



December 10th, 2025

Zoning Board of Appeals
City of Pompano Beach
100 West Atlantic Boulevard, Dept. 1510
Pompano Beach, Florida 33060

RE: Big Tree BBQ Variance @ N POWERLINE RD POMPANO BEACH FL 33069 (Folios [484233020220](#); [484233020230](#); [484233020550](#); [484233020560](#); [484233040770](#))

Dear members of the Zoning Board of Appeals,

PLANW3ST is representing the POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY in pursuit of Variance approval at the above-referenced property. The subject property is 21,416 sq. ft. (0.49 acres), within the jurisdiction of the City of Pompano Beach. Currently, the property (5 separate tax folios) is vacant and the prospective owner intends to develop the property with a new 1,448 sq. ft. restaurant and related site and landscape modifications. The subject property is located within B-2 (Community Business) and RS-3 (Single Family Residential 3 Zoning), as well as within the C Commercial and L Low Land Use designation of the City's adopted Future Land Use Map. The subject property is located west of Powerline Road, between NW 4th CT and NW 5th ST t (refer to **EXHIBIT A** location map included with this narrative).

The property is challenging to develop meeting certain access standards and buffer widths due to the shape of the lot. This project has been through one Pre-Application Meeting, and 2 Development Review Meetings (DRCs) under Application PZ #25-12000012, with all comments being resolved except for the following comments issued for the 12/3 DRC Meeting:

- PLANNING Comment 4- Access to this site will be difficult to accommodate. Our code does not allow access to the property within 100 linear feet of the intersection with Powerline Road. Only one two-way driveway, or one pair of one-way driveways, is allowed onto lots with 200 or less feet of lot frontage on the arterial or collector street.
- ZONING Commet 1- The proposed south access driveway does not comply with Sec. 155.5101.G.3 Vehicular Access Management. This provision of the Code requires any driveway access to be at least 100 feet from the intersection of a principal arterial street, minor arterial street, or collector designated on the Broward County Trafficways Plan. The driveway will create a potential traffic conflict with the existing traffic pattern of the area. The applicant must obtain a relief from ZBA and approval from Broward County and Florida DOT.
- ZONING Comment 3- Revise the buffer types listed. In the previous DRC review meeting we established the need to provide a Type C buffer on the southern parcel as required by Sec. 155.5604 Residential Compatibility Standards. The site plan list all the buffer areas as Type B.

Planning Comment 4 and Zoning Comment 1 discuss the same code requirement for access, while Zoning Comment 3 is related to maintaining the required 10-foot buffer width throughout the west property line. We respectfully request the Board consider a variance to sections **155.5101.G.3.a.** [Vehicular Access Management; Limitation on Direct Access Along Arterial and

Collector Streets]; **155.5203.D.3.c.ii** [Perimeter Landscaping Strips; Width], and **TABLE 155.5203.F.3: [REQUIRED BUFFER TYPES AND STANDARDS]**.

155.5101. ACCESS AND CIRCULATION

G. Vehicular Access and Circulation

3. Vehicular Access Management

a. Limitation on Direct Access Along Arterial and Collector Streets

Direct driveway access to a development's principal origin or destination points (including individual lots in a subdivision) shall be located at least 100 lineal feet from an intersection with McNab Road, Blount Road, a principal arterial street, minor arterial street, or collector designated on the Broward County Trafficways Plan. Direct driveway access may be provided directly from a principal arterial street, minor arterial street, or local collector designated on the Broward County Trafficways Plan only if:

- i. No alternative direct vehicular access from a lower-classified accessway (e.g., local street, driveway, or alley) is available or feasible to provide;
- ii. Only one two-way driveway, or one pair of one-way driveways, is allowed onto lots with 200 or less feet of lot frontage on the arterial or collector street, and no more than one additional two-way driveway or pair of one-way driveways per additional 200 feet of frontage; and
- iii. The development(s) served by the driveway is expected to generate an average daily traffic (ADT) count of 1,000 trips or less, or the Development Service Director determines that the origin or destination points accessed by the driveway will generate sufficiently low traffic volumes, and the adjacent arterial or collector street has sufficiently low travel speeds and traffic volumes, to allow safe driveway access while preserving the safety and efficiency of travel on the arterial or collector street.

155.5203. LANDSCAPING

D. Vehicular Use Area Landscaping

3. Perimeter Landscaping Strips

c. Width

The minimum width of the perimeter landscaping strip shall be:

- i. Twenty feet in industrial developments abutting a major arterial, minor arterial, or collector street;
- ii. Ten feet in all other developments on lots greater than 100 feet wide; and
- iii. Five feet in all other developments on lots no more than 100 feet wide.

...

TABLE 155.5203.F.3: REQUIRED BUFFER TYPES AND STANDARDS	
Where Required ¹	Required Buffer Type by Function and Optional Screening Standards ^{2,3,4,5,6,7}
TABLE 155.5203.F.3: REQUIRED BUFFER TYPES AND STANDARDS	
Where Required ¹	Required Buffer Type by Function and Optional Screening Standards ^{2,3,4,5,6,7}
	Type A Buffer

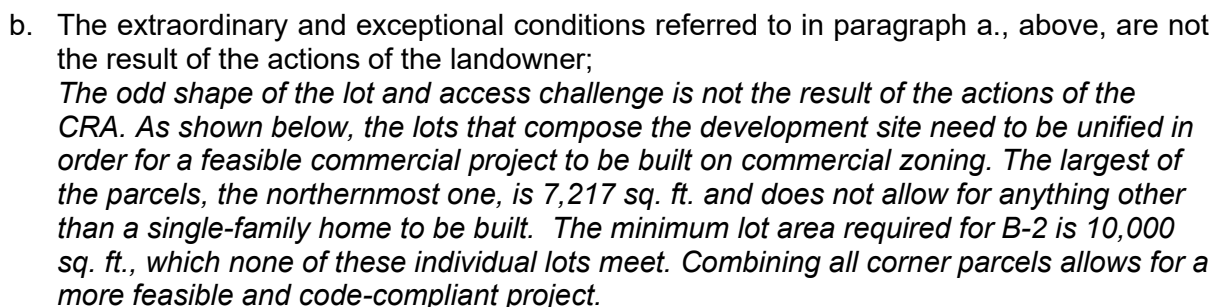
Between a proposed multifamily dwelling and land zoned RS-1, RS-2, RS-3, RS-4, RS-L, RD-1, or MH-12, or as required per a use-specific standard in Article 4 .	This perimeter buffer functions as an intermittent visual obstruction from the ground to a height of at least 20 feet, and creates the impression of spatial separation without eliminating visual contact between uses.	
	Option 1	Option 2
	At least 10 feet wide + 1 canopy tree per 30 linear feet + A continuous hedge at least 4 feet high	At least 20 feet wide + 1 canopy tree per 50 linear feet + 1 understory tree per 30 linear feet + 1 shrub per 10 linear feet
Between a proposed institutional, commercial, or mixed-use development and land within a residential zoning district, or as required per a use-specific standard in Article 4 .	Type B Buffer	
	This perimeter buffer functions as a semi-opaque screen from the ground to a height of at least six feet.	
	Option 1	Option 2
Between a proposed industrial use and land within a non-industrial zoning district, or as required per a use-specific standard in Article 4 .	At least 10 feet wide + A wall or semi-opaque fence at least 6 feet high + 1 tree per 30 linear feet + a continuous hedge at least 4 feet high on the exterior side of the wall or fence + 1 shrub per 10 linear feet on the interior side of the wall or fence	At least 20 feet wide + 1 canopy tree per 30 linear feet + 1 understory tree per 20 linear feet + 1 shrub per 5 linear feet
	Type C Buffer	
	This perimeter buffer functions as an opaque screen from the ground to a height of at least six feet. This type of buffer prevents visual contact between uses and creates a strong impression of total separation.	
	Option 1	Option 2
	At least 10 feet wide +	At least 25 feet wide

