City of Pompano Beach

100 West Atlantic Blvd.
Pompano Beach, FL 33060

Staff Report

File #: LN-407

Zoning Board of Appeals
Meeting Date: February 16, 2023

VARIANCE - ZION MISSION INC.

Request:	Variance
P&Z#	23-11000003
Owner:	Zion Mission Inc.
Project Location:	NE 1 Avenue (Vacant)
Folio Number:	484223090270
Land Use Designation:	M- Medium 10-16 DU/AC
Zoning District:	Multiple-Family Residence 20 (RM-20)
Agent:	Michael Holland
Project Planner:	Scott Reale

Summary:

Applicant Landowner is requesting a Variance from Section 155.3210(C) [Intensity and Dimensional Standards of the RM-20 Zoning District], of the Pompano Beach Zoning Code, in order to allow the construction of a new single-family residence setback 14 ft from the front lot line, rather than provide a minimum of 25 ft as required by code.

The subject property is located on the west side of NE 1st Avenue between Sample Road and NW 33rd Street.

ZONING REGULATIONS
§155.3210 MULTIPLE-FAMILY RESIDENCE 20 (RM-20)
Front yard setback, minimum = 25 ft

PROPERTY INFORMATION
1. The subject property is currently vacant. It is a unique triangle-shaped parcel, likely the result of the construction of the northbound I-95 exit ramp to Sample Road.
2. The applicant is proposing to construct one 960 sq ft single-family dwelling on the subject property. The conceptual site plan shows the proposed dwelling unit located 14 feet from the front yard lot line, rather than setback 25 feet as required by code.
3. Staff does not object as the setback relief is relatively minimal given the unique shape of subject property. The applicant is still subject to all other applicable zoning code standards including side and rear setbacks, pervious area, lot coverage, and parking, which will be verified during building permit review.

LAND USE PATTERNS

Subject property (Zoning District | Existing Use):

- RM-20 | vacant

Surrounding Properties (Zoning District | Existing Use):

- North: T | FDOT right-of-way
- South: RM-20 | multi-family dwelling
- West: T | FDOT right-of-way
- East: RM-12 | duplex

VARIANCE REVIEW STANDARDS

A Variance application shall be approved only on a finding that there is competent substantial evidence in the record that all of the following standards are met:

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;

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

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;

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

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

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

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

h) The Variance is consistent with the comprehensive plan.

Staff Conditions:

Should the Board determine that the applicant has provided competent substantial evidence to satisfy the eight Variance review standards, staff recommends the Board include the following condition(s) as a part of the Order:

1. Obtain all necessary governmental permits and approvals including building and zoning compliance permits.

CITY OF POMPANO BEACH
AERIAL MAP

N

I95

W SAMPLE RD

E SAMPLE RD

NE 35TH CT

NE 1ST TER

NE 35TH ST

Subject Site

NE 1ST AVE

NW 33RD ST

SAMPLE RD RAMP

NW 32ND CT

E GOLF BLVD

1 in = 250 ft	**NE 1 AVE** **FOLIO: 484223090270**	PREPARED BY: DEPARTMENT OF DEVELOPMENT SERVICES

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