



Staff Report

File #: LN-238

Zoning Board of Appeals
Meeting Date: March 17, 2022

MAJOR TEMPORARY USE - 1380 OCEAN ASSOCIATES LLC

Request: Major Temporary Use
P&Z# 22-15000007
Owner: 1380 Ocean Associates LLC
Project Location: 1380 S Ocean Blvd
Folio Number: 4943 06 58 0010
Land Use Designation: H-High 25-46 DU/AC
Zoning District: Planned Development - Infill (PD-I)
Agent: Stephanie Toothaker
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 a temporary sales center and parking without complying with the applicable use and development standards as required by Code.

The subject property is located on the east side of A1A (S Ocean Boulevard), approximately 500 feet north of Terra Mar Drive.

PROPERTY INFORMATION

1. The subject property has entitlements for a 239 residential dwelling unit development with 11,000 square feet of ancillary uses and spa/personal services establishment. The City Commission approved the PD-I rezoning application on 4/24/2018 (Ord. No. 2018-54) and the associated Major Site Plan (PZ: 18-12000019) was approved by the Planning & Zoning Board (PZB) on 8/22/2018. The Development Orders remain active through 2024 through a series of executive orders.
2. On 3/18/2021, the Zoning Board of Appeals (ZBA) approved a Major Temporary Use Permit (PZ: 21-15000002) to allow a 4,200 sq ft temporary sales center and associated parking and landscaping to showcase the property and attract prospective buyers for the aforementioned development. The sales center has since been built and the applicant is requesting another Major Temporary Use Permit to allow the sales center to continue operations for another year.

LAND USE PATTERNS

Subject Property (Zoning | Existing Use): PD-I | temporary sales center

Surrounding Properties (Zoning | Existing Use):

- North: RM-45 HR | multi-family residential
- South: RM-45 HR | multi-family residential
- East: beach/Atlantic Ocean
- West: PD-I | vacant land

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 permits and approvals, including building and zoning compliance permits, and a business tax receipt.
2. Substantial compliance with conceptual site plan submitted with this application.
3. Compliance with coastal lighting requirements for marine turtle protection.

CITY OF POMPANO BEACH AERIAL MAP



1 in = 292 ft

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES