



Staff Report

File #: LN-188

Zoning Board of Appeals
Meeting Date: October 21, 2021

MAJOR TEMPORARY USE - FIRTH PROPERTIES LAKESIDE LLC

Request: Major Temporary Use
P&Z# 21-15000007
Owner: Firth Properties Lakeside LLC
Project Location: 1201 S Ocean Boulevard
Folio Number: 4943 06 12 0710
Land Use Designation: C- Commercial
Zoning District: B-3 (General Business)
Agent: David Bee
Project Planner: Scott Reale

Summary:

The Applicant Landowner is requesting a MAJOR TEMPORARY USE PERMIT from the provisions of Chapter 155: Article 5 [Development Standards] of the City of Pompano Beach Zoning Code in order to temporarily utilize a portion of an existing shopping center parking lot for outdoor dining without complying with the applicable development standards as required by Code.

The property is located on the southwest corner of S Ocean Boulevard (A1A) and SE 12th Street.

PROPERTY INFORMATION

1. The subject property has no code compliance violation cases.
2. The shopping center, originally called the Lakeside Shoppes, was approved in 1976 via PRA No. 2085, with 53 parking spaces. At the time, 42 spaces were required by code. Accounting for the current restaurant and retail uses, staff has determined 42 spaces are required. With the outdoor seating area, there are currently 50 parking spaces on the site, two of which are handicap/ADA spaces.
3. During the peak of the COVID pandemic, the City suspended most outdoor application requirements for restaurants and retail businesses to expand operating space into portions of privately owned and public rights-of-way.
4. Staff finds the outdoor seating area, which takes up two parking spaces, does not negatively impact the property with regard to site circulation or minimum parking requirements.
5. If this Temporary Use Permit is approved, the outdoor seating area would be allowed for a maximum of one year. The applicant may file for a site plan amendment in order to allow for permanent outdoor seating.

LAND USE PATTERNS

Subject property (Zoning / Existing Use):

- B-3 / shopping center including restaurant, jeweler, beauty salon, professional massage, and laundry

Surrounding Properties (Zoning District / Existing Use):

- North: RM-20 / multi-family dwellings (Pompano Surf Club Co-Op)
- South: B-3 / vacant land
- East: B-3 / hotel (Club Wyndham Royal Vista) and multi-family dwelling (Sky Ranch)
- West: RM-20 / multi-family dwelling (Aristocrat Condominium)

TEMPORARY USE PERMIT REVIEW STANDARDS

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

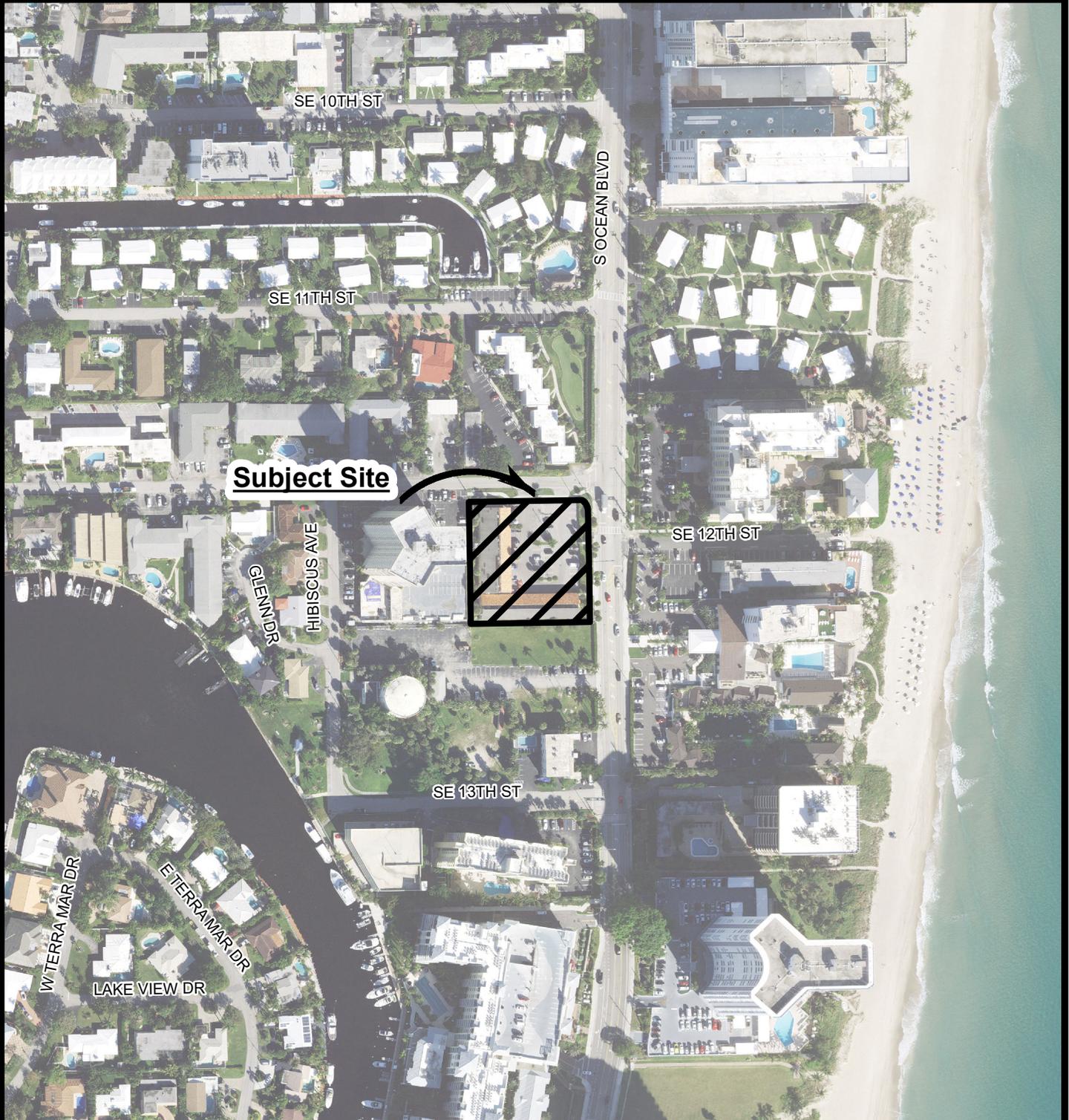
1. Is on its face temporary in nature;
2. Is in harmony with the spirit and intent of this Code;
3. Is not detrimental to property or improvements in the surrounding area, or to the public health, safety, or general welfare;
4. Does not have substantial adverse effects or noise impacts on any adjoining 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.
2. Outdoor seating is limited to the area depicted on the site plan and shall not further encroach into the parking lot.
3. Maintain Jersey barriers (or similar bollard device) to provide clear separation between outdoor seating and vehicular use area.

CITY OF POMPANO BEACH AERIAL MAP



**MAJOR
TEMPORAY
USE**

**FIRTH PROPERTIES LAKESIDE LLC
1201 S OCEAN BLVD**

1 in = 250 ft

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES