

PROCEEDINGS BEFORE THE ZONING BOARD OF APPEALS  
CITY OF POMPANO BEACH, FLORIDA

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IN RE APPEAL:

APPEAL #17-17000005

PC Realty of Florida, LLC  
810 NW 13<sup>th</sup> Avenue  
Pompano Beach, FL 33069

Portions of Sections 2 and 3, Township 49 South, Range 42 East, and more fully described as follows: Beginning at the Northwest corner of the Southwest one-quarter (SW 1/4) of said Section 2; thence North 86°30'51" East, along the North line of said Southwest one-quarter (SW 1/4) of Section 2, a distance of 326.32 feet to a point on the West right-of-way line of North Andrews Avenue (S.W. 12th Avenue); thence South 04°02'24" East, along said right-of-way line (103' foot right-of-way), a distance of 550.03 feet; thence South 86°30'51" West, along a line 550 feet South of (as measured at right angles) and parallel to the said North line of the Southwest one-quarter (SW 1/4) of Section 2, a distance of 348.39 feet; thence due West, along a line 550 feet South of (as measured at right angles) and parallel to the North line of the Southeast one-quarter (SE 1/4) of said Section 3, a distance of 221.35 feet to the Southeast corner of Parcel "B", LAMONT PLAT, according to the plat thereof, as recorded in Plat Book 172, Page 132, of the public records of Broward County, Florida; thence North 03°17'00" West, on the East line of said Parcel "B", a distance of 74.27 feet; thence due North, a distance of 475.85 feet; thence due East, a distance of 208.87 feet to the Point of Beginning. Said land situate, lying and being in the City of Pompano Beach, Broward County, Florida, and containing 304,867 square feet or 6.9988 acres, more or less.

AKA: 951 SW 12<sup>th</sup> Avenue  
ZONED: I-1 (General Industrial)  
FOLIOS: 494202000751 and 494202000754

Requests a SPECIAL EXCEPTION to be granted as follows:

SPECIAL EXCEPTION approval as required by Section 155.4228 A. 1. [Outdoor Storage (as a principal use)/Districts Where Permitted] of the City's Code of Ordinances in order to utilize the subject property (Zoning District: I-1) as Outdoor Storage (as a principal use).

\* \* \* \* \*

**ORDER**

WHEREAS, it is the determination of the Zoning Board of Appeals by a vote of 6 – 0 that this request for a **SPECIAL EXCEPTION** meets the criteria as set forth in Section 155.2406(D) of the City of Pompano Beach Code of Ordinances.

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IT IS, THEREFORE, ORDERED THAT THE SPECIAL EXCEPTION REQUEST IS **GRANTED** TO THE APPLICANT LANDOWNER: PC Realty of Florida, LLC

This approval is subject to the following eight (8) conditions:

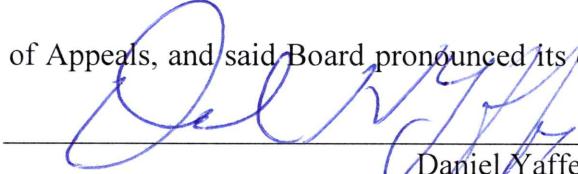
1. Obtain all necessary governmental permits and approvals, including site plan approval, building and zoning compliance permits with all necessary final inspections, zoning use certificate and city-issued Business Tax Receipt.
2. Substantial compliance to the site plan submitted (P&Z: 17-12000011).
3. Any repair of the vehicles or equipment shall be conducted within an enclosed building.
4. Outdoor storage areas shall be located on a surface that avoids dust and safeguards groundwater.
5. All vehicles and materials must be stored on a hard, dustless and bonded surface.
6. Vehicles in containers shall not be stored for longer than 45 days.
7. All operations of the business must be conducted on-site, including the loading & unloading of vehicles, and may not obstruct the flow of traffic within the ingress/egress easement (AKA: SW 9th Street) or SW 12th Avenue (AKA: South Andrews Avenue).
8. The approval is limited to vehicles and storage containers and that those storage containers may not be double-stacked.

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This Approval authorizes the submittal of an application for a Zoning Compliance Permit or Zoning Use Certificate and any other development permit that may be required before construction or use of the development approved by the development order for the Special Exception as provided for in Section 155.2406(E). However, that in the event an appeal, as provided for in Section 155.2424, has been timely filed, no action may be taken on this order until the conclusion of the appeal. In accordance with the provisions of Section 155.2406(F) a development order for a Special Exception shall automatically expire if a Zoning Compliance Permit or Zoning Use Certificate, as appropriate, for the development authorized by the Special Exception is not obtained within two years after the date of the development order, or an extension of this time period authorized in accordance with Section 155.2308(B)(2), Extension of Expiration Time Period.

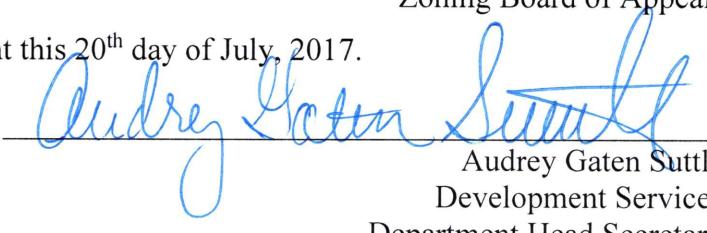
A development order for a Special Exception shall automatically expire if the authorized development is discontinued and not resumed for a period of one year, or an extension of this time period authorized in accordance with Section 155.2308(B)(2), Extension of Expiration Time Period. For all development orders, the Development Services Director may grant one or more extensions for up to a cumulative total of 90 days. Any request for an extension from the time frames as required by an order of the Zoning Board of Appeals must be made by the applicant landowner and it shall be the applicant landowner's burden to establish a good and sufficient cause for any extension of time. There shall be no more than two (2) extensions of time in any one case, for up to a cumulative total of two years per extension for any Special Exception order of the Zoning Board of Appeals. Under no circumstances shall a Development Order for a Special Exception be extended for more than four (4) years in accordance with Section 155.2308(B)(2).

This matter was heard before the Zoning Board of Appeals, and said Board pronounced its decision on June 15, 2017.



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Daniel Yaffe, Chairman  
Zoning Board of Appeals

Filed with the Development Services Department this 20<sup>th</sup> day of July, 2017.



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Audrey Gaten Suttle  
Development Services  
Department Head Secretary