



Staff Report

File #: LN-433

Zoning Board of Appeals
Meeting Date: April 20, 2023

MAJOR TEMPORARY USE - HODGSON

Request: Major Temporary Use
P&Z# 23-15000004
Owner: Patricia Hodgson
Project Location: 912 NE 2 Street
Folio Number: 484236050770
Land Use Designation: L- LOW 1-5 DU/AC
Zoning District: Single-Family Residence 2 (RS-2)
Agent: Patricia Hodgson
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 temporarily utilize a recreational vehicle as living quarters on premise during the construction of the landowner's principal dwelling unit.

The subject property is located in old Pompano, on the south side of NE 2nd Street between NE 7th Avenue and NE 10th Avenue.

ZONING REGULATIONS

155.4303. STANDARDS FOR SPECIFIC ACCESSORY USES AND STRUCTURES

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X. Parking or Storage of Motor Vehicles, Recreational Vehicles, Boats, or Trailers in Residential Zoning Districts

1. Purpose

In recognition that the continual or long-term parking or storing of certain vehicles on streets and on properties in residential neighborhoods detracts from the residential character of such neighborhoods, this provision is intended to prohibit such activity in residential zoning districts. It is not intended to prevent the occasional or short-term parking of such vehicles for purposes such as loading, unloading, or cleaning, or to apply in nonresidential zoning districts.

2. Districts Where Permitted

RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1	B-2	B-3	B-4
A	A	A	A	A	A	A	A	A	A	A	A				

M-1	CR	I-1	I-IX	OIP	M-2	TO	PR	CF	PU	T	BP	RPUD	PCD	PD-TO	LAC	PD-1
												A		A	A	A

3. Applicability

a. General

The standards in this subsection apply to any motor vehicle, recreational vehicle, boat, or trailer parked or stored on a public right-of-way or property in a residential zoning district, except where exempted by subsection b below.

b. Exemptions

The following activities are exempt from the standards of this subsection:

- i. The active loading, unloading, or cleaning of a recreational vehicle, boat, or trailer on private property in preparation for or following an off-premises trip, where the loading/unloading/cleaning period does not exceed two 24-hour periods in any seven-day period;
- ii. The dockage of a boat used for recreational purposes in a canal or waterway or the landing of such a boat from a canal or waterway by a permanent hoist mechanism;
- iii. The storage of a canoe or kayak; and
- iv. The parking or storage of a light van with a permanently raised roof or other special vehicle for use by a person confined to a wheelchair, pursuant to a permit issued by the city for a defined time period, subject to renewal.

4. Standards

The parking or storing of a motor vehicle, recreational vehicle, boat, or trailer on a required front yard or street side yard in a residential zoning district is allowed as an accessory use, subject to the following standards (unless exempted by subsection 3.b above):

- a. The lot on which a motor vehicle, recreational vehicle, boat, or trailer is parked or stored shall contain a permitted principal structure and not be a vacant lot.
- b. Any automobile or light truck no more than 21 feet long and eight feet high, or a motor home, boat, or trailer no more than 30 feet long and ten feet high, may be parked or stored in the required front yard of the lot. No more than one motor home, boat or trailer per dwelling unit, shall be stored in a required front yard.
- c. Any motor vehicle, recreational vehicle, boat, or trailer parked or stored in a garage or carport shall not project horizontally beyond the roofline of the garage or carport.
- d. Any motor vehicle, recreational vehicle, boat, or trailer parked or stored in a carport and not fully shielded by a wall integral to the carport structure shall be screened from ground level view from any street and adjoining properties (as measured from a height of six feet above grade of the adjoining property).
- e. Any motor vehicle, recreational vehicle, boat, or trailer parked or stored in a required front yard or a street side yard shall be parked or stored on a hard, dustless, and bonded surface (such as asphaltic concrete, Portland cement, or other material normally used to surface vehicle areas) that is the same size or larger than the parked or stored motor vehicle, recreational vehicle, boat, airboat, or trailer. Driveways or accessways serving the parking or storage area need not be such a hard, dustless, and bonded surface.
- f. Any motor vehicle, recreational vehicle, boat, or trailer parked or stored in a required front yard or a street side yard shall be parked or stored transverse to the adjoining public street so its shortest dimension is parallel to the street.
- g. Any motor vehicle, recreational vehicle, boat, or trailer parked or stored in a required rear yard or interior side yard shall be screened from ground level view from any street and adjoining properties (as

measured from a height of six feet above grade of the adjoining property).

- h. A boat shall be parked or stored on a trailer.
- i. A motor vehicle, recreational vehicle, boat, or trailer parked on a lot in a residential zoning district shall:
 - i. Be currently registered and have current, valid license plates or decals attached to and visible from outside of the motor vehicle, recreational vehicle, boat, or trailer;
 - ii. Be owned by an occupant of the property on which it is parked or stored;
 - iii. Be placed on the lot in a neat and orderly manner, and if collapsible, in a collapsed state;
 - iv. Be maintained in a moveable condition, with inflated tires if so equipped;
 - v. Not be in the process of being constructed or reconstructed;
 - vi. Be maintained in good condition, working order, and appearance, with no repair work other than minor repairs (e.g., tune-ups and similar ignition work, lights, changing fluids, starters, alternators, routine adjustments, tire changes, brake repairs) being performed on it outside a residential garage;
 - vii. Not be stored on jacks or blocks except during active loading or unloading;
 - viii. Not extend over a public right-of-way; and
 - ix. Be without any commercial lettering.
- j. No parked or stored motor vehicle, recreational vehicle, boat, or trailer shall be inhabited as a principal residence. Recreational vehicles and boats may be connected to utilities as needed to replenish supplies in preparation for or following an off-premise trip.

PROPERTY INFORMATION AND STAFF ANALYSIS

1. The subject property has an open code violation (Case #23-09000917) for a recreational vehicle (RV) parked on the property in a non-collapsible state.
2. The applicant's narrative states the principal dwelling unit on the property - which is a small cottage built in the 1920s - is uninhabitable and will be demolished and replaced with a new principal dwelling. The applicant wishes to remain onsite during the demo and construction phase so they can supervise and streamline the construction process.
3. At over 25,000 sq ft, the subject property is larger than most of the other lots in the neighborhood. The applicant's narrative and conceptual site plan suggest the RV will be located on the opposite (west) side of the property from where construction will occur, and setback at least 25 feet from the front lot line. An existing fence and tree canopy should help screen the RV from view from the street. Further, the narrative states RV is equipped with battery, propane, electric, and solar hookups, and will be connected to a temporary electric post and water line. The applicant has indicated there will not be a generator so there should not be or any adverse effects, such as noise impacts, to the neighborhood.
4. The applicant has submitted evidence the RV has an active registration and license plate.

LAND USE PATTERNS

Subject property (Zoning District | Existing Use):

- RS-2 | single-family dwelling

Surrounding Properties (Zoning District | Existing Use):

- North: RS-2 | single-family dwelling (905 NE 2 St)
- South: RS-2 | vacant lot and single-family dwellings (903 NE 1 St and 907 NE 1 St)
- East: RS-2 | single-family dwellings (914 NE 2 St)
- West: RS-2 | single-family dwelling (732 NE 2 St)

TEMPORARY USE PERMIT REVIEW STANDARDS

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

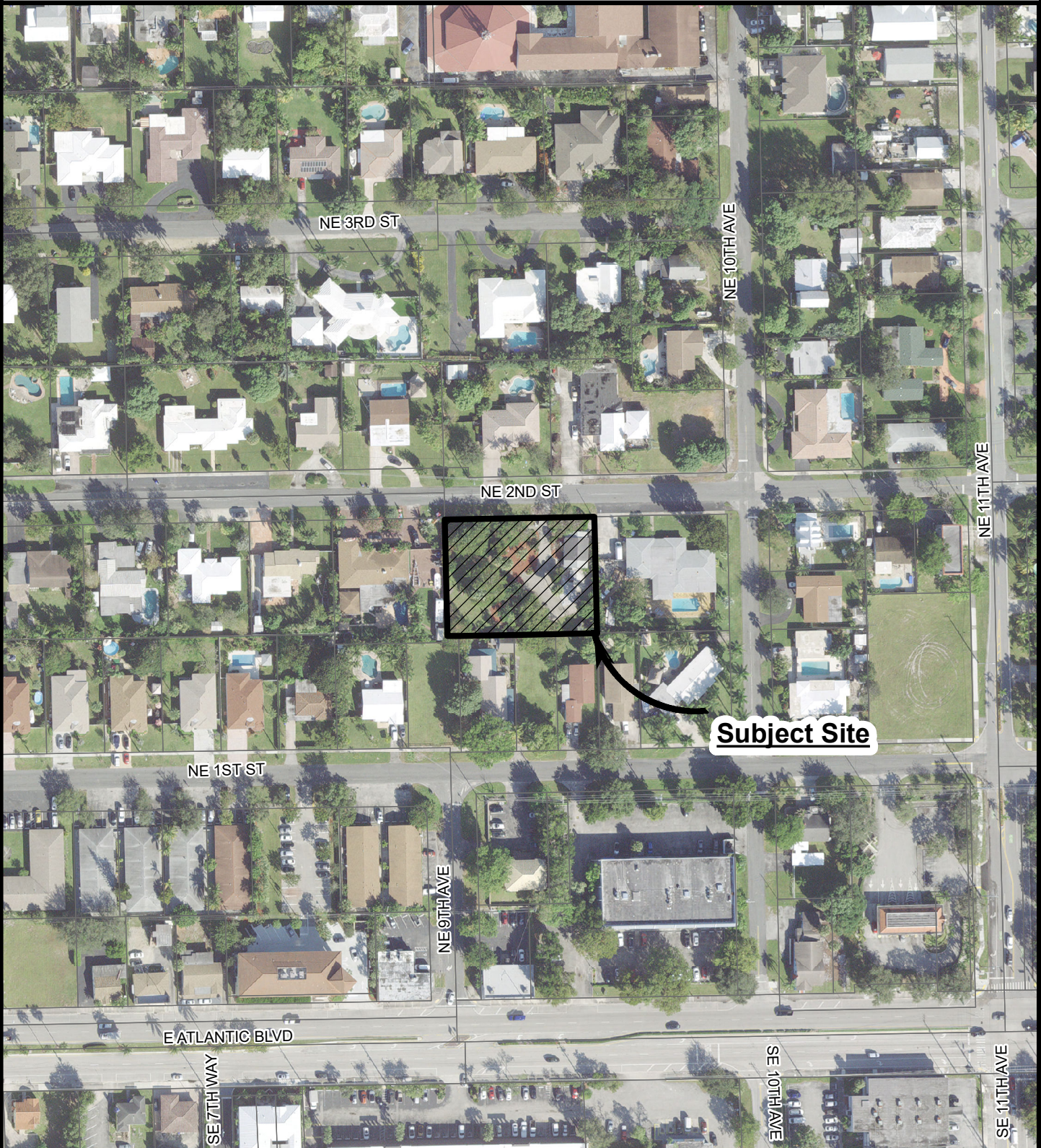
1. Is on its face temporary in nature;
2. Is in harmony with the spirit and intent of this Code;
3. Is not detrimental to property or improvements in the surrounding area, or to the public health, safety, or general welfare;
4. Does not have substantial adverse effects or noise impacts on any adjoining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

1. Compliance with sound level standards outlined in Chapter 97: Noise Control, of the Pompano Beach Code of Ordinances. Repeated noise disturbance complaints or violations shall result in revocation of this Major Temporary Use Permit.

CITY OF POMPANO BEACH
OFFICIAL AERIAL MAP



1 in = 167 ft

912 NE 2 St

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES