



Staff Report

File #: LN-206

Zoning Board of Appeals
Meeting Date: December 16, 2021

MAJOR TEMPORARY USE PERMIT - UPPER POMPANO + DIXIE

Request: Major Temporary Use Permit
P&Z# 21-15000010
Owner: Upper Pompano + Dixie Properties
Project Location: 1661 N Dixie Highway
Folio Number: 4842 26 00 0380; 4842 26 00 0383
Land Use Designation: C- Commercial
Zoning District: Heavy Business (B-4)
Agent: Thomas W. Johnston, Esq.
Project Planner: Scott Reale

Summary:

The Applicant Landowner is requesting a MAJOR TEMPORARY USE 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 utilize the existing site for various commercial uses without complying with the applicable use and development standards as required by Code.

The subject property is located in the Northwest CRA, on the west side of N Dixie Highway, between NW 16th Street and NE 17th Court.

PROPERTY INFORMATION

1. The subject property does not have any open code compliance cases.
2. The subject property has the following Business Tax Receipts:
 - Grevgold Inc (storage warehouse)
 - Avis Rent a Car System LLC (automobile and truck rentals)
 - Budget Rent a Car System Inc (automobile and truck rentals)
 - Budget Truck Rental LLC (automobile and truck rentals)
 - Dixie Properties & Investments (rental building)
3. On 8/15/2018, Development Order #17-12000057 was issued for the construction of an automobile and truck rental facility with associated landscaping and site improvements.
4. Three Major Temporary Use Permits, specific to the operations for an Automotive and Light Truck Rental and display, were previously approved (PZ: 19-15000016; PZ: 20-15000011; PZ 21-15000006). This request more broadly asks for approval to allow various commercial uses to operate

- on the property while the site plan improvements are being completed.
5. The property was recently rezoned from B-3 (General Business) to B-4 (Heavy Business) via Ord. No. 2021-88 on 9/28/2021.

LAND USE PATTERNS

Subject property (Zoning / Existing Use): B-3 (General Business) / warehouse building and rental car facility

Surrounding Properties (Zoning District / Existing Use):

- North - B-3, RD-1, RS-2 (General Business, Two-Family Residence, and Single Family Residence) / Auto -Repair & Towing Services, & Single Family Homes
- South - B-3 (General Business) / Lawn Maintenance and Trucks
- East - T (Transportation) / Sand and Spur Equestrian Park
- West - RS-2 (Single Family Residence) / Single Family Homes

