

Variances for New Panda Express Restaurant at 5681 W Atlantic Blvd

City of Margate

Board of Adjustment

April 7, 2026

Presenter: Matthew H. Scott, Esq.

of Greenspoon Marder LLP

on behalf of Panda Express

AERIAL LOCATION MAP



AERIAL



N. State Road 7

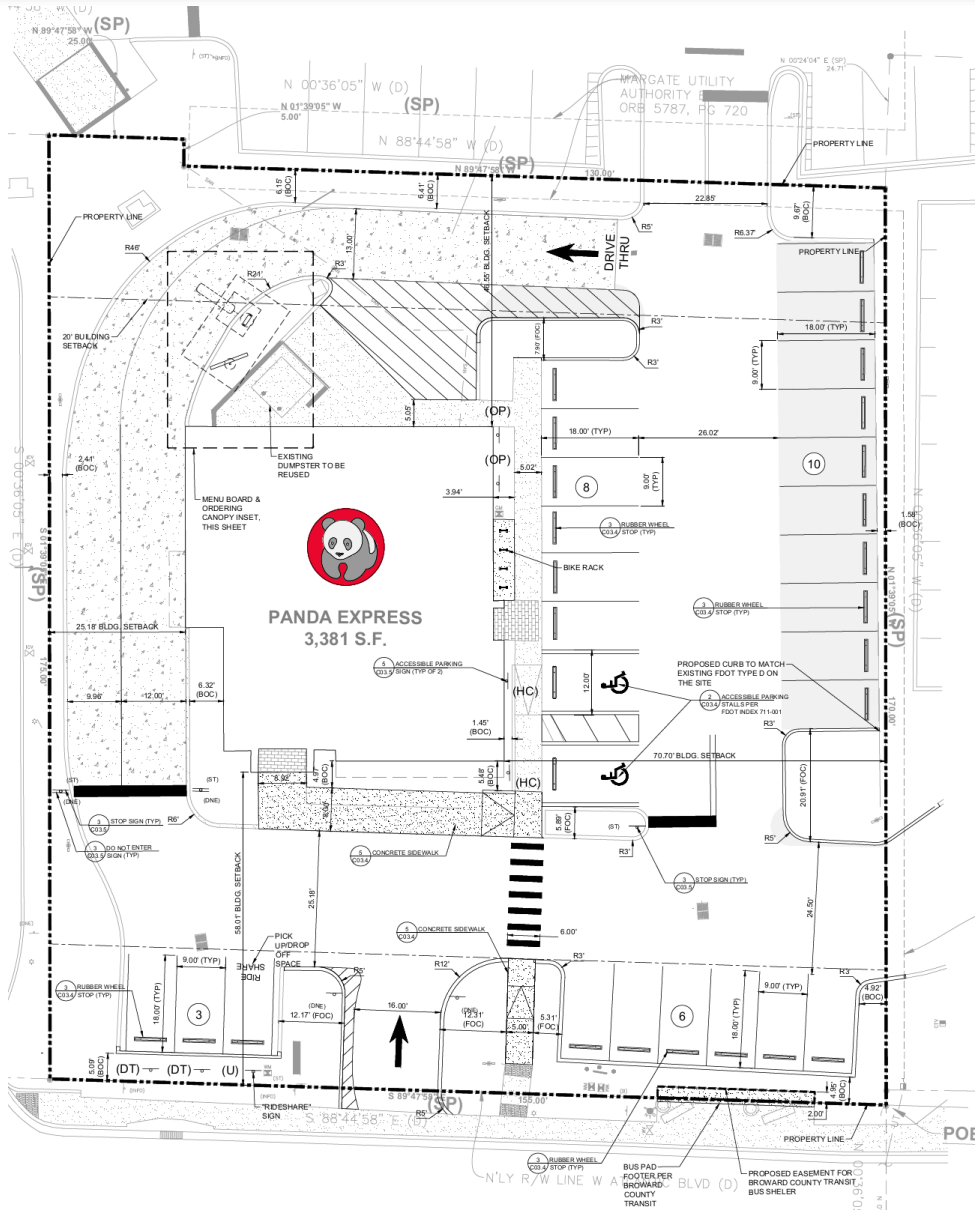
W Atlantic Blvd



EXISTING CONDITIONS



SITE PLAN



- Existing ~3,381 sq. ft. building formerly utilized as a restaurant with drive-through for Boston Market
- Proposed plan is to convert the existing building to a restaurant with drive-through for Panda Express

RENDERING



ELEVATIONS



REAR ELEVATION | 03
N.T.S. | A-202



FRONT ELEVATION | 01
N.T.S. | A-202



DRIVE-THRU ELEVATION | 04



ENTRY ELEVATION | 02



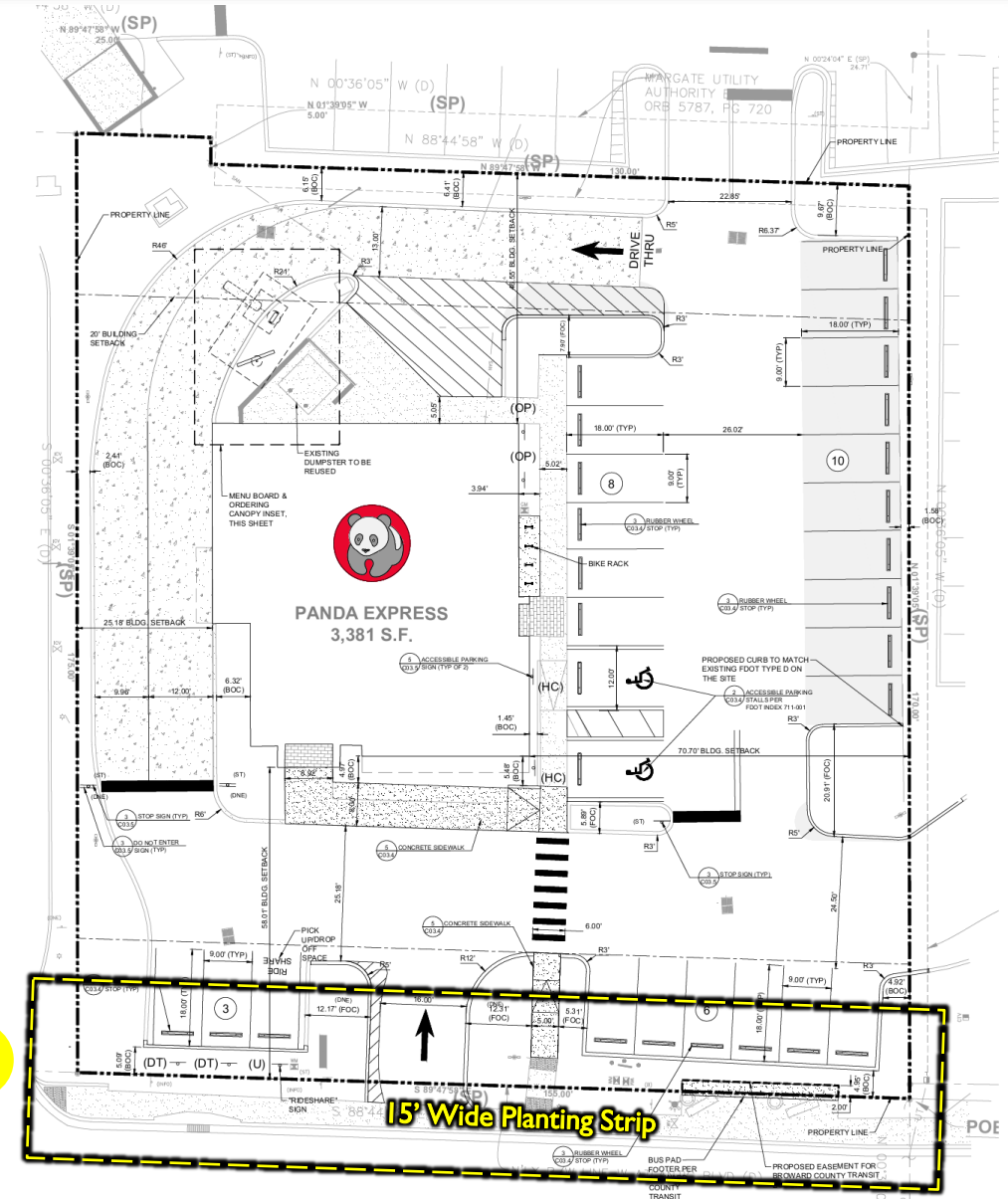
TABLE OF VARIANCE REQUESTS

LIST OF VARIANCES			
#	CODE SECTION	CODE REQUIREMENT	PROPOSED CONDITION
1	40.554.F.4	URBAN GREENWAY - REQUIRED 18' WIDE PLANTING STRIP ALONG ROADWAY FRONTAGE ON ARTERIAL ROADWAYS.	15' WIDE PLANTING STRIP FROM THE EDGE OF PAVEMENT AT R.O.W. TO THE BACK OF CURB INSIDE SUBJECT PROPERTY (DIMENSION REQUIREMENTS PER CODE SECTION 40.704.F.B.I.). REQUEST IS TO PROPOSE 3' LESS WIDTH OF URBAN GREENWAY PLANTING STRIP ALONG WEST ATLANTIC BLVD.
2	40.704.H.2. & 40.704.H.1.A.	PEDESTRIAN ZONES WITH 8' SIDEWALK AND 4'-5' LANDSCAPED AREA BETWEEN SIDEWALK AND BUILDING. 