	An opaque masonry wall at least 8 feet high + 1 understory tree per 30 linear feet + a continuous hedge at least 5 feet high on the exterior side of the wall or fence + 1 canopy tree per 30 feet on the interior side of the wall or fence	+ A wall or opaque fence at least 4 feet high atop a berm at least 4 feet high + 1 understory tree per 15 linear feet on the exterior side of the wall or fence + 1 canopy tree per 30 linear feet on the interior side of the wall or fence
NOTES: 1. Developments with multiple buildings shall provide perimeter buffers around the perimeter of the development site instead around individual buildings . 2. Deviations from perimeter buffer width and screening requirements may be authorized in accordance with Section 155.2421 , Administrative Adjustment. 3. Where an adjacent use is designed for solar access, understory trees may be substituted for canopy trees as necessary to minimize interference with solar access. 4. Fences or walls within a perimeter buffer shall comply with the standards of Section 155.5302 , Fences and Walls . 5. A wall shall be designed to not interfere with the rooting of required trees . 6. Walls and fences shall include a gate to allow the access necessary to maintain the required screening. 7. Planting ratios shall be deemed per the prescribed number of linear feet or major fraction thereof.		

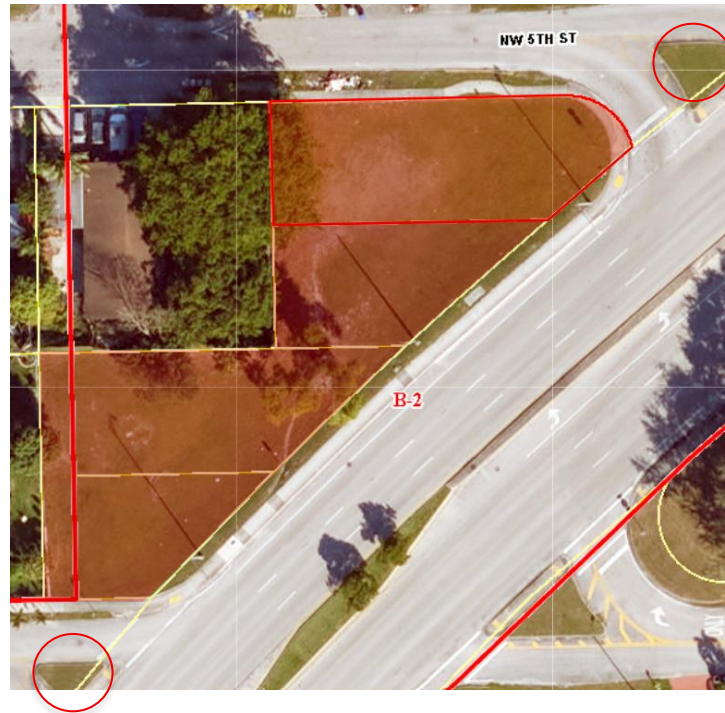
Applicant understands a Variance shall only be approved on a finding that the request as proposed meets the following standards, and Applicant firmly believes this application complies with each. The individual standards are listed below with Applicant's compliance and/or justification provided below in *italics*.

- 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;

As mentioned in the introduction of this narrative, the lot for this development is challenging, to say the least. The lot takes advantage of the full block frontage on Powerline Road, but has a "pinch point" on the west side in the middle of the property. This shape makes maintaining the west side (Types B and C) buffers, and the east side perimeter landscape strip at the required 10-foot width difficult. The west side perimeter buffer goes from the 10-foot required width, down to 8 inches at the "pinch point". The east



The roadways north and south of the property (NW 5th ST and NW 4th CT) include a traffic diverting island that further restricts access into the site, which is why the proposal shows one-way circulation going south, with a right-out only at the south (and most-restricted) portion of the property. Please refer to the image below.



Additionally, the subject parcels don't appear to have ever been developed, while the residences to the west seem to have been in existence since at least 1969.

