

Todd & Julia Smith
600 NE 25th Avenue
Pompano Beach, FL 33062

October 22, 2020

RE: Permit #20 – 6709
Variances for Storage Shed, Privacy Fence and Swimming Pool

Dear Zoning Board of Appeals,

Late last year, my husband and I sold our home in Cooper City to purchase a home and live our dream of beach life in Pompano Beach. In January 2020, we purchased the above property to renovate and serve as our permanent residence. Since then, we have been working with the City through our various permits and have always found the personnel to be more than helpful. Although our progress has been slow due to COVID19 circumstances, we are hopeful to move into our home within the next month.

More recently, we began the permit application process for an 8-foot x 16-foot storage shed and 6-foot high privacy fence, which included **successfully obtaining easement agreements from all utilities for the fence AND the shed** (see agreements included with application documents). The permit application was submitted on September 3rd and proposed installation of the shed 3-feet off our North and East property lines. On September 17th, the Zoning Department notified us that the permit application was rejected, noting "A shed is not permitted within the utility easement. Move the shed out of the easement....". This note was in reference to the 6-foot utility easement at the East property line.

After speaking with Zoning Department personnel regarding this matter as well as a future swimming pool, it became apparent we would need to apply for variances for the shed, a portion of the fence and future swimming pool. The variances we are requesting are (see attached conceptual site plan and illustrative photos included with application documents):

1. Allow placement of the storage shed within the 6-foot utility easement at our East property line. We request a Variance to place the shed 3-foot from the property line to the East and North and have successfully obtained Utility Easement Agreements from all utilities to do this (see digital submission).
2. Allow placement of a future swimming pool with the edge of the pool at the 6-foot utility easement at the East property line; and, 3 feet from the property line at the South side of the property off of NE 6th Street.
3. Allow placement of a 6' PVC privacy fence on the property line at the South side of the property. This would leave 16 feet between the fence and street (parkway).

Thank you for your review of our application (see attached). We look forward to hearing from you.

Sincerely,



Julia Smith



Todd Smith

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REVIEW STANDARDS NARRATIVE

- a. There exist extraordinary/exceptional conditions that are not typical to other residences in the area due to:
- The location of the home on the lot is set back 40.41 feet from the west property line, making for a challenging 17.2 feet deep backyard space.
 - The 6-foot utility easement creates additional restrictions and reduces backyard space further to only 11.2 feet deep.
 - The space on the North side of the house is only 13 feet wide, still no space for a useable shed. This area is largely a utility side of the home with electric panel, gas meter, tankless water heater, air conditioning condenser unit, trash cans and sprinkler system.
 - The home is a corner lot, with its South property line running along NE 6th Street and Code prescribes:
 - o A shed cannot be placed along this property line as it is not an interior property line; and,
 - o A swimming pool would have to be set back 15 feet from the property line as required.
 - o This is a corner home on busy NE 6th Street and the entire south side of the property is open, so a 6' privacy fence would provide privacy for the back and side yard, as well as eliminating access and providing security to the property.
- b. The conditions referred to in "a" above are not the actions of the homeowner. This is the original footprint of the home.
- c. The above conditions referred to in "a" would prohibit full use of our property and would cause financial hardship in the way of having to pay for storage for lawn and property maintenance equipment. Furthermore, the dimensions of the lot without a Variance would prohibit our ability to install a swimming pool. The variance we are requesting for the pool is 3 feet off the South property line, which is still 19 feet from the edge of the street. Additionally, placing the fence on the South property line would help provide full use of our property in relation to the pool. Our overall goal is to be able to secure the property and maximize as much fenced in space as possible on our property, without being out of character for the neighborhood or being harmful to neighboring properties.
- d. This Variance would not provide any special privilege. We believe in playing by the rules and in 2020 have pulled permits for all phases of our interior demolition, current renovation, shed and fence installations, window and door removal/replacement and upcoming driveway removal/replacement. A pool, fence or shed is not a special privilege as many homes in the neighborhood have these.
- e. Our Variance request is reasonable for us to securely store property (we have no garage) and to enjoy a future pool, which is not out of character for this neighborhood. The fence placement on the property line does not diminish site line or usefulness of the Parkway between edge of street to South property line, which is 16 feet (see conceptual site plan in digital submissions).
- f. The Variance complies with the general purpose and intent of this Code to allow some deviation from standards of the Code due to our special circumstances noted in "a" and preserves the

spirit of the Code as ours are exceptional circumstances and the Variances will relieve undue and unique hardships to us.

- g. The Variance would not adversely affect the health or safety of persons residing or working in the home or neighborhood. The shed and swimming pool will be installed behind a 6-foot privacy fence to ensure privacy, safety and security. The swimming pool will be constructed and secured according to applicable City Codes/guidelines.
- h. The Variance is consistent with the comprehensive plan as it would allow some deviation from standards of the Code due to our special circumstances noted above.

Thank you for your consideration of our application for Variance.

Respectfully,



Julia Smith



Todd Smith