



Staff Report

File #: LN-422

Zoning Board of Appeals
Meeting Date: April 20, 2023

VARIANCE - MCGIRT

Request: Variance
P&Z# 23-11000005
Owner: Steve Mcgirt
Project Location: NW 14 Street (vacant)
Folio Number: 484235160022
Land Use Designation: LM- LOW-MEDIUM 5-10 DU/AC
Zoning District: Single-Family Residence 2 (RS-2)
Agent: Steve Mcgirt
Project Planner: Scott Reale

Summary:

Applicant Landowner is requesting a Variance from the following provisions:

1. Section 155.3203(C) [Intensity and Dimensional Standards of the RS-2 Zoning District], of the Pompano Beach Zoning Code, in order to bifurcate a lot with a 125 ft width, thereby creating two lots, each with a width of 62.5 ft, rather than provide a minimum lot width of 70 ft as required by code.
2. Section 155.5705(B) [Lot Dimensions], of the Pompano Beach Zoning Code, in order to allow the creation of two lots that do not meet the minimum lot width requirement of the applicable zoning district.

The subject property is located on a vacant parcel in the Northwest CRA, on the north side of NW 14th Street, between NW 2nd Avenue and N Dixie Highway.

ZONING REGULATIONS

§155.3203(C) SINGLE-FAMILY RESIDENCE 2 (RS-2)
Lot width, minimum (ft) = 70

§155.5705. LOT DIMENSIONS

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- B. Lot area and lot width shall comply with the applicable minimum standards in Article 3: Zoning

District.

PROPERTY INFORMATION AND STAFF ANALYSIS

1. The applicant seeks to split an existing vacant lot in order to develop one single-family dwelling on each of two new parcels. There are several 50' wide lots with single-family dwellings in the nearby Pompano Terrace subdivision, including three on the same block as the subject property. In fact, at a width of 62.5' each, the proposed lots would be more conforming than those three existing lots on the same block. Moreover, each new parcel will have a lot area of 8,593 sq ft, which exceeds the minimum required 7,000 sq ft lot area of the RS-2 Zoning District.
2. The conceptual site plan submitted shows that the proposed lots can easily accommodate a new single-family dwelling and typical accessory uses and structures without the need for any relief. Staff finds the request to be appropriate and compatible with the surrounding neighborhood.

LAND USE PATTERNS

Subject property (Zoning District | Existing Use):

- RS-2 | vacant

Surrounding Properties (Zoning District | Existing Use):

- North: RS-2 | single-family dwelling
- South: RM-20 | warehouse bays
- West: RS-2 | single-family dwelling
- East: warehouse bays

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:

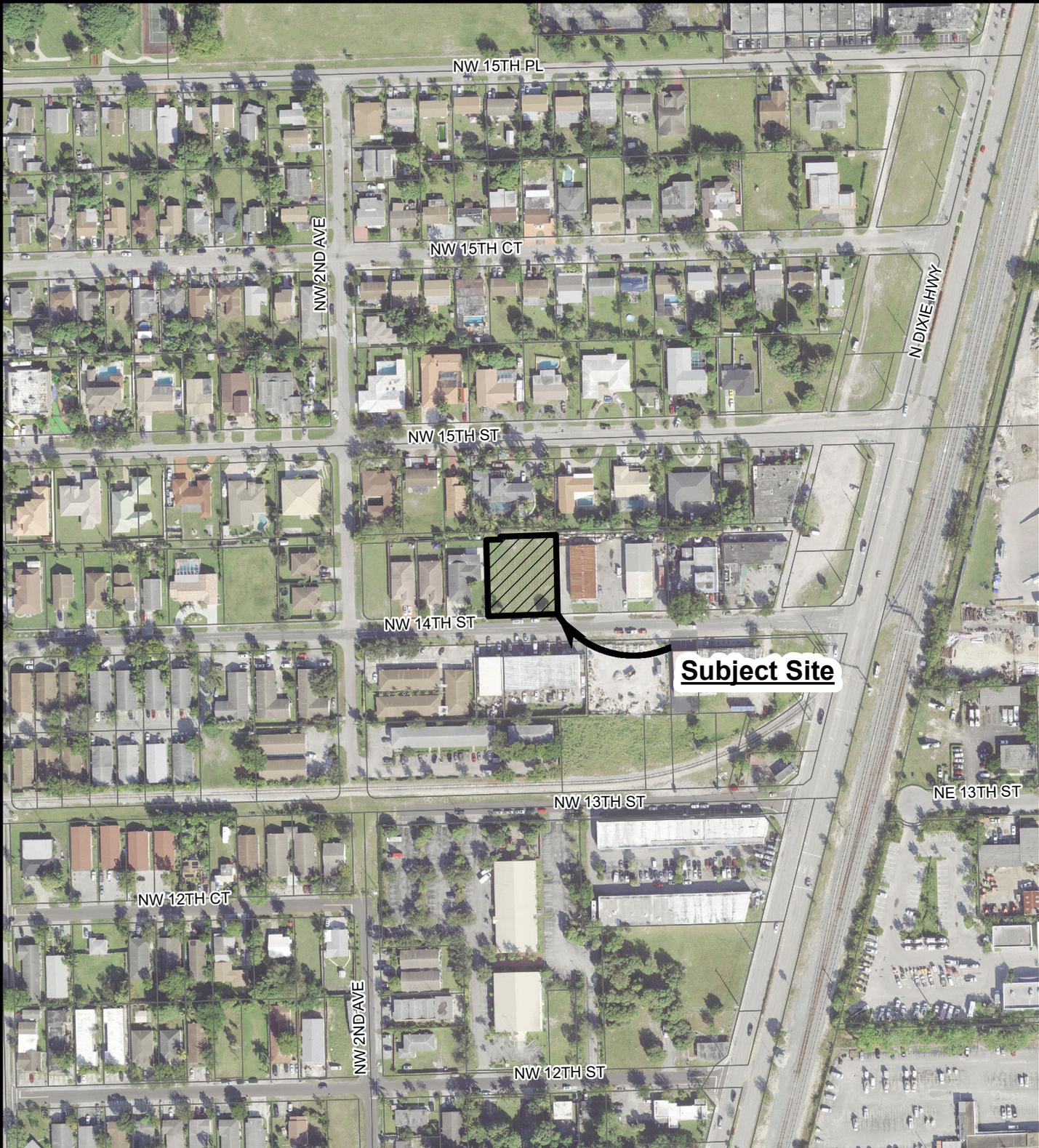
- a) There are extraordinary and exceptional conditions (such as topographic conditions, narrowness, shallowness, or the shape of the parcel of land) pertaining to the particular land or structure for which the Variance is sought, that do not generally apply to other lands or structures in the vicinity;
- 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 as a part of the Order:

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

CITY OF POMPANO BEACH OFFICIAL AERIAL MAP



Subject Site

1 in = 250 ft

NW 14 St

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES