



Staff Report

File #: LN-342

Zoning Board of Appeals
Meeting Date: September 15, 2022

MAJOR TEMPORARY USE - MONTANA ENTERPRISES INC. AND THE BEACHCOMBER VILLAS INC.

Request: Major Temporary Use
P&Z# 22-15000014
Owner: Montana Enterprises Inc. and The Beachcomber Villas Inc.
Project Location: 1209-1213 S Ocean Blvd.
Folio Number: 4943 06 00 0080 & 4943 06 05 0040
Land Use Designation: C- COMMERCIAL
Zoning District: General Business (B-3)
Agent: Andrea Harper
Project Planner: Scott Reale

Summary:

The Applicant Landowner is requesting a Major Temporary Permit from the provisions of Chapter 155: Article 4 [Use Standards] and Article 5 [Development Standards] of the City of Pompano Beach Zoning Code in order to temporarily utilize two adjacent parcels for a temporary sales center and parking without complying with the applicable use and development standards as required by Code.

The subject property is located on the west side of A1A (N Ocean Boulevard), between SE 12th Street and SE 13th Street.

PROPERTY INFORMATION

1. The subject property consists of a vacant undeveloped lot, where the sales center trailer is proposed, along with an existing parking lot to the south. The sales center will be used to showcase a forthcoming 27-story, 92-unit residential development at 1350 S Ocean Boulevard, which was approved via Major Site Plan PZ #15-12000002.
2. Vehicular access to the sales center will be provided through the aforementioned existing parking lot to the south, which has ingress/egress along S Ocean Boulevard.
3. The sales center itself will be a 1-story aluminum building comprising approximately 4,000 sq. ft., with a wooden deck and associated landscaping. Ten parking spaces will be reserved for the sales center.
4. The ZBA has approved a number of other sales center galleries for high-end developments on the barrier island. Staff does not object and finds the use and layout appropriate for the site and surrounding development.

LAND USE PATTERNS

Subject Property (Zoning | Existing Use): B-3 | vacant land and parking lot

Surrounding Properties (Zoning | Existing Use):

- North: B-3 | shopping center
- South: B-3 | multi-family residential
- East: B-3 | multi-family residential
- West: B-3 | parking lot

TEMPORARY USE PERMIT REVIEW STANDARDS

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.

Staff Conditions:

Should the Board determine the applicant has provided competent substantial evidence sufficient to satisfy the seven Major Temporary Use Permit review standards, staff request the Board include the following conditions as part of the Order:

1. Obtain all necessary governmental permits and approvals, including building and zoning compliance permits, and a business tax receipt for the sales center.
2. Substantial compliance with conceptual site plan submitted with this application.
3. If permits for the approved development are not obtained prior to the expiration of this Temporary Use Permit, applicant must reapply for a new Temporary Use Permit or remove sales center and replace affected area with drought resistant sod.

CITY OF POMPANO BEACH AERIAL MAP



1 in = 179 ft

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES