



100 W. Atlantic Blvd Pompano Beach, FL 33060
 Phone: 954.786.4634 Fax: 954.786.4666

Zoning Board of Appeals Application

Special Exception	Variance	Major Temporary Use	Interim Use Permit
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DEADLINE: Complete submittals must be received by 4:00 PM each business day. Refer to the "Meeting Schedules and Deadlines" document provided on the city website for the submission dates.

Application Review Process:

	Step 1	Step 2	Step 3
Special Exceptions (Pg. 2)	Pre-Application Conference (Required**)	ZBA Review	Development Order from the ZBA
Variance (Pg. 3)	Pre-Application Conference (Required**)	ZBA Review	Development Order from the ZBA
Major Temporary Use Permit (Pg. 4)	Pre-Application Conference (Required**)	ZBA Review	Development Order from the ZBA
Interim Use Permit (Pg. 5)	Pre-Application Conference (Required**)	PZB Recommendation ZBA Review	Development Order from the ZBA

****Applicant must make an appointment with Principal Planner to submit application at least 48 hours (2 business days) prior to deadline for filing by calling (954) 545-7780.**

1) The following paper documents are to be submitted to the Planning & Zoning Department:

PAPER	<input type="checkbox"/>	One (1) completed application with original signatures.*
	<input type="checkbox"/>	Proof of ownership (owner's certificate form must be completed by owner).*
	<input type="checkbox"/>	Application Fee as established by resolution of the City Commission

*Updated copies of the application, proof of ownership, or narrative may be required if information has changed. For example, if the property ownership changes, the owner's certificate and application will need to be revised with the city file.

2) The following digital documents are also to be submitted to the Planning & Zoning Department via CD or USB drive:

DIGITAL	<input type="checkbox"/>	Written Narrative with list of each Review Standard. A point-by-point response to each Review Standard. Narratives must be on letterhead, dated, and with author signature.
	<input type="checkbox"/>	Current survey. <i>Surveys to be recent and must show all improvements on the property and legal description</i>
	<input type="checkbox"/>	Legal Description of property (in Word/text format)
	<input type="checkbox"/>	Conceptual Site Plan demonstrating requested Variance/ Special Exception/ or Temporary Use.
	<input type="checkbox"/>	(Optional) Documents, photographs, and other evidence

*** ONLY for Variance(s) from Chapter 151, Beaches and Waterways***:

PAPER	<input type="checkbox"/>	Nine (9) paper copies of all above items
	<input type="checkbox"/>	One (1) copy of any submerged land lease, if existing, complete with all addendums <i>(if applicable)</i>
	<input type="checkbox"/>	One (1) copy of Letter of explanation from Code Enforcement <i>(if applicable)</i>
	<input type="checkbox"/>	One (1) copy of immediate neighbors letters/comments about this Variance <i>(if applicable)</i>



155.2406. SPECIAL EXCEPTION

(Below is a summary of Section 155.2406. For the complete language, please refer to the Zoning Code)

REVIEW STANDARDS

(Each standard MUST be addressed in writing)

A Special Exception application shall be approved only on a finding that there is competent substantial evidence in the record that the Special Exception, as proposed:

- a. Is consistent with the comprehensive plan;
- b. Complies with all applicable zoning district standards;
- c. Complies with all applicable use-specific standards in Article 4: Use Standards;
- d. Avoids overburdening the available capacity of existing public facilities and services, including, but not limited to, streets and other transportation facilities, schools, potable water facilities, sewage disposal, stormwater management, and police and fire protection;
- e. Is appropriate for its location and is compatible with the general character of surrounding lands and the uses permitted in the zoning district(s) of surrounding lands;
- f. Avoids significant adverse odor, noise, glare, and vibration impacts on surrounding lands regarding refuse collection, service delivery, parking and loading, signs, lighting, and other site elements;
- g. Adequately screens, buffers, or otherwise minimizes adverse visual impacts on adjacent lands;
- h. Avoids significant deterioration of water and air resources, scenic resources, and other natural resources;
- i. Maintains safe and convenient ingress and egress and traffic flow onto and through the site by vehicles and pedestrians, and safe road conditions around the site;
- j. Allows for the protection of property values and the ability of neighboring lands to develop uses permitted in the zoning district; and
- k. Complies with all other relevant city, state and federal laws and regulations.

Special Exception Uses also have Use-Specific Standards set forth in Article 4: Use Standards.

PROCEDURE

- 1. Pre-Application conference with Principal Planner.
- 2. Recommendation by the Development Service Director.
- 3. Final decision by the ZBA, following a quasi-judicial public hearing.



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155.2420. VARIANCE

(Below is a summary of Section 155.2420. For the complete language, please refer to the Zoning Code)

No change in permitted uses or increases in maximum allowable density may be authorized by variance.

