

**ARCHITECTURAL APPEARANCE COMMITTEE
CITY OF POMPANO BEACH
BROWARD COUNTY, FLORIDA**

DEVELOPMENT ORDER

PLANNING AND ZONING NO. 21-12000043

AN ORDER ISSUED BY THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA, PURSUANT TO ORDINANCE NO. 98-57; APPROVING WITH CONDITIONS THE APPLICATION FOR DEVELOPMENT PERMIT 305 BRINY AVENUE, LP.

WHEREAS, Ordinance No. 98-57, authorizes the Architectural Appearance Committee (“Committee”) to review plans for this project which consists of the a 9-story mixed-use development with a total of 40 residential units and 2,700 square feet of ground-floor commercial space on the properties known as 308, 316 S Ocean Blvd & 305, 317 Briny Avenue (“Project”); which are more specifically described as follows:

LOTS 6,7,8,9,11,12 AND 13 IN BLOCK 5 OF POMPANO BEACH BLOUNT BROS. REALTY CO’S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 43, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LESS THE RIGHT-OF-WAY FOR STATE ROAD A-1-A IN THE DECLARATION OF TAKING AND AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 16571, PAGE 144 AND ALSO:

LOT 10 IN BLOCK 5 OF OF POMPANO BEACH BLOUNT BROS. REALTY CO’S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 43, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LESS THAT PORTION CONVEYED TO BROWARD COUNTY FOR ROAD PURPOSES AND RECORDED IN OFFICIAL RECORDS BOOK 13100, PAGE 150, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE NORTHWEST CORNER OF SECTION 5, TOWNSHIP 49 SOUTH, RANGE 43 EAST, RUN NORTH 89°17’51” EAST, ALONG THE NORTH BOUNDARY OF SAID SECTION 5, FOR 135.65 FEET TO ITS

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INTERSECTION WITH THE SURVEY BASELINE FOR STATE ROAD A-1-A EAST, AS SHOWN ON SHEET 6 OF 6 OF THE RIGHT-OF-WAY MAPS FOR SECTION 86050-2533, BROWARD COUNTY, FLORIDA; THENCE SOUTH 03°55'02" WEST, ALONG SAID BASELINE FOR 1023.72 FEET; THENCE SOUTH 85°58'14" EAST, FOR 25.00 FEET TO THE POINT OF BEGINNING.

THENCE CONTINUE SOUTH 85°58'14" EAST, FOR 3.22 FEET TO A POINT ON A CURVE, CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 1876.86 FEET, SAID POINT HAVING A RADIAL BEARING OF NORTH 82°43'14" WEST; THENCE SOUTHWESTERLY ALONG SAID CURVE FOR 60.06 FEET THROUGH A CENTRAL ANGLE OF 01°50'01"; THENCE NORTH 85°57'32" WEST, FOR 0.66 FEET; THENCE NORTH 03°55'22" EAST, FOR 60.01 FEET TO THE POINT OF BEGINNING.; and

WHEREAS, the Committee has met and reviewed this Project to be in general compliance with the applicable standards and with the criteria for approval as set forth in Ordinance 98-57 as follows, but the developer has agreed in writing that no building permit will be issued until those conditions the Development Services Director finds reasonably necessary to insure compliance are met; and

- a) The plan for the proposed structure or project is in conformity with good taste, good design and, in general, contributes to the image of Pompano Beach as a place of beauty, spaciousness, harmony, taste, fitness, broad vistas and high quality;
- b) The proposed structure or project is not, in its exterior design and appearance, of inferior quality such as to cause the nature of the local environment or evolving environment to materially depreciate in appearance and value;
- c) The proposed structure or project is in conformity with the standards of this Code and other applicable ordinances insofar as the location and appearance of the buildings and structures are involved;
- d) The proposed structure or project is in harmony with the proposed developments in the general area, with the Comprehensive Plan for the City and with the criteria set forth in the adopted "Supplemental Criteria of the Architectural Appearance Committee".

Upon further examination and participation of the Development Services Staff, the following conditions were offered to further comply with the City Code and offer further clarification for the building permitting process:

1. *Provide evidence of recorded right-of-way dedication for South Ocean Blvd.*
2. *Provide a note on the plans: "All ground-level windows on street-facing facades shall be transparent" pursuant to Section 155.5602.C.7.b.*
3. *Plans are subject to compliance with all applicable Code requirements, including but not limited to DRC comments issued for this site plan.*
4. *A copy of the CPTED plan, approved by the Broward Sheriff's Office, must be submitted for Zoning Compliance Permit Approval.*
5. *Provide manufacture and product specifications for the "Turtle Glass" to be used to reduce any possible impact on the sensitive marine life.*
6. *Indicate which pattern will be used on the perforated metal screens. The submitted drawings show a triangular perforation shape and the sample provided on the material board, has a circular pattern.*
7. *Substantial compliance with the plans, as submitted with this application.*

VERNACULAR OR SUPERIOR DESIGN ALTERNATIVE

In accordance with the authority granted to the Committee, pursuant to Section §155.2408.E of Chapter 155 of the Code of Ordinances, the Architectural Appearance Committee hereby grants approval of two (2) Vernacular or Superior Design Alternatives. The request is to allow a deviation from the requirements of the following:

Section §155.3703.F.7.a where the all new development within the Atlantic Boulevard Overlay district shall reflect a Florida Maritime vernacular style that includes elements derived from certain historic styles and design features prevalent in South Florida and shall comply with

the design standards in this subsection applicable to one of the following three architectural

substyles of the Florida Maritime style: Tropical Old Florida; Tropical Contemporary; or Nautical Moderne; and,

Section §155.3703.F.d.ii where street-facing building facades may be articulated through incorporation of one or more of the design elements described in this subsection and in accordance with the standards set forth in Table 155.3703.F.7.d for the proposed architectural style and the specific articulation element(s) used.

After careful consideration of the Project and the recommendations of City staff, the Committee approves the plans and the request for Vernacular or Superior Design Alternative, subject to the seven (7) City staff conditions and additional conditions below:

- 1. Applicant to cover 10% of the commercial western façade with porcelain tile at ground level.*

DONE AND ORDERED this 6th day of September, 2022.


ROBERT H. ZBIKOWSKI
Chairman
Architectural Appearance Committee

Filed with the Advisory Board Secretary this 7th day of September, 2022.


Saul Umama
Planner

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