

Legislation Text

File #: LN-119, **Version:** 4

PLANNING AND ZONING BOARD

Meeting Date: AUGUST 23, 2023

POST DECISION ACTION - EXTENSION OF SITE PLAN APPROVAL

Request: Extension of Site Plan Approval - BSO Substation
P&Z# 21-12000014
Owner: City of Pompano Beach
Project Location: 2714 NW 4 CT
Folio Number: 484233730010
Land Use Designation: C (Commercial) & L (Low Residential)
Zoning District: B-2 (Community Business) & RS-3 (Single-Family Residence 3)
Commission District: 5 (Barry Moss)
Agent: Tammy Good (954-786-5512)
Project Planner: Lauren Gratzner (954-545-7792 / lauren.gratzner@copbfl.com)

Summary:

The applicant is requesting an Extension of Expiration Time Period for the Minor Site Plan Development Order for folio # 484233730010 (previously 484233045300 and 484233045310) under PZ# 21-12000014. The Minor Site Plan was approved by the Development Services Director's designee, and filed with our department on September 7, 2021 and is set to expire on September 7, 2023.

The applicant, the City of Pompano Beach, is requesting the extension to this Development Order. Section 155.2308.B.2.a.iv of the Zoning Code, copied below, outlines the eligibility requirements for an Extension of Expiration Time Period to the Development Order approval. Subsequent to the original development order issuance, the applicant submitted a building permit for the construction of the new building (BP 20-5383). Complications within the design and bidding phases of this project has delayed the overall approval of this permit. Therefore, pursuant to criteria A below, the Site Plan Development Order is eligible for an extension.

For development orders for a Site Plan, except for development orders subject to or governed by an enforceable Development Agreement the PZB may, subsequent to any extension(s) granted by the Development Services Director, grant up to one extension for up to two years (including extensions granted by the Development Services Director). Under no circumstances shall a Development Order for a Site Plan be extended for more than two years. The aforementioned required written basis and reason for extension must provide competent and substantial evidence demonstrating compliance with one or more of the following criteria:

- a) Reasonable efforts were made to apply for a Building Permit and reasonable steps were taken to secure any other development approvals that may be needed from other permitting authorities to*

allow for the submittal of an application for a Building Permit; or

- b) Since the date of the development order, substantial expenditures have been made or substantial obligations have been incurred in reliance on the approval and in furthering and proceeding with the development; or*
- c) The delay in proceeding with the commencement of development resulted from a "force majeure" or "Act of God" or extreme economic conditions of the market, and not acts of omission by the applicant or owner.*

The project consists of a new 2,749 square foot building for use as a Broward Sheriff's Office (BSO) police substation with associated parking and landscaping. The total footprint of the building is 2,749 square feet on a 14,536 square foot (0.33 acre) site, a total lot coverage of 18.9%. The original Development Order, site plan, floor plan, and elevations have been attached for reference only.

The project is located on the southwest corner of NW 4th Court and NW 27th Ave.

Staff Conditions:

1. The original conditions of the Site Plan Development Order (PZ# 21-12000014) remain in effect.

2. The applicant shall obtain an updated Special Exception from the Zoning Board of Appeals (ZBA) for the proposed Police Substation within the RS-3 zoning district.