

ZONING VARIANCE REQUEST – 4/21/2025

Bryan Thanos - 2648 NE 15th Terrace, Pompano Beach FL 33064

SUMMARY

This variance should be granted because the mini-split air conditioning unit, while technically located at the front of the property, is completely concealed by established landscaping and therefore maintains the aesthetic intent of the city code. Relocating the unit would create significant hardship through increased costs, reduced efficiency, and potential overcrowding of mechanical equipment on the south side of the property where two AC units already exist. The current arrangement represents the most practical solution that balances code compliance intent with optimal functionality, while having no negative impact on neighborhood aesthetics or adjacent properties.

RESPONSE TO THE 8 ZONING VARIANCE QUESTIONS

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.

RESPONSE: The property has limited alternative placement options for the mini-split air conditioning unit. The only other potential location would be on the south side of the property where two AC units are already installed. This represents an exceptional condition as the concentration of mechanical equipment in a single area would create overcrowding, reduced efficiency due to units competing for airflow in a confined space, and increased noise concentration affecting neighboring properties.

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

RESPONSE: The exceptional conditions are not the result of the landowner's actions but rather due to the pre-existing placement of two air conditioning units on the west side of the property and the structural layout of the home which makes the current location optimal for the mini-split unit's efficiency and function.

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.

RESPONSE: Enforcing strict compliance with the code would create a significant hardship as relocation of the unit would result in increased installation costs for extending refrigerant lines and

electrical connections, reduced energy efficiency due to longer line runs, and potential structural modifications to accommodate new line paths. Additionally, the current location offers optimal efficiency for cooling the intended area of the home.

d. The Variance would not confer any special privilege on the landowner that is denied to other lands or structures that are similarly situated.

RESPONSE: The variance would not confer any special privilege as the unit is completely concealed behind established hedges and landscaping, rendering it invisible from the street and neighboring properties. This arrangement fully preserves the aesthetic character of the neighborhood, which is the primary purpose of the regulation prohibiting units in the front of homes.

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

RESPONSE: The variance request is limited to this single mini-split unit, which is already fully concealed by landscaping. This represents the minimum variance necessary to maintain efficient cooling of the intended area of the home without creating the overcrowding and functional issues that would result from relocating it to the west side of the property.

f. The variance is in harmony with the general purpose and intent of this Code and preserves its spirit.

RESPONSE: The spirit of the city ordinance is to maintain neighborhood aesthetics, which the current installation accomplishes through proper landscaping concealment. The unit remains invisible from public view, thus preserving the aesthetic character of the neighborhood and fulfilling the intent of the code while accommodating the practical needs of the property.

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.

RESPONSE: The current placement of the mini-split unit has no adverse effect on health, safety, or neighborhood aesthetics as it is completely concealed from view. In fact, relocating the unit to the west side where two units already exist would potentially create more noise concentration in one area, adversely affecting neighboring properties more than the current arrangement.

h. The Variance is consistent with the comprehensive plan.

RESPONSE: This variance is consistent with the comprehensive plan as it maintains the aesthetic standards of the neighborhood through proper concealment of mechanical equipment while allowing for the efficient and practical use of the property. The complete visual concealment of the unit ensures that it does not detract from the visual character of the area while providing necessary climate control for the residence.



Bryan Thanos (Property Owner)