

Luis C. Maury, PE

3010 N. Course Dr. 508 Pompano Beach FL. 33069

ZONING VARIANCE NARRATION - 3-7-25

A portion of the property at 1615 SE 1ST Street, Pompano Beach. is shown to encroach into the 10-foot side yard setback (East) by 2 inches. The property is in a TO-EOD zone with the following existing yard setbacks:

Front - south (SE 1ST street.) – 25 ft.

Side (west) – 20'-5 1/2" ft.

Rear side (north)-38'-8" ft.

Side (east) – 9'-10"

A family room was added to the existing residence by the previous owner (now deceased) the addition was built and does extend slightly beyond two inches into the ten-foot side yard setback.

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.

REPONSE: There has been a few changes to the zoning designation at and setbacks for this property, making difficult to establish the correct setback distance. The affected portion of the structure, a subsequent addition, entered the setback. This encroachment was not recognizable to the owner/applicant.

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

RESPONSE: The exceptional condition regarding the setback intrusion was ultimately due to the actions of the previous owner and contractor, who situated the family room addition slightly encroaching into the setback. The applicant, the present owner, did not have knowledge of such a setback intrusion when she bought the house.

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- 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.

REPONSE: The remediation necessary to bring the structure into setback compliance is an extremely burdensome hardship. portion of the family room will need to be demolished and safely rebuilt and enclosed.

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

REPONSE: The extent of the building's intrusion into the setback is not excessive and would not unfairly impact neighborhood properties.

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

REPONSE: The building setback from the property line is 9'-8" ft., only 2" (1.6 %) short of the 10.0 ft. required setback.

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

REPONSE: The variance will continue to allow a reasonable setback without any undo hazard to the adjacent property, just as it has for many years.

- 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

REPONSE: The effect of the variance will not unduly impact adjacent or neighborhood properties. This setback condition has existed for 10+ years with no detrimental impact.

- h. The Variance is consistent with the comprehensive plan.

REPONSE: This variance will be consistent with the general parameters of the Comp Plan. There are no land use issues involved, and as a zoning issue it will only allow a relatively minor intrusion into a residential side yard setback.

