

**CITY OF POMPANO BEACH  
ZONING DEPARTMENT  
MODIFICATION OF DEVELOPMENT STANDARDS  
APPLICATION**

**Modification request for one (1) foot and under are granted by the Zoning Director. If over one (1) foot must be reviewed by the Development Review Committee (DRC).**

**Is request for modification one foot or under \_\_\_\_\_ or over one foot \_\_\_\_\_?**

**See attached Meeting Dates and Deadline Schedule  
(meeting dates are subject to change).**

**Application Checklist:**

**Additional information may be required by the Zoning Director on a case by case basis.**

**APPLICATION REQUIREMENTS**

1. \_\_\_\_\_ Application Fee: \$130 for each modification item requested.
2. \_\_\_\_\_ Completed application.
3. \_\_\_\_\_ One set of photos of all sides of property (show on photos locations of improvements).
4. \_\_\_\_\_ One set of photos of adjacent properties.
5. \_\_\_\_\_ One set of contextual photos from the street (photos showing up and down and across the street).
6. \_\_\_\_\_ Owner Certificate completed by owner.
7. \_\_\_\_\_ Owner/agent letter if applicable.
8. \_\_\_\_\_ Letter of justification.

**SITE PLAN REQUIREMENTS**

9. \_\_\_\_\_ One 11x17 drawing of previously approved site plan.
10. \_\_\_\_\_ Seven sets of signed and sealed plans with architectural elevations.
11. \_\_\_\_\_ Show on site plan zoning of abutting properties.
12. \_\_\_\_\_ Seven copies of current survey.

**LANDSCAPE PLAN REQUIREMENTS**

13. \_\_\_\_\_ Seven sets of proposed/existing landscape plan.
14. \_\_\_\_\_ Cloud lines where superior landscape has been provided (if applicable).
15. \_\_\_\_\_ Data table listing required landscape and provided landscape.
16. \_\_\_\_\_ Legend listing quantity, species, size, etc. of proposed landscape.
17. \_\_\_\_\_ Show on landscape plan zoning of abutting properties.



**OWNER'S CERTIFICATE**

This is to certify that I \_\_\_\_\_ am the owner of

\_\_\_\_\_

and that I have authorized the filing of the aforesaid application.

Owner's Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone #: \_\_\_\_\_ Fax #: \_\_\_\_\_

Company Name: \_\_\_\_\_

Company's Address: \_\_\_\_\_

\_\_\_\_\_

Signature of Owner or Authorized Official: \_\_\_\_\_

**SWORN AND SUBSCRIBED** before me this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

\_\_\_\_\_

**NOTARY PUBLIC, STATE OF FLORIDA**

\_\_\_\_\_

Name of Notary Public: Print, stamp, or Type as Commissioned

Personally known to me, or

Produced identification: \_\_\_\_\_

Type of Identification Produced: \_\_\_\_\_

- (A) Purpose. This section is established to provide standards and procedures for the granting of administrative modifications of development standards. The Modification of Standards is specifically intended to promote high standards of site design; provide flexibility in the administration of standards in recognition of site specific conditions, and to establish conditions to insure compatibility where standards are modified.
- (B) Relationship to Comprehensive Plan. This section furthers objective 01.05.00: Encourage the use of innovative land development regulations.
- (C) Application. Modification of standards shall apply to the below enumerated structures and design elements. However, buildings or structures erected without a building permit or design design elements installed without proper city approval shall not be eligible for Modification of Standards.
  - (1) Principal Building Setbacks. Deviations up to 20% of the setback requirement may be allowed. In no case shall a required side yard be less than five feet. No modification of the required setback to a canal, waterway or permanent line of vegetation shall be permitted.
  - (2) Residential Accessory Structure Setbacks. Deviations up to 20% of the setback requirement may be allowed; however, no modification of the required setback to a canal, waterway or permanent line of vegetation shall be permitted.
  - (3) Fence Height. Deviations up to one foot may be allowed; however, obstructions to the required sight visibility triangle shall not be permitted.
  - (4) Landscape Planting Area Widths. Deviations up to 20% of the required width may be allowed; however, no planting area containing a tree shall be less than five feet in width.
- (D) Review Process. Applications shall be made to the Zoning Director in conformance with submittal requirements as follows:
  - (1) Three copies of a survey showing all improvements currently located on the property;
  - (2) Three copies of a site plan;
  - (3) Three copies of architectural elevations;
  - (4) Modification proposal, including a statement of consistency with the general and specific standards set forth below.

(E) General Standards. No modification may be granted unless:

- (1) The request is consistent with all applicable policies of the City's Comprehensive Plan;
- (2) The request is in conformance with all other applicable substantive requirements of this chapter.

(F) Specific Standards. Further, no modification may be granted unless:

- (1) Strict application of the requirement would be technically impractical in terms of design, construction practices or existing site conditions. The degree of existing nonconforming conditions and the extent to which the proposed modification would lessen the nonconforming situation shall be specifically considered.
- (2) The proposed modification will provide an alternative which will achieve the purposes of the requirement through clearly superior design.

(G) Conditions. In conjunction with the approval of the requested Modification of Standards, the conditions and safeguards may be imposed in conformity with the intent of this chapter:

- (1) Require berming, screening, landscaping or other similar means to buffer or protect nearby property and designate standards or maintenance of same;
- (2) Designate the size, height, location or materials for a fence or wall; and
- (3) Protect existing trees, vegetation, water resources, or other significant natural resources.

(H) Authority. Modification of Standards involving one foot or less may be approved by the Zoning Director; requests involving more than one foot may be approved by the Planning and Growth Management Director upon review by the Development Review Committee and submission of a written recommendation from the Planning Director and Zoning Director. If any proposed modification is not approved, the reasons therefore shall be set forth in writing.

(I) Appeals. Any decision of the Zoning Director or Planning and Growth Management Director may be appealed pursuant to Section 157.60, or through the Zoning Board of Appeals.

(J) Expiration. Modification of Standards approval shall expire unless a building permit based upon such approval is issued within 180 days from the date of written approval.

(Ord. 95-66, passed 5-23-95)