REVIEW STANDARDS (Each standard MUST be addressed in writing)

A Variance application shall be approved only on a finding that there is competent substantial evidence in the record that all of the following standards are met:

- a. There are extraordinary and exceptional conditions (such as topographic conditions, narrowness, shallowness, or the shape of the parcel of land) pertaining to the particular land or structure for which the Variance is sought, that do not generally apply to other lands or structures in the vicinity;
- b. The extraordinary and exceptional conditions referred to in paragraph a., above, are not the result of the actions of the landowner;
- c. Because of the extraordinary and exceptional conditions referred to in paragraph a., above, the application of this Code to the land or structure for which the Variance is sought would effectively prohibit or unreasonably restrict the utilization of the land or structure and result in unnecessary and undue hardship;
- d. The Variance would not confer any special privilege on the landowner that is denied to other lands or structures that are similarly situated.
- e. The extent of the Variance is the minimum necessary to allow a reasonable use of the land or structure;
- f. The Variance is in harmony with the general purpose and intent of this Code and preserves its spirit;
- g. The Variance would not adversely affect the health or safety of persons residing or working in the neighborhood, be injurious to property or improvements in the neighborhood, or otherwise be detrimental to the public welfare; and
- h. The Variance is consistent with the comprehensive plan.

PROCEDURE

1. Pre-Application conference with Principal Planner.
2. Recommendation by the Development Service Director.
3. Final decision by the ZBA, following a quasi-judicial public hearing.



155.2412. TEMPORARY USE PERMIT (Major)

(Below is a summary of Section 155.2412. For the complete language, please refer to the Zoning Code)

REVIEW STANDARDS

A Temporary Use Permit shall be approved only on a finding that the temporary use, as proposed:

1. Is on its face temporary in nature;
2. Is in harmony with the spirit and intent of this Code;
3. Is not detrimental to property or improvements in the surrounding area, or to the public health, safety, or general welfare;
4. Does not have substantial adverse effects or noise impacts on any adjoining permanent uses or nearby residential neighborhoods;
5. Is compatible with any principal uses on the site;
6. 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; and
7. Complies with all applicable use-specific standards in Section 155.4403;

Certain Temporary Uses also have Use-Specific Standards set forth in Part 4 (Temporary Uses and Structures) of Article 4: Use Standards.

PROCEDURE

1. Pre-Application conference with Principal Planner.
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3. Final Decision by the ZBA.



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155.2415. INTERIM USE PERMIT

(Below is a summary of Section 155.2415. For the complete language, please refer to the Zoning Code)

REVIEW STANDARDS

(Each standard MUST be addressed in writing)

An Interim Use Permit application shall be approved only on a finding that there is competent substantial evidence in the record that the Interim Use, as proposed:

- a. Complies with the standards in Section 155.4403.E Interim Commercial Use or Section 155.4403.F Interim Industrial Use, as applicable;
- b. Is consistent with the comprehensive plan;
- c. Is consistent with any adopted Master Plan;
- d. Will not create a traffic hazard or nuisance with consideration given to, but not limited to, location of existing uses, turning movements in relation to the access to public roads and intersections or its location in relation to other buildings or proposed buildings on adjacent properties;
- e. Will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding property or the neighborhood, with consideration given to, but not limited to, noise, vibration, fumes, odors, dust, glare, other environmental hazards, or physical activity that will be generated and is otherwise present in the area; and
- f. Will not adversely affect the health, safety, security, morals, or general welfare of the neighborhood;
- g. Will not, with consideration given to the existing development in the area and development permitted under the current zoning provisions, overburden existing public services and facilities, including police and fire protection, water, sanitary sewer, public road, storm drainage, and other public improvements, and will not create a hazard by virtue of its site and location to residents, visitors, or workers in the neighborhood;
- h. Will be in harmony with the general character of the neighborhood, with consideration given to, but not limited to, population density, intensity, character of activity, traffic and parking conditions, and the number of similar uses in the neighborhood; and
- i. Is consistent with CPTED standards for natural surveillance, natural access control, territorial reinforcement, and maintenance.
- j. Additionally, an Interim Commercial Use shall comply with the following standards:
 - i. Will benefit the neighborhood and will be open to the public;
 - ii. Is an outdoor use that would otherwise be allowed in the zoning district in which it is located as either a Permitted Use, Special Exception Use, or Accessory Use; and
 - iii. Is a community serving use.

See Section 155. 2415.D.2 for applicable Interim Commercial Use Waivers that may be granted by the Zoning Board of Appeals.

PROCEDURE

1. Pre-Application conference with Principal Planner.
2. Recommendation by the Development Service Director.
3. Final decision by the ZBA, following a quasi-judicial public hearing.



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

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STREET ADDRESS		Folio Number	Zoning District
Subdivision		Block	Lot
Representative or Agent's interest in property (Owner, Lessee, Etc)			
Has any previous application(s) been filed?		Yes _____ No _____ Appeal # or Date _____	
Request			

Owner's Representative or Agent	Landowner (Owner of Record)
Business Name (if applicable)	Business Name (if applicable)
Print Name and Title	Print Name and Title
Signature	Signature
Date	Date
Street Address	Street Address
Mailing Address City/ State/ Zip	Mailing Address City/ State/ Zip
Phone Number	Phone Number
Email	Email



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OWNER'S CERTIFICATE

This is to 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.

Note: If this request is related to an existing zoning violation, please submit documentation as to the Special Master's disposition of the matter.

Owner's Name: (Print or Type) _____

Address: _____

_____ (Zip Code)

Phone: _____

Email address: _____

(Signature of Owner or Authorized Official) _____

SWORN AND SUBSCRIBED before me this ____ day of _____, _____.

NOTARY PUBLIC, STATE OF FLORIDA _____

(Name of Notary Public: Print, stamp, or Type as Commissioned.) _____

- [] Personally know to me, or
[] Produced identification: _____
(Type of Identification Produced)