



April 15, 2021

City of Pompano Beach
Department of Development Services
Planning & Zoning Division
100 W. Atlantic Blvd.
Pompano Beach, Florida 33060

Attention: ZONING BOARD OF APPEALS

**Re: APPLICATION for Temporary Use Permit (Major)
Former Texaco #100708 (AKA Dairy Queen)
2901 N Federal Highway
Pompano Beach, Broward County, Florida
Zoning District B-3
BCPA Folio ID# 4842 24 13 0011**

To Whom It May Concern,

Please accept this Application for a Temporary Use Permit (Major) for the temporary installation of the above ground components of a Groundwater Remediation System being installed to address petroleum contamination in soil and groundwater beneath the referenced property. Specifically, American Management Resources Corporation (AMRC) is requesting permission to site a remediation trailer at the location located on **Figure 2**.

Note, Figure 1 is the requested recent survey. AMRC notes this request was previously approved and this is a request to re-install the same piece of equipment.

As part of the submittal package, the review standards listed on page 4 of the application package need to be addressed in writing. AMRC's responses and the standards are detailed below:

a) Is on its face temporary in nature;

RESPONSE - The groundwater remediation system will be housed in a small trailer which is capable of being easily transported from one site to the next. For this project, the trailer will be operated until the results of the groundwater analyticals meet closure standards. It is estimated that closure can be achieved in approximately 12 months. The trailer is rented by AMRC and is being deployed on the subject property in a short-term rental scenario funded by the Florida Department of Environmental Protection, Petroleum Restoration Program. The equipment will be permanently removed from the

site upon reaching Groundwater & Soil Cleanup Target Concentrations for Petroleum-related Contaminants of Concern as prescribed in 62-777 Florida Administrative Code.

b) Is in harmony with spirit and intent of this Code;

RESPONSE - It is AMRC's understanding that the intent of the Zoning Code of the City of Pompano Beach is to promote the health, safety and general welfare of the public and to preserve/protect natural resources. This project involves the remediation of petroleum impacted soils and groundwater. Since it is documented that benzene and other petroleum compounds can cause cancer and other illnesses, the removal of these compounds is in harmony with the spirit of the code.

c) Is not detrimental to property or improvements in the surrounding area, or to the public health, safety or general welfare;

RESPONSE - The installation and operation of the Groundwater Remediation System will improve the quality of the soils and groundwater underlying the property and eliminate the risk of exposing the public to petroleum hydrocarbons due to the site's previous use as a gasoline retailer. The above ground system components will not modify any pre-existing physical improvement currently on the property. Therefore, AMRC does not believe that this system is detrimental to the property.

d) Does not have substantial adverse effects or noise impacts on any adjoining permanent uses or nearby residential neighborhoods;

RESPONSE - The Groundwater Remediation System components are installed within a trailer equipped with sound adsorbing components. These components will help to reduce the noise impacts. Part of the reason for seeking this variance is to allow for the installation of the trailer on the southern side of the site closer to Federal Highway (located to the east of the site) which is a commercially-oriented area. The western boundary of the site is adjacent to a residential apartment complex. Therefore, this variance will reduce the noise impacts which might occur otherwise.

e) Is compatible with any principal uses on the site;

RESPONSE - The subject property is commercial and operates as a Dairy Queen restaurant. The purpose of the Groundwater Remediation System is to remove petroleum impacted soil and groundwater. Since the removal of the contaminated materials will lower the potential risks to users of the site, AMRC believes that this project is compatible.

f) Is located on a site containing sufficient land area to allow the temporary use and associated structures, and accommodate any associated parking and traffic movement, without disturbing environmentally sensitive lands;

RESPONSE - The location of the equipment trailer was chosen with input from the site owner to limit the use of parking spaces and to keep traffic moving around the site. This location does not affect traffic egress across the property. The area of the property that the

Groundwater Remediation System components will be installed is a combination of grass and concrete and will remain in the same state during system operation and after removal of the system. There is a catch basin located in the area proposed for the trailer. However, since the trailer is raised above ground level, it should not affect the operation of the storm sewer system.

g) Complies with all applicable use-specific standards in Section 155.4403;

RESPONSE - The defined use standards in Section 155.4403 provides for Interim Commercial Use for mechanical equipment. Installations at ground level that are visible from public right-of-ways are required to be screened on three sides or 75% of its perimeter by a hedge, berm, wood fence or wall that extends at least six inches above the height of the equipment. Installation specifications also call for the installation of six (6) feet tall wooden privacy fence around the system components for security of the equipment components. However, the top of the trailer and the associated exhaust stack will be visible from the right-of-way. This is part of the variance for which we are applying.

Included with this Application Narrative, please find the following in Digital Format:

- Zoning Board of Appeals Application
- Current PLS Survey
- Legal Description
- Conceptual Site Plan - Remediation System Construction Drawings
- 8.5" x 11" Photos of the Site and Proposed Remediation Equipment

Should you have any questions or require additional information please contact the undersigned at (239) 936-8266 or via email at mike@amrcfl.com.

Respectfully submitted,
AMERICAN MANAGEMENT RESOURCES CORPORATION

mike hill

Michael A. Hill, MBA, P.E.
Professional Engineer

Attachment A

Zoning Board of Appeals Application



City of Pompano Beach
Department of Development Services
Planning & Zoning Division

P&Z#: _____

100 W. Atlantic Blvd Pompano Beach, FL 33060
Phone: 954.786.4679 Fax: 954.786.4666

Zoning Board of Appeals Application

Zoning Board of Appeals Application (Check all that apply)

Zoning Board of Appeals Application (Select one of the following)			
<input type="checkbox"/> Special Exception	<input type="checkbox"/> Variance	<input checked="" type="checkbox"/> Major Temporary Use	<input type="checkbox"/> Interim Use Permit
Street Address: 2901 N Federal Highway Pompano Beach, FL		Folio Number: 4842241301 1	Zoning District: B-3
Subdivision: Cresthaven		Block: NA (see attached)	Lot: NA (see attached)
Date of Required Pre-Application Meeting: 3/10/2017 (Paola West)			

Project Information	
Request: Temporary use permit (major) for groundwater remediation	
Representative or Agent's interest in property (Owner, Lessee, Etc): FDEP Environmental Consultant	
Have any previous applications been filed? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	If Yes, give date of hearing and/or appeal #: July 207, Sept 2018, Sept 2019 (approved at all meetings)

Owner's Representative or Agent	Landowner (Owner of Record)
Business Name (if applicable): American Management Resources Corporation	Business Name (if applicable): OB Properties, LLC
Print Name and Title: Michael Hill/Vice President	Print Name and Title: Salvatore Biviano/Owner
Signature: <i>mike hill</i>	Signature: <i>Salvatore Biviano</i>
Date: May 6, 2021	Date: <i>5-6-21</i>
Street Address: 5230 Clayton Ct, Ste 1	Street Address: 2901 N federal Highway
Mailing Address City/ State/ Zip: Fort Myers, FL 33907	Mailing Address City/ State/ Zip: Pompano beach, FL
Phone Number: (239) 936-8266	Phone Number: (954) 943-8390
Email: mike@amrcfl.com	Email: dq10572@yahoo.com

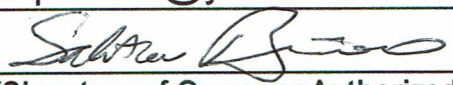
Zoning Board of Appeals Application

OWNER'S CERTIFICATE

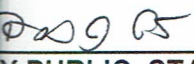
I certify that I am the owner of the subject lands described in this application and that I have authorized the filing of the aforesaid application. I further certify that this request is not related to any existing violation of the zoning code.

If this request is related to an existing zoning violation, please submit documentation as to the Special Zoning Board of Appeals disposition of the matter.

Below, I acknowledge that development applications must have a determination by the governing authority of approved, approved with conditions, or denied within 120 days from a complete submittal for projects that do not require final action through a quasi-judicial hearing or a public meeting and within 180 days from complete submittal for projects that do require final action through a quasi-judicial hearing or a public meeting per FL Stat § 166.033 and the Pompano Beach Code Section 155.2303.F.3. It is the responsibility of the applicant to receive all final Development Orders and receive this determination within the allotted time. If the applicant fails to resubmit an application within 30 calendar days after being first notified of the denial of the submittal, the application shall be considered withdrawn and a \$100 non-refundable administrative fee will apply (155.2303.F.2.b). Additionally, if all required approvals are not received within the timeframe the application will automatically be denied unless both the City and the applicant agree to an extension of time (155.2303.I).

Applicant Name: OB Properties, LLC
Address: 2830 NE 22nd Avenue
Lighthouse Point, FL 33064
(Zip Code)
Phone: (954) 360-9545
Email: dq10572@yahoo.com

(Signature of Owner or Authorized Official)

I AND SUBSCRIBED before me this 07 day of May, 2021 by means of
Physical presence or ☐ online notarization.

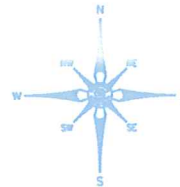

Notary Public, State of Florida
DAVID J. PERSTEN
Commission # GG 962219
Expires May 9, 2024
Bonded Thru Budget Notary Services

David J. Persten
Notary Public: Print, stamp, or Type as Commissioned.)

Personally know to me, or
Produced identification: FL ID
(Type of Identification Produced)

Attachment B

Current PLS and Legal Description



TEL. (954) 782-1441
FAX. (954) 782-1442

Attachment C

Site Plan with Trailer Location



AMERICAN MANAGEMENT
RESOURCES CORPORATION

ENVIRONMENTAL-ENGINEERING-CONTRACTING

5230 Clayton Court
Fort Myers, Florida 33907
Phone (239) 936-8266
Fax (239) 936-0737

FIGURE 2 - SITE MAP

TEXACO 100708
2901 N FEDERAL HWY
POMPANO BEACH, FL
FDEP FAC ID# 06-8502756

PROJECT No: 18-013063.EC

DATE: 08/21/19

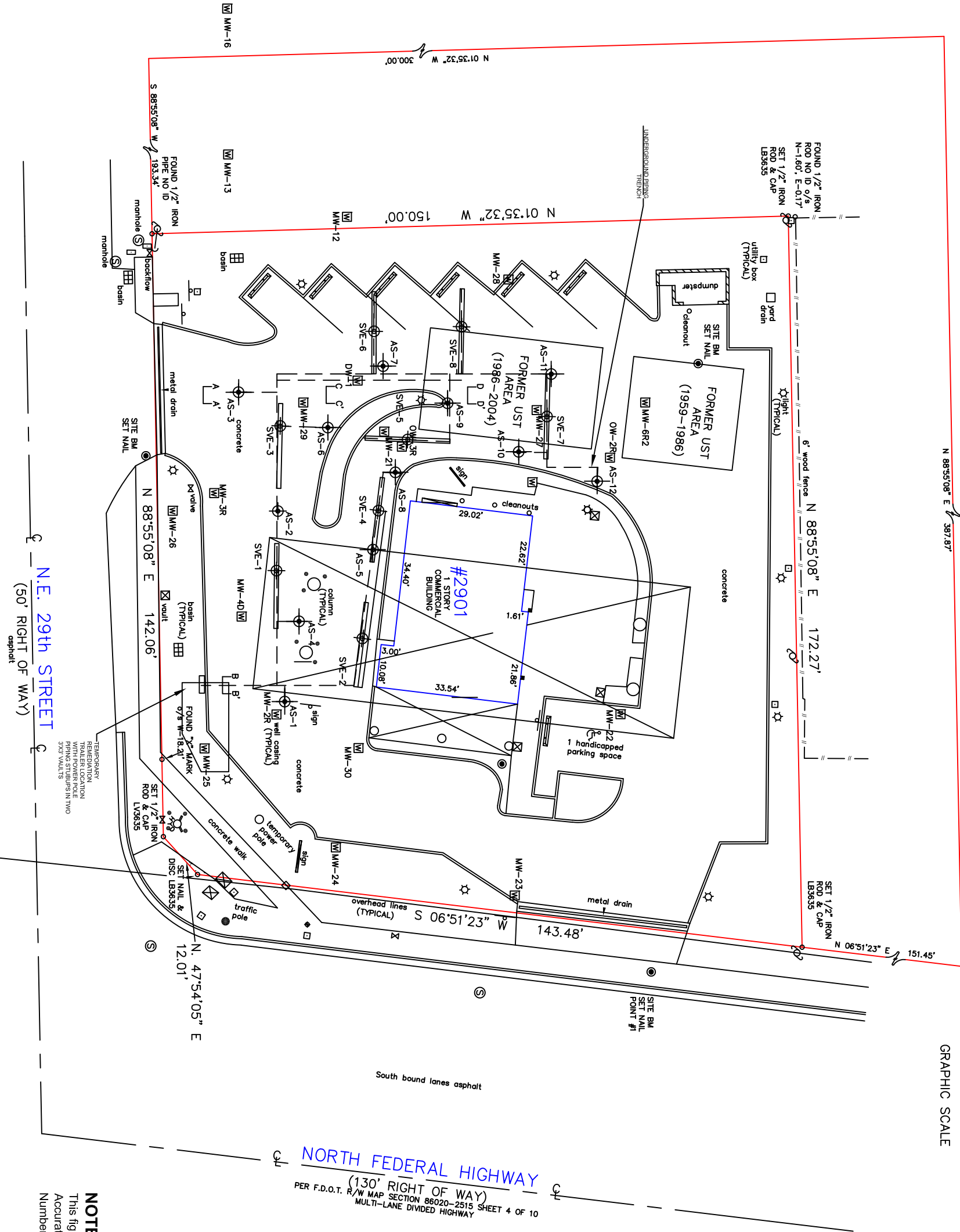
MICHAEL A. HILL, MBA, PE
NAME

SIGNATURE
54032
PE LICENSE #

DATE _____

29759

AMRC AUTHORIZATION NUMBER



NOTE: This figure was adapted from a survey conducted by Accurate Land Surveyors, Inc. on July 7th, 2015 (Sketch Number SU-15-2772)

Attachment D

Current Site Photographs



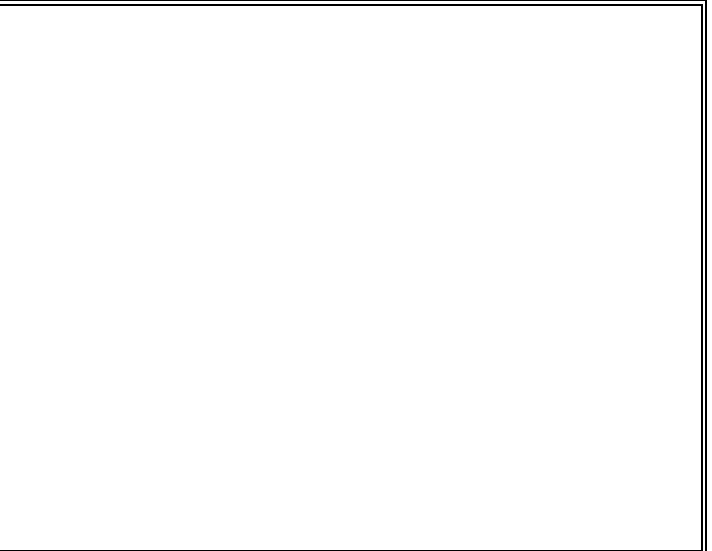
Photo 1: Looking south at Trailer



Photo 2: looking west from the SE corner at the compound



Photo 3: Looking north across NE 29th street at compound



Title: Site Photographs
Site: Texaco 100708 (AKA Dairy Queen) 2901 N Federal highway, Pompano Beach, Florida
Date: Taken August 2019