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October 21, 2022

Zoning Board of Appeals
City of Pompano Beach
100 West Atlantic Boulevard, Dept. 1510
Pompano Beach, Florida 33060

Via Electronic Mail: scott.reale@copbfl.com

RE: Major Temporary Use Permit for W McNab Road (Folio 494203000521)

Dear members of the Zoning Board of Appeals,

PlanW3st is representing applicant CELU DEVELOPMENTS LLC in pursuit of Major Temporary Permit approval for the above-referenced property. The subject parcel is located within the I Industrial land use category as well as the I-1 zoning district. The lot is over 149 feet in width and over 57,600 sq. ft. in lot area. The owner intends to develop the 1.3-acre property with 20,511 sq. ft. of industrial warehouse use and is getting ready to submit for site plan approval. The owner is concurrently seeking plat approval for the property under PZ#22-14000007, which is scheduled for Planning & Zoning Board hearing on 10/26/2022. The property is currently vacant and located on the north side of McNab Road, west of the CSX rail corridor (refer to **Exhibit "A"** included with this narrative).

In order for the owner to temporarily use the property for storage while site plan approval and platting is finalized, the property is required to obtain Major Temporary Permit approval from the Zoning Board of Appeals. We understand that a Major Temporary Use Permit shall only be approved on a finding that the request as proposed meets the following standards and we believe we meet them all:

1. Is on its face temporary in nature;

The plat application for this property began in early March of this year. Plat approval takes anywhere between 12 to 18 months to complete in Broward County. The site plan is currently being finalized and takes 4-6 months to complete. It is anticipated that permitting for the project will be in progress, if not finalized, by the end of next year (2023). Storage of shipping containers on the subject property is temporary in nature, as the formal approvals are currently and actively being sought, and will be vested by the expiration of this Temporary Use Permit if granted. If approvals are not obtained by the expiration of this approval, the shipping containers will be removed.

2. Is in harmony with the spirit and intent of this Code;

The storage of shipping containers is in harmony with this code, as warehousing is a permitted use in the I-1 Zoning District. The shipping containers will store items, such as clothing, that are awaiting export to other countries. The proposed plat and new

development site plan seeking approval will include 8 bays of warehousing, which are permitted uses within the zoning district. The export business storing the shipping containers will be one of the bays in the final project.

The proposed temporary use is consistent with the purpose and intent of the code in promoting the public health, safety, and general welfare. More specifically, the request is consistent with the following goals and policies of the comprehensive plan:

- B. Encourage the most appropriate use of land, water, and resources (as the use will be temporary and the shipping containers will be static on the property);*
 - I. Promote sustainable development and reduce greenhouse gas emissions by encouraging less auto-dependent development patterns, renewable energy use, energy conservation, water conservation, vegetation, urban agriculture, recycling and waste reduction, and hazard-resilient development (as the temporary use will be utilizing a vacant undeveloped property and the new development seeking approval will be built to major site plan standards, including sustainability standards);*
 - J. Establish comprehensive, consistent, effective, efficient, and equitable standards and procedures for the review and approval of land development that recognize and respect the rights of landowners and consider the interests of the city's citizens (as the landowner is being responsible in seeking all applicable approvals for the new development and needs to use the property temporarily while approvals are sought).*
3. Is not detrimental to property or improvements in the surrounding area, or to the public health, safety, or general welfare;

The temporary storage of shipping containers is not detrimental to property or improvements in the surrounding area or to the public health, safety, or welfare as the use is limited to the subject property and will not involve any outdoor activities other than the delivery of the shipping containers to the site. All traffic and access will be maintained as intended with the existing access easement in place.

4. Does not have substantial adverse effects or noise impacts on any adjoining permanent uses or nearby residential neighborhoods;

The parcel is currently vacant and shares an access easement with the parcel to the east. All traffic and access will be maintained as intended with the easement in place. The property has an existing perimeter fence that will be maintained for enclosure and security, and the temporary use does not involve any noise, smoke, glare, or other noxious effects or adverse impacts to the surrounding properties.

5. Is compatible with any principal uses on the site;

The subject property is currently vacant and has no principal uses. The storage of shipping containers on the site is being requested as a principal temporary use. The shipping containers will store items, such as clothing, that are awaiting export to other countries. As both warehousing and outdoor storage is a permitted use in the I-1 Zoning District, the temporary use will be compatible with the existing zoning district.

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;

The subject property is 1.3 acres; over 57,600 sq. ft. in land area. The lot is over 149 feet in width and meets the I-1 lot standards of 100-foot width and 10,000 sq. ft lot area. The site contains sufficient land area to allow the temporary use and accommodates the associated storage and traffic movement. The subject property does not have include/is not designated as a protected or designated environmentally sensitive land identified in the Broward County Land Use Plan 2016 Natural Resource Map Series.

7. Complies with all applicable use-specific standards in Section 155.4403.

The subject request is not one specifically identified in section 155.4403 (Farmers' Market, Temporary Portable Storage Unit, Temporary Use of an Accessory Structure as a Principal Dwelling After a Catastrophe, Interim Commercial Use, or Interim Industrial Use).

Thank you for your consideration. We respectfully request the variance is granted as justified above.

Please do not hesitate to contact me with any questions.



Paola A. West, AICP, ISA-CA
Senior Land Planner

Exhibit "A"



Parcel Id: [494203000521](#)

Owner: CELU DEVELOPMENTS LLC

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