TEMPORARY USE PERMIT REVIEW STANDARDS

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

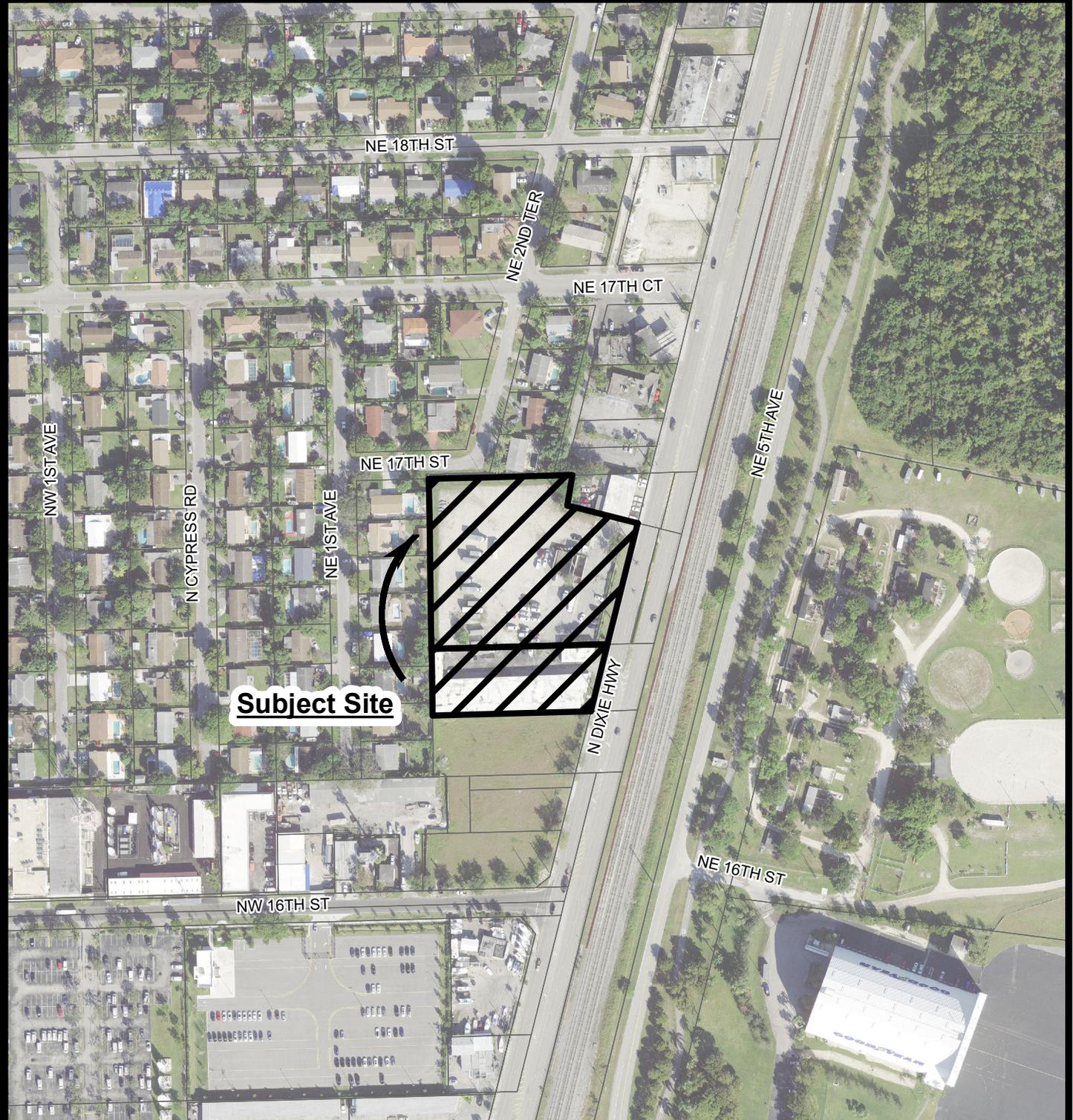
1. Is on its face temporary in nature;
2. Is in harmony with the spirit and intent of this Code;
3. Is not detrimental to property or improvements in the surrounding area, or to the public health, safety, or general welfare;
4. Does not have substantial adverse effects or noise impacts on any adjoining 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 seven Major Temporary Use Permit review standards, staff requests the Board include the following conditions as part of the Order:

1. Substantial compliance with the approved Site Plan (PZ: 17-12000057), and obtain final zoning compliance and building permit approvals prior to the expiration of this approval.
2. Obtain a Zoning Use Certificate and Business Tax Receipt for all proposed uses. Until such time that the permits associated with the site plan are closed out, allowable uses that are not totally and permanently enclosed shall be strictly limited to automotive and light truck rental & display and those uses denoted in applicant's Exhibit "E".
3. Minimum onsite parking requirements shall be exempt only for the duration of this Temporary Use Permit. All business owners must either comply with the minimum parking requirements or sign an affidavit acknowledging that the minimum parking requirements must be satisfied prior to the expiration of this temporary use permit. Failure to comply with the parking requirements after the Temporary Use Permit expires may result in revocation of their Zoning Use Certificate and Business Tax Receipt.

CITY OF POMPANO BEACH AERIAL MAP



Subject Site

**MAJOR
TEMPORARY
USE**

**DIXIE PROPERTIES &
UPPER POMPANO PROPERTIES
1661 N DIXIE HWY**

1 in = 250 ft

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES