



City of Pompano Beach

100 West Atlantic Blvd.
Pompano Beach, FL 33060

Staff Report

File #: LN-712

ZONING BOARD OF APPEALS

Meeting Date: APRIL 17, 2025

VARIANCE - BROWARD COUNTY

Request: Variance
P&Z# 25-11000006
Owner: Broward County Board of County Commissioners
Project Location: 2555 W Copans Road
Folio Number: 484228070030
Land Use Designation: I (Industrial)
Zoning District: I-1 (General Industrial)
Agent: Sheff L. Devier
Project Planner: Scott Reale

Summary:

The Applicant Landowner is requesting a Variance from Section §155.4303(W)(3)(a) of the Pompano Beach Zoning Code to waive certain screening standards for an outdoor storage pipe yard area, including a 10-foot wide perimeter landscape strip (Type “B” buffer) along the north and west boundaries of the pipe yard.

The property is located along the north side of W Copans Road, between Blount Road and Powerline Road.

ZONING REGULATIONS

155.4303. STANDARDS FOR SPECIFIC ACCESSORY USES AND STRUCTURES

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W. Outdoor Storage (as an accessory use)

1. 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 |
|------|------|------|------|------|------|------|-------|-------|-------|-------|-------|-----|-----|-----|-----|
| | | | | | | | | | | | | | | | S |

| 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 | | | A |

2. Definition

Outdoor storage as an accessory use is the keeping, in an area that is not totally and permanently enclosed on the site of a principal use, of any finished goods, material, merchandise, boats, or vehicles associated with the principal use in the same place for more than 24 hours. This use does not include fleet vehicles associated with an approved business, a junkyard or salvage facility or the display and storage of vehicles as part of an automobile, recreational vehicle, trailer, or truck sales or rental use.

3. Standards

Outdoor storage may be allowed as an accessory use to any commercial or industrial use, subject to the following standards:

a. Perimeter buffer and screening standards

i. A Type B perimeter buffer in accordance with Section 155.5203.F, Perimeter Buffers, shall be provided between the outdoor storage area(s) and all property lines.

(A) Existing properties. Lawfully existing outdoor storage established prior to 1999, or lawfully existing outdoor storage established prior to annexation without a Landscape Plan approved on record shall comply with the perimeter buffer and screening standards of this section. Submission and approval of a landscape plan shall be required for compliance with this section.

(1) The modifications permitted in Section 155.4228.A.3.a.ii.(A) may be permitted.

b. The total area of outdoor storage areas shall not exceed 35 percent of the total gross floor area of the building(s) containing the principal use(s) of the lot.

c. Each outdoor storage area shall be incorporated into the overall design of the principal structure on the site, and shall be located to the side or rear of the principal structure, and not on the roof of a structure.

d. Goods stored in an outdoor storage area intended for sale or resale shall be limited to those sold on the premises in conjunction with the principal use.

e. Properties whose outdoor storage consists solely of building materials for sale by the principal business and are located within the Heavy Business (B-4) Zoning District may, as an alternative to the requirements in subsection i. above, provide a six foot high solid concrete wall and solid gate.

f. The height of the materials and equipment stored shall not exceed the height of the screening fence or wall.

| TYPE B BUFFER | |
|---|---|
| This perimeter buffer functions as a semi-opaque screen from the ground to a height of at least six feet. | |
| OPTION 1 | OPTION 2 |
| At least 10 feet wide + A wall or semi-opaque fence at least 6 feet high + 1 tree per 30 linear feet + a continuous hedge at least 4 feet high on the exterior side of the wall or fence + 1 shrub per 10 linear feet on the interior side of the wall or fence | At least 20 feet wide + 1 canopy tree per 30 linear feet + 1 understory tree per 20 linear feet + 1 shrub per 5 linear feet |

PROPERTY INFORMATION AND STAFF ANALYSIS

1. Broward County operates the site as a Water and Wastewater Services Facility, which is designated as a Homeland Security site due to critical utility operations conducted there. The property is currently undergoing Minor Site Plan review (PZ #24-12000004) for various renovations and security improvements, including the formalization of a pipe yard storage area in the northwest section. The pipe yard is classified as outdoor storage, which is subject to specific perimeter buffer and screening requirements.
2. The applicant is requesting relief from these buffer and screening requirements, primarily along the north and west boundaries of the pipe yard. They argue that a tree canopy buffer would create a security risk by making it easier for individuals to climb over the 8-foot-tall fence and access materials within the yard. Additionally, there is no development immediately west and north of the pipe yard, which diminishes the need for a landscape buffer in these areas.

LAND USE PATTERNS

Subject property (Zoning District | Existing Use):

- I-1 | Broward County Water & Wastewater Services Facility

Surrounding Properties (Zoning District | Existing Use):

- North: I-1/PCI | drainage pond and undeveloped wooded area
- South: I-1/PCI | Gourmet Foods International (wholesale merchant)
- West: I-1/PCI | FedEx Ground distribution center
- East: PU | Broward County (BC) Septage Receiving Facility (SRF)

VARIANCE REVIEW STANDARDS

A Variance application shall be approved only on a finding that there is competent substantial evidence in the record that all of the following standards are met:

- a) There are extraordinary and exceptional conditions (such as topographic conditions, narrowness, shallowness, or the shape of the parcel of land) pertaining to the particular land or structure for which the Variance is sought, that do not generally apply to other lands or structures in the vicinity;
- b) The extraordinary and exceptional conditions referred to in paragraph a., above, are not the result of the actions of the landowner;
- c) Because of the extraordinary and exceptional conditions referred to in paragraph a., above, the application of this Code to the land or structure for which the Variance is sought would effectively prohibit or unreasonably restrict the utilization of the land or structure and result in unnecessary and undue hardship;
- d) The Variance would not confer any special privilege on the landowner that is denied to other lands or structures that are similarly situated.
- e) The extent of the Variance is the minimum necessary to allow a reasonable use of the land or structure;
- f) The Variance is in harmony with the general purpose and intent of this Code and preserves its spirit;
- g) The Variance would not adversely affect the health or safety of persons residing or working in the neighborhood, be injurious to property or improvements in the neighborhood, or otherwise be detrimental to the public welfare; and
- h) The Variance is consistent with the comprehensive plan.

Staff Conditions:

Should the Board determine that the applicant has provided competent, substantial evidence to meet the eight Variance review standards, staff recommends the following conditions be included as part of the Board's Order:

1. The applicant must obtain all required permits and approvals, including a Site Plan Development Order, and Building and Zoning Compliance permits.
2. Substantial compliance with the conceptual site plan submitted (PZ #24-12000004).

