

From: [Peter McGinnis](#)
To: [Chad Brocato](#); [Vinnie StJohn](#); [Jim Galloway](#); [Jae Eun Kim](#)
Cc: [Mario Sotolongo](#)
Subject: RE: Fire dept too quick to approve variance - File # LN-139
Date: Monday, June 14, 2021 3:47:57 PM
Attachments: [image001.png](#)
[image002.png](#)
[image008.png](#)

Mr. St John,

The variance procedure is a process in which we either object or not object to a given submittal. We do not approve or disapprove of the variance; rather, the Zoning Board of Appeals is vested with the authority to either approve or deny these types of requests. The purpose of a variance is to allow certain deviations from standards of this Code when the landowner demonstrates that, owing to special circumstances or conditions beyond the landowner's control (such as exceptional topographical conditions or the narrowness, shallowness, or shape of a specific parcel of land), the literal application of the standards would result in undue and unique hardship to the landowner and the deviation would not be contrary to the public interest. Variances are to be sparingly exercised and only in rare instances and under exceptional circumstances to relieve undue and unique hardships to the landowner. No change in permitted uses or increases in maximum allowable density may be authorized by variance.

Pompano Beach Fire Rescue's (PBFR) review was originally rejected on June 7, 2021 and amended on June 8, 2021. PBFR role is very minimal in the variance process that rarely requires an objection. Our review is limited to access to the property, water supply, and any changes affecting egress from the structure. The amended "no objection" comment was provided based on the fact the variance requested is on an existing concrete pad that existed prior to the shed installation and dry storage area that will remain under the current roofline of the existing structure. PBFR's response of "no objection" should not persuade the board into approving this request solely based on our stance. By definition a variance cannot allow an increase to maximum allowable density and therefore limits our reason for objecting to the request.

An alley is a narrow roadway providing secondary means of access and service to the abutting property. PBFR's primary response will be at the south side of the property, utilizing the alley for egress or secondary responses only. The code does not specifically state you cannot utilize the alley for deliveries or day-to-day operations. PBFR can cite individuals for not relocating from the secondary access lane in the event of an emergency. In an emergent scenario, the apparatus of the Fire Department shall be given the right-of-way in and on the streets, lanes, alleys, squares, and railroad crossings during an emergency response and it shall be unlawful for any person to obstruct or neglect to make way for any fire apparatus being thus in or on any streets, lanes, alleys, squares, or crossings.

Pete McGinnis

Fire Marshal
Pompano Beach Fire Rescue
120 SW 3rd Street
Pompano Beach, FL 33060
Office: 954-786-4719
Fax: 954-786-4347

peter.mcginnis@copbfl.com



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From: Chad Brocato

Sent: Monday, June 14, 2021 2:59 PM

To: Vinnie StJohn <vinniesj@gmail.com>; Jim Galloway <Jim.Galloway@copbfl.com>; Peter McGinnis <Peter.McGinnis@copbfl.com>; Jae Eun Kim <JaeEun.Kim@copbfl.com>

Subject: RE: Fire dept too quick to approve variance - File # LN-139

Thank you for the email. The Fire Marshal will provide a more formal response. For clarity, we did not provide an approval. A finding of "no objection" is not the same as an approval, and our authority is limited in scope to the nature of the project and how the Fire or Life Safety Codes are implicated. The approval or denial of a variance comes solely from the Zoning Board of Appeals. I expect that other disciplines may object based upon their scope of work and applicable Code.

Chad Brocato, JD, DHSc, CFO

Fire Chief

Pompano Beach Fire Rescue

120 SW 3rd Street

Pompano Beach, FL 33060

Office: 954-786-4327

Fax: 954-786-4347

chad.brocato@copbfl.com



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From: Vinnie StJohn <vinniesj@gmail.com>

Sent: Monday, June 14, 2021 11:52 AM

To: Chad Brocato <Chad.Brocato@copbfl.com>; Jim Galloway <Jim.Galloway@copbfl.com>; Peter

McGinnis <Peter.McGinnis@copbfl.com>; Jae Eun Kim <JaeEun.Kim@copbfl.com>

Subject: Re: Fire dept too quick to approve variance - File # LN-139

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Pete McGinnis

Jim Galloway

Chad Brocato

Nelsons was at it again this morning, Mario Sotolongo and a Broward Deputy Sheriff also were there apx 10AM June 14 2021

Go measure the alleyway, everytime their truck parks sticking out as pictured to unload, it takes up apx **HALF** the width of the alleyway.

If you allow these refrigerators to be put here permanently, you may be to blame if anyone is injured or killed.

Was anywhere in the Galuppi request any mention of just how far they work in the alleyway? That they park a pickup truck each time in the same place, taking up a large portion of the alleyway?

No, I didn't read it anywhere in their fairytale description on their variance request of what they will do, bcz this is what they **ACTUALLY** do.

It appears they will say anything to get you to approve their variance, regardless of the cost to the peaceful existence of the seniors who live within apx 100feet, and any pedestrians who walk or jog around their mess.

I am contacting the firemen's union as well, they need to be protected and made aware of what you two have given approval for.

Vincent StJohn

On Sat, Jun 12, 2021 at 9:18 AM Vinnie StJohn <vinniesj@gmail.com> wrote:

Pete McGinnis

James Galloway

Gentlemen,

Below are your comments to the Zoning & Appeals Committee

Did you even check with Mario Sotolongo or Brian Donovan to see if there are any problems with what you found no objection to? See the pictures I attached, **the Galuppi use the**

alley way as their personal work area. No one can get by them easily when they are unloading food into the very fridges you two fire officials say are OK to proceed with. People are forced to walk around it essentially putting themselves DIRECTLY in the way of an oncoming car, truck, or fire engine, the latter would never fit past them in an emergency. You got the flowery, warm fuzzy version in the request, not the reality. Any emergency vehicle coming from the southside of the alley will be blind to them being in their way until its **too late. I believe you will endanger your fireman or EMT's very lives.** This is clear evidence, you should rethink your decision as this hearing is set for **June 17th.** I want this email and its attachments added to the LN-139 file as evidence and correspondence as is my right as a resident of Pompano Beach.

Vincent StJohn
Board President
The Virginian Apartments

**Bureau of Fire
Prevention**

Memo

To: Zoning Board of Appeals
From: Pete McGinnis Fire Marshal & James Galloway, Fire Inspector
Date: June 8, 2021
Re: Zoning Board of Appeal 21-11000010

Due to the fact the petitioner is able to meet all of the Fire Department requirements at this time we have no objections and approves the request for a Variance. However, the petitioner shall maintain all proper fire department access as per chapter 18 of NFPA 1 as amended from time to time.

All proposed structures are located within existing structures roof and property line and do not obstruct the exist fire apparatus access.

*Additional comments may follow throughout the remainder of the permitting process. The building shall be in compliance with All NFPA Standards prior to receiving Fire Department approval.