

Staff Report

File #: LN-366

Zoning Board of Appeals
Meeting Date: November 17, 2022

MAJOR TEMPORARY USE PERMIT - CELU DEVELOPMENTS LLC

Request: Major Temporary Use Permit
P&Z# 22-15000016
Owner: CELU Developments LLC
Project Location: W McNab Road (vacant parcel)
Folio Number: 494203000521
Land Use Designation: I- INDUSTRIAL
Zoning District: General Industrial (I-1)
Agent: Paola West
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 a vacant lot for outdoor storage of shipping containers without complying with the applicable use and development standards as required by Code.

The property is located on the north side of W McNab Road between S Powerline Road and the TriRail/CSX railroad tracks.

PROPERTY INFORMATION

1. The property is undeveloped, although the eastern portion shares access with the property to its east.
2. The site does not currently have any open code violations.
3. According to the applicant's narrative, the property will ultimately be developed for an industrial warehouse use. However, it must first go through the platting and site plan process, the former of which can take over a year through the Broward County approval process. In the interim, the applicant is proposing to utilize the site for temporary storage of shipping containers. There does not appear to be any correlation between the proposed operator and the temporary site plan, and the future development.
4. Fire Prevention has asked for a more detailed site plan layout of the outdoor storage area, in order to properly demonstrate appropriate fire department access and water supply to the site.
5. The proposal is not generally in harmony with the spirit and intent of the Zoning Code. There are no efforts to provide screening to the residential development to the north, the site plan shows a chainlink fence around the entire perimeter of the property, with gravel surface for the storage of the storage containers & circulation.
6. A plat application (P&Z:22-14000007) has been submitted & reviewed by the Planning & Zoning Board, but a site plan application has yet to be filed for the proposed warehouse development.
7. If this Temporary Use Permit is approved, the use would be allowed for a maximum of one year.

LAND USE PATTERNS

Subject property (Zoning | Existing Use):

- I-1 | vacant site

Surrounding Properties (Zoning District / Existing Use):

- North: RM-45 | SFWMD canal and Multi-family dwellings (Cypress Bend)
- South: I (City of Fort Lauderdale) | Industrial/ Warehouse
- East: I-1 | Industrial/ Warehouse
- West: I-1 | Industrial/ Warehouse

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 approvals and permits.
2. Substantial compliance with the conceptual site plan submitted with this application.
3. Applicant must file a site plan application within 3 months from the approval of the Temporary Use Permit.
4. Install canopy trees along the northern property line (1 tree per 30 linear feet, spaced no more than 15 feet apart).
5. Gravel surfaces are not permitted for vehicular use areas. Prior to permit approval, only hard, dustless, and bonded surface material may be illustrated on the plans.
6. Provide to the Fire Marshal a detailed site plan layout of the outdoor storage area, demonstrating appropriate fire department access and water supply to the site.
7. Prior to the expiration of the temporary use, the lot drought resistant sod shall be installed on the property to replace any affected areas & impervious surfaces (not including the area within the ingress/egress easement area) shall be removed.

CITY OF POMPANO BEACH AERIAL MAP



1 in = 250 ft

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES