



# City of Pompano Beach

100 West Atlantic Blvd.  
Pompano Beach, FL 33060

## Staff Report

**File #:** LN-282

PLANNING AND ZONING BOARD

Meeting Date: MAY 25, 2022

### FRANCO'S WAREHOUSE MAJOR ADJUSTMENT

**Request:** Major Administrative Adjustment  
**P&Z#** 22-16500001  
**Owner:** Franco's Warehouse  
**Project Location:** 140 SW 5<sup>th</sup> Court  
**Folio Number:** 494202151000  
**Land Use Designation:** I (Industrial)  
**Zoning District:** B-4 (Heavy Business)  
**Commission District:** 5 (Cyndy Floyd)  
**Agent:** Rafael Diaz (754-547-9199)  
**Project Planner:** Pamela Stanton (954-786-5561 / [pamela.stanton@copbfl.com](mailto:pamela.stanton@copbfl.com))

### Summary:

The applicant is requesting Major Administrative Adjustment approval for a 40% reduction in the percentage of required rear yard setback. The request is from the provision of § 155.3305: Heavy Business (B-4), which requires a 30-foot rear yard setback, by reducing the setback to 18 feet. The applicant is requesting the reduction in order to shift the building location to the rear of the property to be able to comply with the vehicular stacking distance at the front entrance driveway to the site.

The property is located on the south side of SW 5 Court and west of South Cypress Road.

### ADMINISTRATIVE ADJUSTMENT REVIEW STANDARDS

A Major Administrative Adjustment shall be approved only on a finding that there is competent substantial evidence in the record that both the limitations in [Table 155.2421.B.1](http://library.amlegal.com/nxt/gateway.dll?f=javascript&javascript_x=Advanced&javascript_vpc=first&javascript_xsl=querylink.xsl&javascript_sel=title;path;content-type;home-title;item-bookmark&javascript_d=florida(pompanobeach_zoning)&javascript_q=%5bfield%20folio-destination-name:'Table%20155.2421.B.1'%5d&javascript_md=target-id=JD_Table155.2421.B.1) <[http://library.amlegal.com/nxt/gateway.dll?f=javascript&javascript\\_x=Advanced&javascript\\_vpc=first&javascript\\_xsl=querylink.xsl&javascript\\_sel=title;path;content-type;home-title;item-bookmark&javascript\\_d=florida\(pompanobeach\\_zoning\)&javascript\\_q=%5bfield%20folio-destination-name:'Table%20155.2421.B.1'%5d&javascript\\_md=target-id=JD\\_Table155.2421.B.1](http://library.amlegal.com/nxt/gateway.dll?f=javascript&javascript_x=Advanced&javascript_vpc=first&javascript_xsl=querylink.xsl&javascript_sel=title;path;content-type;home-title;item-bookmark&javascript_d=florida(pompanobeach_zoning)&javascript_q=%5bfield%20folio-destination-name:'Table%20155.2421.B.1'%5d&javascript_md=target-id=JD_Table155.2421.B.1)>, Allowable Administrative Adjustments, are met and that the Administrative Adjustment:

a. Achieve the intent of the subject standard to the same or a higher degree than the subject standard;

Response: This request allows for compliance with all Code requirements at the front of the site: front setback, vehicular stacking, minimum number of required parking spaces, and landscape areas.

- b. Is consistent with the Comprehensive Plan and advances the goals of this Code to the same or a higher degree than the subject standard;

Response: The applicant has provided competent substantial evidence that supports the request and is consistent with the Industrial land use designation of the property and the following specific policies and objectives:

**Objective 01.01.00 - Future Land Use Plan and Levels of Service.** Maintain the City's Future Land Use Map consistent with the Broward County Land Use Plan to ensure all development permits issued are consistent with the City and County land use plans and the adopted level of service requirements for the availability of facilities and services can be met. The adopted levels of service standards will be adjusted over time as necessary to address the impacts of sea level rise and climate change.

**Policy 01.01.02.** Review all proposals for development or redevelopment and base the approval of same on the continued maintenance of all adopted Level of Service Standards which may be adjusted over time to address the impacts of sea level rise and climate change.

- c. Imposes no greater impacts on adjacent lands than would occur through compliance with the specific requirements of this Code;

Response: The request imposes no greater impacts on adjacent lands than would occur through compliance with the specific code. The requested Major Administrative Adjustment will not have an impact on the adjacent properties, with regard to any Code requirements. The Project will significantly revitalize the appearance of the Property and transform the area into one that is consistent with the City's comprehensive plan and City's Code.

- d. Provides one or more of the following public benefits to an extent sufficient to compensate for the requested modification of standards:
1. Deed-restricted workforce and/or affordable housing;
  2. Permanent conservation of natural areas or lands;
  3. Preservation of protected trees in addition to that required by this Code's tree preservation standards;
  4. Protection against flood damage in addition to that required by the floodplain management requirements in Chapter 152 (Buildings) of the Code of Ordinances;
  5. Permanent protection of scenic views;
  6. Public parks and recreational facilities;
  7. Public trails and trail linkages;
  8. Public art;
  9. Cultural or historic facilities deeded to the city or qualified not-for-profit agencies; or
  10. Other benefits approved by the P&Z

Response: The project proposes to provide landscaping and curbing outside of the property which will define the edge of the street.

#### Staff Conditions:

Pursuant to § 15.2304.C, Applications Subject to Staff Recommendation, the Development Services Director has consulted the department reports from the Development Review Committee (DRC) meeting which are recorded on file

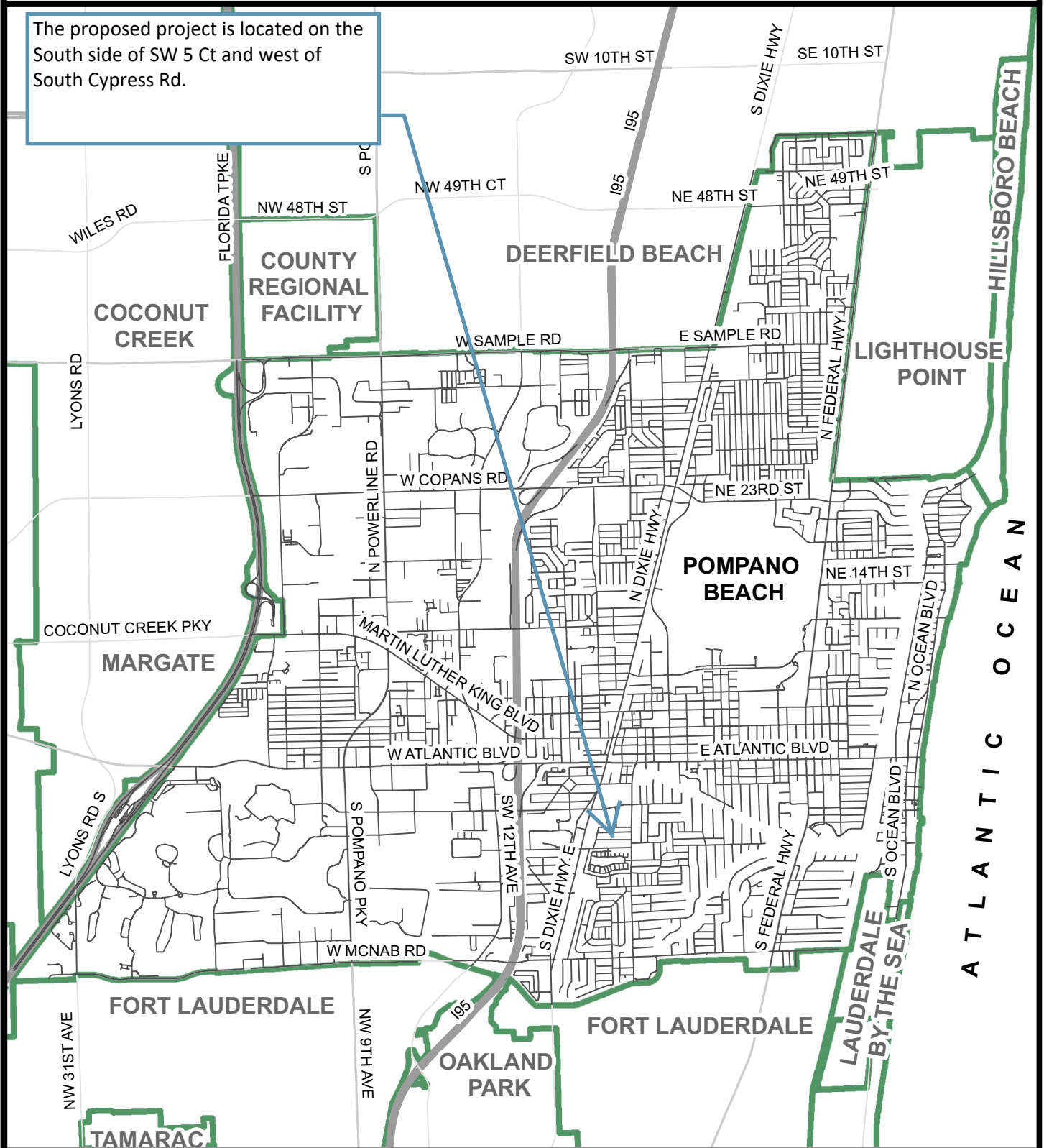
with the Department of Development Services. The Development Services Department recommends approval of the Major Administrative Adjustment subject to the following conditions:

1. Subject to substantial conformance to the Site Plan approved under PZ# 21-12000036.

# CITY OF POMPANO BEACH LOCATION MAP



The proposed project is located on the South side of SW 5 Ct and west of South Cypress Rd.





# CITY OF POMPANO BEACH AERIAL MAP



**Subject Site**

SW 5TH CT

SW 6TH ST

SW 2ND AVE

**P&Z**  
in = 75 ft  
5/2/2022 TheRaf

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DEPARTMENT OF  
DEVELOPMENT SERVICES

PZ22-16500001  
5/25/2022

CITY OF POMPANO BEACH  
OFFICIAL ZONING MAP



Subject Site

B-4

SW 5TH CT

B-4

B-3

SW 6TH ST

RPUD

SW 2ND AVE

B-2

P&Z

1/4" = 75 ft

5/2/2022

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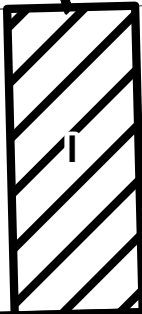
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# CITY OF POMPANO BEACH OFFICIAL LAND USE MAP



**Subject Site**

SW 5TH CT



C

SW 6TH ST

SW 2ND AVE

M

75 ft

5/2/2022

TheRaf

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LEGEND					
FOR LAND USE PLAN			FOR ZONING MAP		
Symbol	Classification	Units/ Acre	Symbol	District	
			RS-1	Single-Family Residence 1	
L	Low (1-5 DU/AC)		RS-2	Single-Family Residence 2	
LM	Low- Medium (5-10 DU/AC)		RS-3	Single-Family Residence 3	
M	Medium (10-16 DU/AC)		RS-4	Single-Family Residence 4	
MH	Medium-High 16-25 DU/AC)		RS-L	Single-Family Residence Leisureville	
H	High (25-46 DU/AC)				
12	Irregular Density		RD-1	Two- Family Residence	
36	Irregular Density				
MUR-H	Mixed-Use Residential (High)		RM-7	Multiple-Family Residence 7	
C	Commercial		RM-12	Multiple-Family Residence 12	
CR	Commercial Recreation		RM-20	Multiple-Family Residence 20	
			RM-30	Multiple-Family Residence 30	
*	I	Industrial	RM-45	Multiple-Family Residence 45	
			MH-12	Mobile Home Park	
T	Transportation				
			B-1	Limited Business	
U	Utilities		B-2	Neighborhood Business	
			B-3	General Business	
CF	Community Facilities	*	B-4	Heavy Business	
			M-1	Marina Business	
OR	Recreation & Open Space		CR	Commerical Recreation	
W	Water		I-1	General Industrial	
			I-1X	Special Industrial	
RAC	Regional Activity Center		O-IP	Office Industrial Park	
			M-2	Marina Industrial	
LAC	Local Activity Center				
			TO	Transit Oriented	
DPTOC	Downtown Pompano		PR	Parks & Recreation	
	Transit Oriented Corridor		CF	Community Facilities	
			PU	Public Utility	
ETOC	East Transit Oriented		T	Transportation	
	Corridor		BP	Business Parking	
			LAC	Local Activity Center	
			RPUD	Residential Planned Unit Dev.	
			PCD	Planned Commercial Development	
			PD-TO	Planned Development - Transit Oriented	
			PD-I	Planned Development - Infill	
			RM-45 HR	Multiple-Family Residence 45 High Rise-Overlay	
			AOD	Atlantic Boulevard Overlay District	
			CRAO	Community Redevelopment Area Overlay	
			NCO	Neighborhood Conservation Overlay	
			APO	Air Park Overlay	
			DP	Downtown Pompano Beach Overlay	

P&Z

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