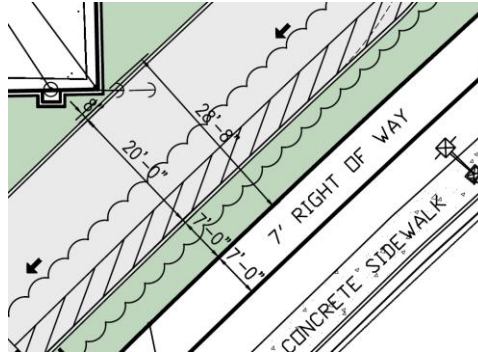


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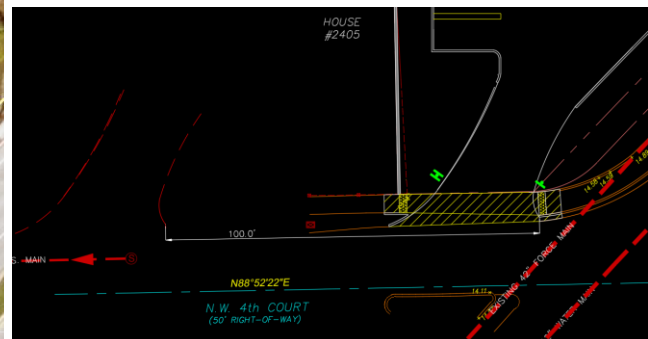
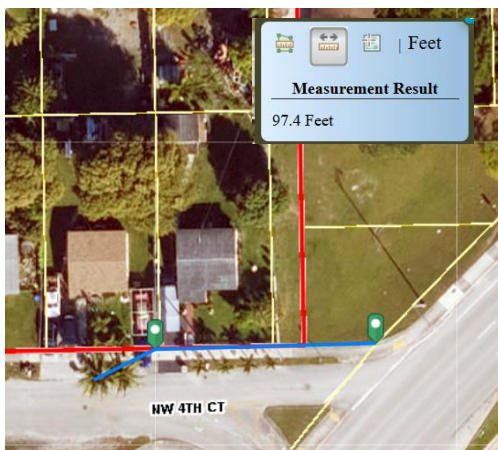
<https://bcqishub.broward.org/enq/rest/services/BCE/AerialPhotos1963to2000/FeatureServer/0/13/attachments/394>)

- 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;

The design cannot follow full code requirements for the buffer and perimeter landscape strip widths as there is not sufficient land to implement these requirements. At the “pinch point” of the site, there is a remaining 28 feet-8 inches after the 7-foot right-of-way dedication for Powerline Road is subtracted. This is simply not enough land to provide a 10-foot buffer, a 20-foot-wide fire access road, and a 10-foot-wide landscape perimeter abutting Powerline Road.



This is the same challenge for the required 100-foot access point setback. On the north end, the access point can shift to the west only slightly; however, fire access would be impacted due to the sharper angled turn needed for the driveway headed south. On the south end, the access point would be two parcels west (see below).



(Source: www.bcpa.net)

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

This variance would not confer any special privilege that is denied to similarly-challenging parcels. All parcels with this same issue would need to request a variance or simply not be permitted to develop at all. The variance being requested is the least relief needed to make these parcels developable with the least intensive neighborhood commercial use. If a variance is not sought or granted for a similarly situated property, the parcels would sit vacant (as these have, from at least 1969).

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

These variance requests are the minimum necessary to make this reasonable project feasible. A buffer reduction is needed at the “pinch point” of the west perimeter due to the odd shape of the property. This same “pinch point” also impacts the perimeter landscape strip along the vehicular area abutting Powerline Road. The access point setback is necessary where proposed (0 feet) due to the extreme narrowness of the south portion of the lot (36.65 feet). Moving the access point any further west would mean encroaching into the adjacent single-family lots. In order to eliminate any access or traffic impacts on the adjacent area, we are proposing to make the south access point a right-out egress.

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

*The variance request supports the general purpose and intent of this code. As per code section 155.3303.A [COMMUNITY BUSINESS (B-2); Purpose], the B-2 district is “established and intended to accommodate primarily low- to moderate-intensity office, service, and retail uses that primarily serve the needs of residents of surrounding residential neighborhoods (e.g., professional and business offices, business services, banks, **restaurants**, convenience stores, gasoline filling stations), as well as neighborhood-serving institutional uses (e.g., child care facilities, places of worship) ...” Per code section 155.1103 [GENERAL PURPOSE AND INTENT], this request and project is consistent with the following:*

