

***ARCHITECTURAL APPEARANCE COMMITTEE  
CITY OF POMPANO BEACH  
BROWARD COUNTY, FLORIDA***

***DEVELOPMENT ORDER***

***PLANNING AND ZONING NO. 18-12000030***

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AN ORDER ISSUED BY THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA, PURSUANT TO ORDINANCE NO. 98-57; APPROVING WITH CONDITIONS THE APPLICATION FOR DEVELOPMENT PERMIT FOR BW ATLANTIC AND ANDREWS LLC.

WHEREAS, Ordinance No. 98-57, authorizes the Architectural Appearance Committee (“Committee”) to review plans for this project which consists of the construction of a 5,812 sq. ft. convenience store along with sixteen fueling stations located under 5,916 sq. ft. of canopy on the property associated with folio numbers 484234001010; 484234001011; 484234001001; 484234001000 on the Northwest corner of W. Atlantic Boulevard and N. Andrews Avenue (“Project”); and

WHEREAS, the Committee has met and reviewed this Project and does not find the plans submitted for review in compliance with the criteria for approval as set forth in Ordinance 98-57 as follows, but the developer has agreed in writing that no building permit will be issued until those conditions the Development Services Director finds reasonably necessary to insure compliance are met; and

- a) The plan for the proposed structure or project is in conformity with good taste, good design and, in general, contributes to the image of Pompano Beach as a place of beauty, spaciousness, harmony, taste, fitness, broad vistas and high quality;

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- b) The proposed structure or project is not, in its exterior design and appearance, of inferior quality such as to cause the nature of the local environment or evolving environment to materially depreciate in appearance and value;
- c) The proposed structure or project is in conformity with the standards of this Code and other applicable ordinances insofar as the location and appearance of the buildings and structures are involved;
- d) The proposed structure or project is in harmony with the proposed developments in the general area, with the Comprehensive Plan for the City and with the criteria set forth in the adopted "Supplemental Criteria of the Architectural Appearance Committee".

Upon further examination and participation of the Development Services Staff, the following conditions were offered to further comply with the City Code and offer further clarification for the building permitting process:

1. *Obtain an Administrative Adjustment for the front setback where the principal building encroaches into the front setback by 5 feet, or revise plans to provide the minimum 25-foot front setback for the principal building, pursuant to 155.3402.*
2. *Provide a call out for the proposed material at the base of the columns of the gas station canopy, to match base of the principal building.*
3. *Obtain approval from the AAC for Vernacular or Superior Design Alternative to allow for a deviation from the Building Orientation requirement of §155.5602.C.2.*
4. *Obtain approval from the AAC for Vernacular or Superior Design Alternative to allow for a deviation from the Fenestration/Transparency requirement of §155.5602.C.7*

### **VERNACULAR OR SUPERIOR DESIGN ALTERNATIVE**

In accordance with the authority granted to the Committee, pursuant to Section 155.2408.F of Chapter 155 of the Code of Ordinances, the Architectural Appearance Committee hereby grants approval of two (2) Vernacular or Superior Design Alternatives. The first request is to allow a

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deviation from the requirements of Section §155.5602.C.2: Building Orientation where the front facade of the building, as defined by the primary entrance, shall front onto a street, a courtyard, or plaza, not an off-street surface parking area, and in the case of corner lots, the primary entrance shall face the street from which the building derives its street address. The second request is to allow deviation from the requirements of Section §155.5602.C.7: Fenestration/Transparency where at least 30 percent of the street-facing facade area of the ground-level floor of buildings must be occupied by windows or doorways, and all ground-level windows on street-facing facades must be transparent.

After careful consideration of the Project and the recommendations of City staff, it is the Committee's finding that the plans and the request for Vernacular or Superior Design Alternative are approved, subject to the two City staff conditions and additional conditions below:

1. *All sign structures will come back to the AAC.*
2. *Subject to staff review, the applicant is to add a red canopy on the east elevation that matches in height the west elevation but with a maximum projection of 12 inches at the spandrel only. The spandrel above the canopy will be exposed similar to the west.*

DONE AND ORDERED this 22 day of April, 2019.

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ROBERT ZBIKOWSKI

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ROBERT H. ZBIKOWSKI

Chairman

Architectural Appearance Committee

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Filed with the Advisory Board Secretary this 22nd day of April, 2019.

DocuSigned by:

*Lauren Gratzner*

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Lauren Gratzner  
Assistant Planner

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