11' LANDSCAPE TERMINAL ISLANDS (INCLUDING CURBS)	PROPOSED PEDESTRIAN ZONE AT EAST SIDE OF BUILDING WITH 3.94' LANDSCAPED AREA AND 5' SIDEWALK. NO PEDESTRIAN ZONE ON WEST SIDE OF BUILDING. VARIANCE REQUEST IS TO PROPOSE A PEDESTRIAN ZONE WITH 3' LESSER SIDEWALK WIDTH AND 1.06' LESSER WIDTH FOR LANDSCAPED AREA AT EAST SIDE OF BUILDING, AND NO PEDESTRIAN ZONE AT WEST SIDE OF BUILDING. 5.89' AND 7.90' LANDSCAPE TERMINAL ISLANDS AT ENDS OF PARKING ROW ADJACENT TO BUILDING. VARIANCE REQUEST IS TO PROPOSE LANDSCAPE TERMINAL ISLANDS 5.11' LESS WIDTH AND 3.10' LESS WIDTH, RESPECTIVELY.
3	40.704.G.1.	5' LANDSCAPE BUFFER AT WEST AND EAST SIDES OF PROPERTY	2.41' BUFFER AT WEST SIDE AND 1.19' BUFFER AT EAST SIDE OF PROPERTY. VARIANCE REQUEST IS TO PROPOSE 2.59' LESSER WIDTH OF PERIMETER LANDSCAPE BUFFER TO WEST AND 3.81' LESSER WIDTH OF PERIMETER LANDSCAPE BUFFER TO THE EAST, RESPECTIVELY.



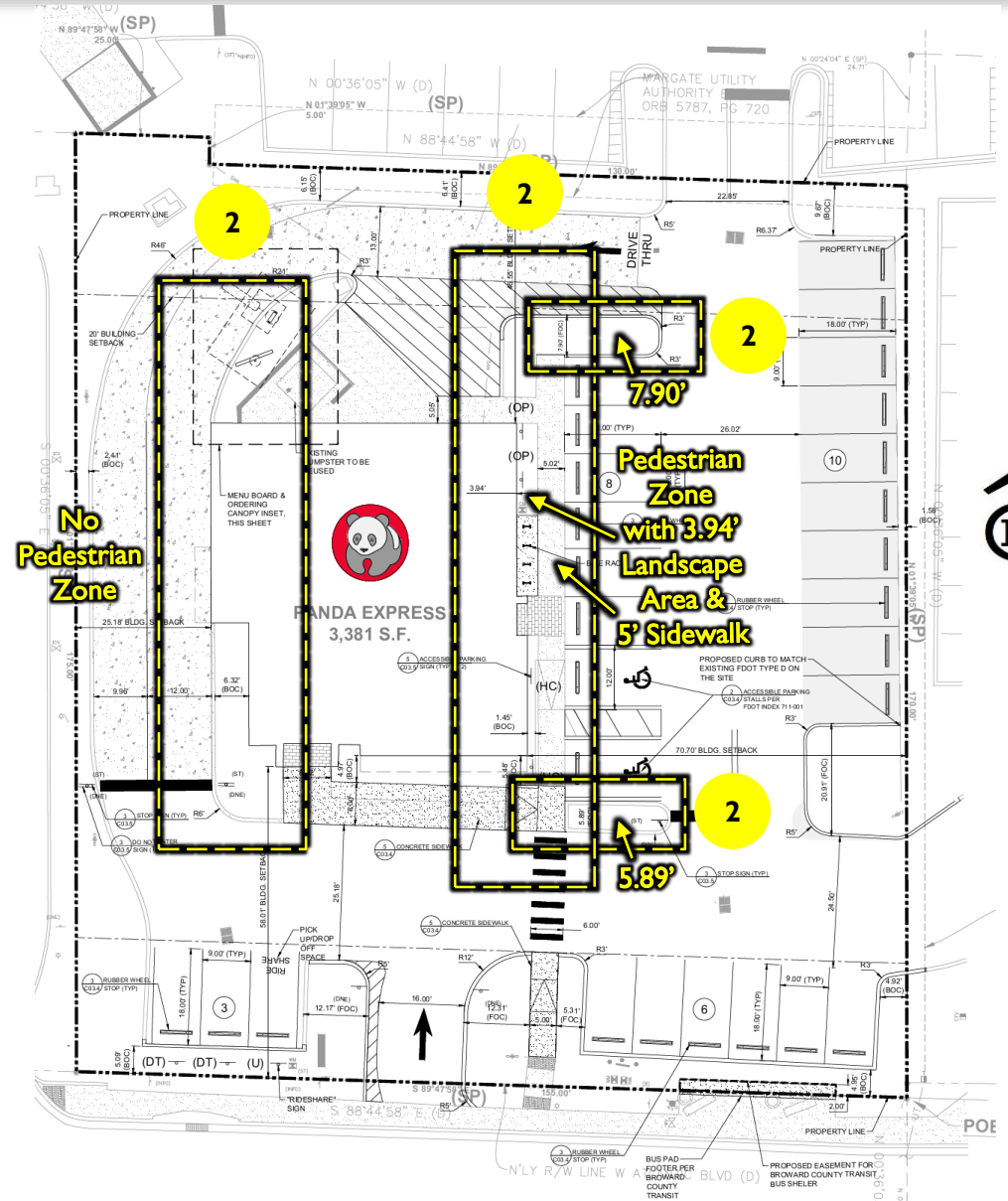
VARIANCE REQUEST 1

Variance #	Code Requirement	Provided
I	18' wide plantation strip for Urban Greenways along frontage of properties on arterial roadways	15' wide planting strip



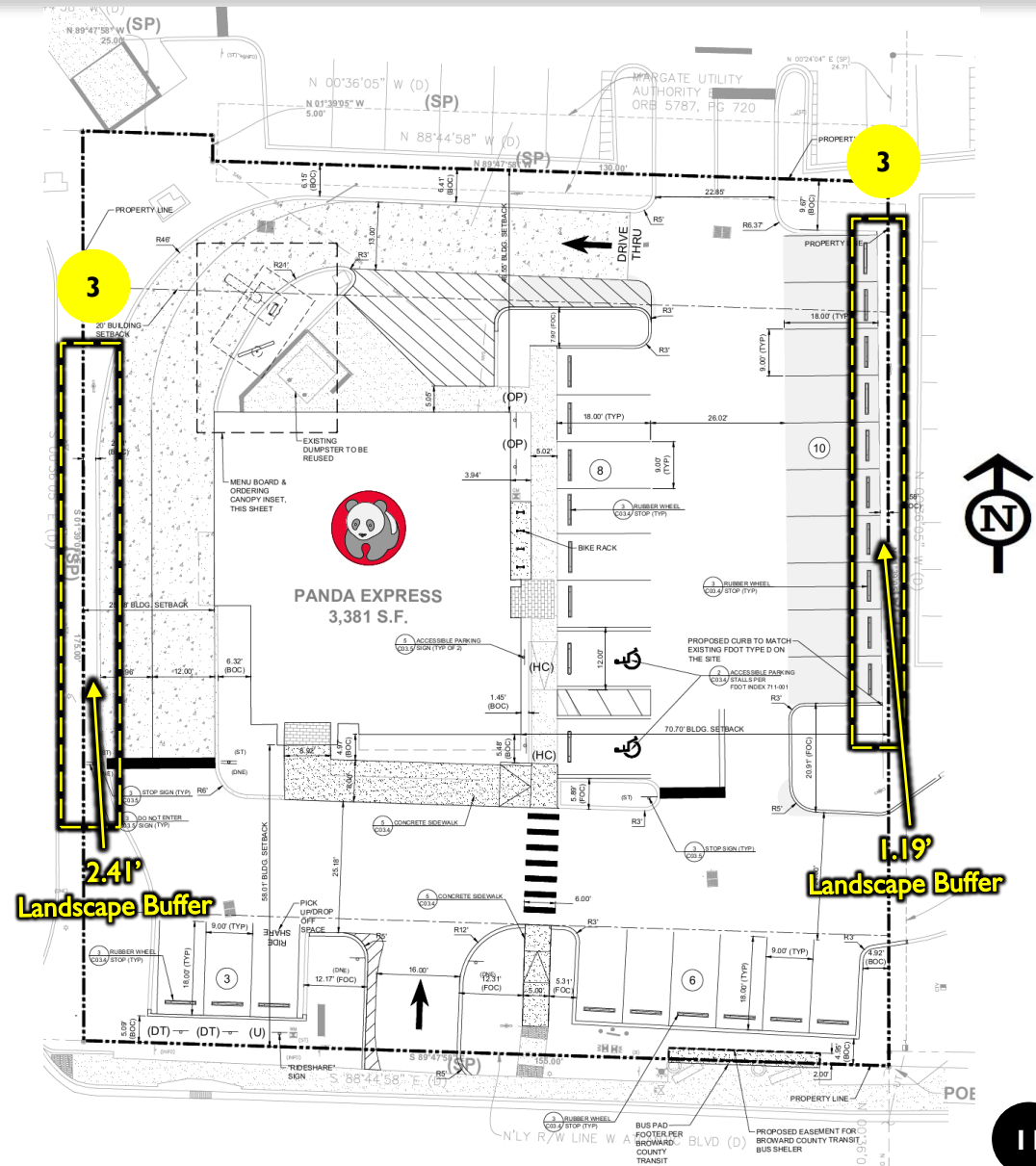
VARIANCE REQUEST 2

Variance #	Code Requirement	Provided
2	<p>Pedestrian zones with 8' sidewalk and 4'-5' landscaped area between sidewalk and building; and</p> <p>11' wide landscape terminal islands</p>	<p>3.94' landscaped area and 5' sidewalk at east side of building and no pedestrian zone at west side of building; and</p> <p>5.89' and 7.90' landscape terminal islands at ends of parking rows adjacent to the building</p>



VARIANCE REQUEST 3

Variance #	Code Requirement	Provided
3	5' landscape buffer at east and west sides of property	2.41' buffer at west side, and 1.19' buffer at east side



VARIANCE CRITERIA

- a. It shall be demonstrated that special conditions and circumstances exist which, if there is a literal and strict enforcement of the provisions of a zoning ordinance, would constitute a hardship or practical difficulty in the use of the property involved.
- b. Owner's preference or economic disadvantage does not constitute a hardship. A self-created hardship does not constitute grounds for a variance.
- c. No nonconforming use of neighboring lands, structures or buildings in the same district, and no permitted use of lands structures or buildings in other districts shall be considered grounds for a variance.
- d. It shall be demonstrated that special conditions and circumstances exist which are peculiar to the land or structure involved, and which are not applicable to other land or structures located in the same district.
- e. The Board shall find that the granting of the variance will not be contrary to the public interest or the general purpose sought to be accomplished by the zoning ordinances, is the minimum variance possible to make reasonable use of the land or structure, and shall not constitute that granting of a special privilege. In granting a variance, the Board may prescribe appropriate safeguards and conditions in conformity with the intent of the Code.
- f. In granting any variance, the Board shall record in its minutes the circumstances and conditions constituting the hardship or practical difficulties upon which the variance is based.

THANK YOU