- A. Preserve and enhance present advantages and overcome present handicaps that exist in the city- The design provides appropriate development in undeveloped land and the variance will resolve conflicts that make the development impossible.*
- B. Encourage the most appropriate use of land, water, and resources- This is a permitted use and most appropriate for this zoning district.*
- C. Deal effectively with future problems that may result from the use and development of land- The right-out only egress proposed resolves any future issues that are related to exiting the site.*
- D. Facilitate the adequate and efficient provision of transportation, water, sewerage, schools, parks, recreational facilities, housing, and other requirements and services- These parcels are ready to be developed with a service use and have access to all required infrastructure.*
- E. Conserve, develop, utilize, and protect natural and historic resources- Out of 4 existing trees located on the site, 2 are being protected and included within the design. The two being removed are invasive and required to be removed by code.*
- F. Maintain and protect the character and stability of the community and its established neighborhoods- this proposal provides a neighborhood-intense use on neighborhood commercial zoning, which protects and maintains established neighborhoods.*
- G. Encourage compact, mixed-use, pedestrian-oriented, and transit-oriented development- this project provides proper vehicular and pedestrian circulation, and includes bicycle parking to encourage multiple modes of transportation.*
- H. Establish an overall sense of place of the city, its downtown area, and its activity center- This project is proposed in the Collier City neighborhood, on CRA land along Powerline Road. Per the NWCRA Plan, commercial corridors like Powerline Road are included in the Commercial Corridors Improvement*

Program. “This program is designed to build upon previous redevelopment efforts and set the stage for future initiatives to improve the commercial corridors for business, retail and office.” New development on Powerline improves the corridor, supporting this program (source:

https://cdn.pompanobeachfl.gov/city/pages/cra/NWCRA-Amended-Plan_Final-Clean-Version_5.8.2024.pdf

- I. Promote sustainable development and reduce greenhouse gas emissions by encouraging less auto-dependent development patterns, renewable energy use, energy conservation, water conservation, vegetation, urban agriculture, recycling and waste reduction, and hazard-resilient development- This project will be constructed new and will be compliant to FEMA and floodplain management requirements. Trees are being protected and included within the design. In addition, this project provides proper vehicular and pedestrian circulation, and includes bicycle parking to encourage multiple modes of transportation.
 - J. Establish comprehensive, consistent, effective, efficient, and equitable standards and procedures for the review and approval of land development that recognize and respect the rights of landowners and consider the interests of the city's citizens- This project includes a buffer along the west side that will include all required plant material. This buffer will provide privacy and protection for the adjacent residents. The design provides appropriate development in undeveloped CRA land.
- 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;
Granting this variance would not adversely affect the health or safety of the neighborhood. The proposed use is a low intensity restaurant that will service the neighborhood, which is a use permitted by right in B-2. The buffers being provided will include a concrete wall along the western property line to provide privacy and sound mitigation for the adjacent residents. The Powerline Road landscape perimeter will include all plant material required, with the width reduced to the 7 feet requested. In order to eliminate any access or traffic impacts on the adjacent neighborhood, we are proposing to make the south egress point a right-out only, which removes any exiting traffic from entering Powerline Road.
- h. The Variance is consistent with the comprehensive plan.

The subject property is located within the C Commercial and L Low Land Use designation of the City's adopted Future Land Use Map. The residential land use portion of the property will only include a perimeter landscape strip. According to the City's adopted Comprehensive Plan, office and business uses are permitted in the C Commercial Land Use designation, of which a restaurant falls under. Additionally, the proposed use and project is consistent with the following policies of the City's Comprehensive Plan:

Policy 01.14.01 *The City shall emphasize re-development and infill, which concentrates the growth and intensifies the land uses consistent with the availability of existing urban services and infrastructure in order to conserve natural and manmade resources.*

- *The proposed project is an infill project, within parcels that have remained vacant since about 1969 if not longer. A 7-foot right-of-way dedication is proposed for Powerline Road.*

Policy 01.02.03 *The City shall not issue building permits or development orders for construction within identified rights-of-way in order to protect the transportation corridors*

identified on the Broward County Trafficways Plan and to meet the street right-of-way standards in Chapter 100 of the City's Code of Ordinances.

- *A 7-foot right-of-way dedication is proposed for Powerline Road.*

Policy 01.03.01 Eliminate or reduce nonconforming uses which are inconsistent with the land development regulations and the designations of the Future Land Use Plan map.

- *The project proposes combining several nonconforming commercial parcels to sustain a feasible commercial project.*

Policy 01.03.10 Support and promote hotels, motels and other tourist accommodations in designated residential, commercial and commercial recreation land use designations.

- *The project proposes a new restaurant in commercial zoning, which supports other tourist accommodations in the area.*

Objective 01.08.00 – Community Redevelopment Areas: Amend the Land Use Plan map and Zoning map to support new development and redevelopment in the Community Redevelopment Areas.

- *The proposed project is an infill project within the NWCRA and is consistent with the NWCRA plan for Collier City and Powerline Road.*

Policy 01.14.01 The City shall emphasize re-development and infill, which concentrates the growth and intensifies the land uses consistent with the availability of existing urban services and infrastructure in order to conserve natural and manmade resources.

- *The proposed project is an infill project within undeveloped parcels along an established major corridor. The property has access to all required infrastructure.*

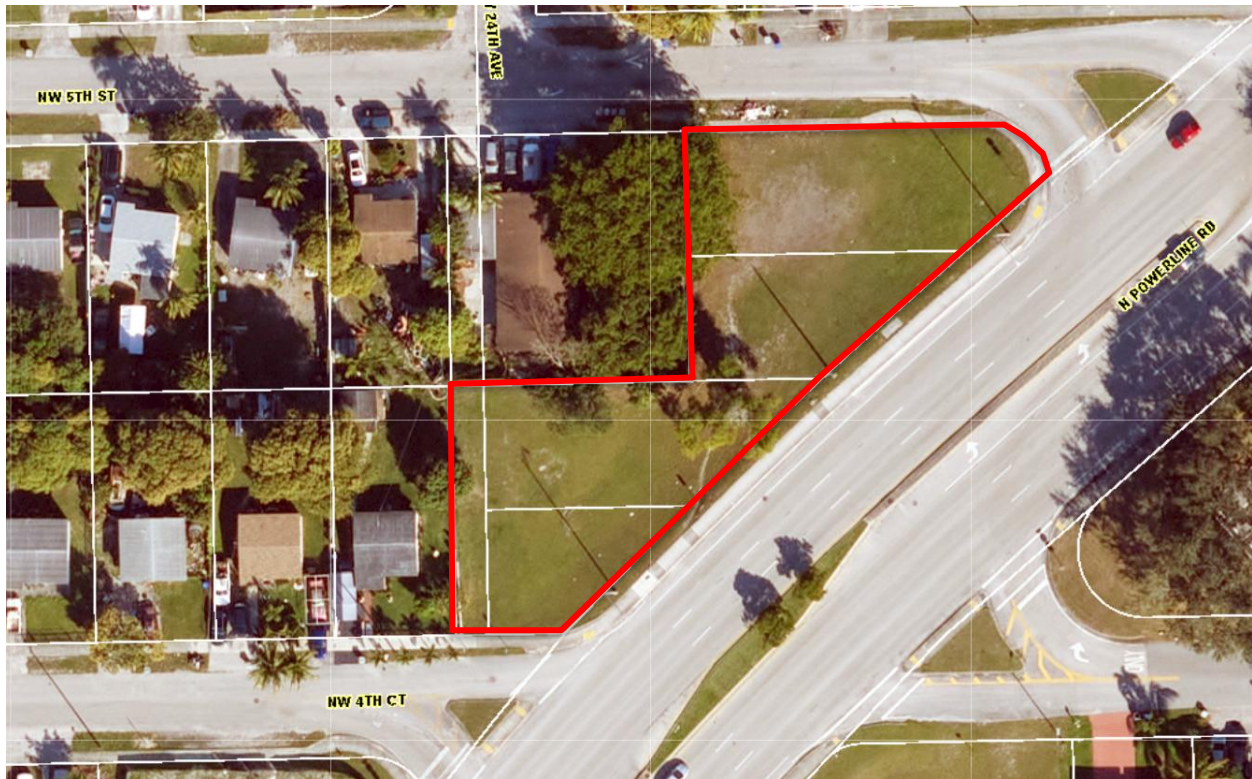
Thank you for your consideration. We respectfully request approval is granted as justified above.

Please do not hesitate to contact me with any questions.



Paola A. West, AICP, ISA-CA
Principal, Senior Land Planner

EXHIBIT A



Parcel Id: [484233020220](#); [484233020230](#);
[484233020550](#); [484233020560](#);
[484233040770](#)

Owner: POMPANO BEACH
COMMUNITY
REDEVELOPMENT AGENCY
Situs N POWERLINE RD POMPANO
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