with the general purpose and intent of the Zoning Ordinances of the City of Pompano Beach, Florida, and will make possible the reasonable use of the petitioner's property. The Board further finds that to deny the petitioner his request would impose an unreasonable and unnecessary hardship upon the petitioner and that the granting of this permission is wholly harmonious and consistent with the best interest of the general public.

IT IS, THEREFORE, ORDERED THAT PERMISSION IS GRANTED TO
PETITIONER:

ABE BORUJERDI

TO:

- 1) Construct a garage addition with a 19 foot front yard, as requested.

2) Provide a 4.4 foot side yard, as requested.

NOTE: The variance request relative to the rear yard (Item No. 3) was DENIED by the Zoning Board of Appeals.

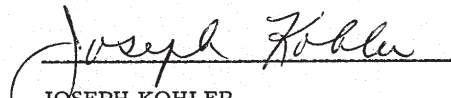
This Approval shall become effective and final fifteen (15) days from the date of passage provided however that in the event an appeal, as provided for in Section 155.025, has been timely filed, no action may be taken on the order by the Zoning Board of Appeals until the conclusion of the appeal before the City Commission.

In accordance with the provisions of Section 158.024 (J) of the Code of Ordinances, the relief granted by the Zoning Board of Appeals is limited to the authority vested in the Board and does not exempt the petitioner or owner from the responsibilities of obtaining all applicable permits and/or approvals as may be required by law, or by the City, for both new and existing structures.

Any variance, special exception, temporary permit or other decision of the Zoning Board of Appeals shall expire and become null and void 180 days after said action unless, within the said 180 day period, or other time period as ordered by the Board, any and all permits and/or approvals required by law, or by the City, including building permits, have been properly acquired or unless within the 180 day period, a request is made consistent with the Code of Ordinances seeking an extension of time for the variance, special exception or other specific order that had been approved by the Board. If no approval or permit is required, the use allowed by the Zoning Board of Appeals must be commenced within the said 180 day period unless otherwise provided by the Board or unless within the 180 day period a request is made consistent with the Code of Ordinances seeking an extension of time for the variance, special exception or other specific order that had been approved by the Board.

Any request for an extension from the time frames as required by an order of the Zoning Board of Appeals must be made by the petitioner or owner and it shall be the petitioner's or owner's burden to establish a good and sufficient cause for any extension of time. There shall be no more than five (5) extensions of time in any one case, each of which shall be no greater than 180 days or in the aggregate in excess of 900 days for any variance, special exception or other specific order of the Zoning Board of Appeals.

DONE AND ORDERED this 19th day of January, 1995.


JOSEPH KOHLER
Chairman
Zoning Board of Appeals

lrh
1.22.95