

September 19, 2024

Zoning Letter Number: 24-02000182

Joselyn Aldas, Planner  
KEITH  
501 E Atlantic Blvd  
Pompano Beach, FL 33060  
Sent via email only: [jaldas@keithteam.com](mailto:jaldas@keithteam.com)

**Re: Special Exception PZ #21-17000006**  
**951 SW 12 Avenue**  
**Development Order Extension via Executive Order**

Dear Ms. Aldas:

The Development Services Department is in receipt of your request to extend the expiration time period for the above referenced Special Exception Development Order, pursuant to the emergency declaration for Hurricane Ian, as declared by Governor DeSantis. In response to your letter, staff has confirmed the following:

**Special Exception Development Order #21-17000006**

- The Special Exception was originally set to expire 5/23/2023, but was extended to 9/15/2024 via Zoning Letter PZ #23-02000106.
- The declaration of a state of emergency issued by the Governor for a natural emergency tolls the period remaining to exercise the rights under a permit or other authorization for the duration of the emergency declaration, as outlined in F.S. §252.363. Further, the emergency declaration extends the period remaining to exercise the rights under a permit or other authorization for 24 months in addition to the tolled period. The extended period to exercise the rights under a permit or other authorization may not exceed 48 months in total in the event of multiple natural emergencies for which the Governor declares a state of emergency. **The tolling and extension of permits and other authorizations applies retroactively to 9/28/2022. Emergency declarations that began before that date are only entitled to a six-month extension, plus applicable tolling.**
- The emergency declaration for Hurricane Ian began on 9/23/2022 via E.O. 22-218 and has been subsequently extended via E.O. 22-219, 22-268, 23-21, 23-60, 23-104, 23-139, 23-176, 23-214, 24-02, 24-36, 24-80, and 24-137, and 24-174, the latter of which will automatically expire on 10/22/2024, unless further extended by the Governor. The applicable tolling is **465 days** (7/15/2023 - 10/22/2024) because the previous extension letter tolled the period from 9/23/2022 - 7/14/2023 (294 days) plus the automatic 6-month extension.
- Therefore, the referenced Development Order is extended as follows: 9/15/2024 + 465 days = 12/24/2025.

**The new expiration date is December 24, 2025.**

Any development approved in accordance with the prior development regulations may be carried out in accordance with the terms and conditions of its approval and the development procedures and standards in effect at the time of approval, provided the approval has not expired and otherwise remains valid.

Should you need additional assistance in this matter, please contact my office at 954.786.4679.

DRL:sr

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Yours truly,

**THE CITY OF POMPANO BEACH**



David L. Recor, ICMA-CM  
Development Services Director

Exec Order	Start	End	Total Days
<u>Hurricane Ian</u>			
22-218	9/23/2022	9/24/2022	1
22-219	9/24/2022	11/21/2022	58
22-268	11/21/2022	1/19/2023	59
23-21	1/19/2023	3/17/2023	57
23-60	3/17/2023	5/15/2023	59
23-104	5/15/2023	7/1/2023	59
23-139	7/13/2023	9/8/2023	57
23-176	9/8/2023	11/6/2023	59
23-214	11/6/2023	1/4/2024	59
24-02	1/4/2024	3/1/2024	57
24-36	3/1/2024	4/29/2024	59
24-80	4/29/2024	6/27/2024	59
24-137	6/27/2024	8/23/2024	57
24-174	8/23/2024	10/22/2024	60

**760**

9/23/2022 - 7/14/2023 (294 days) of tolling previously applied to  
aforementioned development orders via Zoning Letter #23-  
0200106.

7/15/2023 - 10/22/2024 (465 days) of tolling applied in this  
extension.



David Recor, Director  
City of Pompano Beach  
Planning and Zoning Department  
100 W Atlantic Boulevard  
Pompano Beach, Florida 33060

**RE: Extension of Development Order PZ21-17000006 - Special Exception**

Dear Mr. Recor,

KEITH, on behalf of the Property Owner, would like to request a second extension to the above-referenced Development Orders with Code Section 155.2405.I and Code Section 155.2308.B.2.c. The original Development Order was set to expire on 5/26/2023 and was extended to 9/15/2024. The Executive Order for Hurricane Ian (E.O.'s 22-219, 22-268, 23-21, 23-60 and 23-104) was applied for the first extension.

Pursuant to Executive Order 2023-104 (Hurricane Ian – Emergency Management Act) and Florida Statute 252.363, the applicant requests that a tolled 394-day extension + 30-month extension be granted to allow adequate time to evaluate the economic impacts of the current State of Emergency from Hurricane Ian.

**Special Exception Development Order # PZ21-17000006**

- Original expiration date for the Special Exception Development Order was May 26<sup>th</sup>, 2023. (24 months from the date the Order was filed with the Advisory Board Secretary).
- The Executive Order for Hurricane Ian began on September 23, 2022, via E.O. 22-218, and was subsequently extended by E.O.'s 22-268, 23-21, 23-60, 23-104, 23-139, 23-176, 23-214, 24-02, 24-36, 24-80 and 24-218 expiring August 26, 2024. The applicable tolling period is 394 days (5/15/2023-8/25/2024), plus a 30-month extension.
- Special exception development order **PZ21-17000006** expiration 9/15/2024 + 394 days + 30 months = 2/25/2027.
- The new expiration date is **February 25, 2027.**

Thank you for your assistance. If you require any additional information, please feel free to contact me.

Sincerely,

Joselyn Aldas  
KEITH  
Planner



**THE ZONING BOARD OF APPEALS  
CITY OF POMPAÑO BEACH, FLORIDA**

**DRC**

PZ25- 12000039  
12/17/2025  
Case No.:

**P.C. Realty of Florida**  
21-17000006  
Address: 951 SW 12 Avenue  
Zoned: I-1 (General Industrial)  
Folio(s): 494202000751/494202000754

**DRC**

PZ25- 12000039  
02/18/2026

**Legal Description:**

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.

**REQUEST:**

Applicant Landowner is requesting Special Exception from the following provisions:

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

\* \* \* \* \*

**ORDER**

Upon presentation of the Applicant's request for a SPECIAL EXCEPTION at a public hearing before the Zoning Board of Appeals ("Board"), and upon review and consideration of all testimony, evidence and argument presented at the hearing, the Board finds that competent substantial evidence was presented to satisfy the review standards for granting a SPECIAL EXCEPTION pursuant to the City of Pompano Beach Zoning Code. THEREFORE, the Applicant's Request for the above SPECIAL EXCEPTION is as follows:

1. Section 155.4228(A)(1) [Districts Where Permitted] of the City's Code of Ordinances in order to utilize the subject property (Zoning District: I-1) for Outdoor Storage (as a principal use) is **GRANTED**.

The Board includes the following conditions as part of the Order:

- 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 (PZ #21-12000011).
- 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.

**DRC**

PZ25- 12000039  
12/17/2025

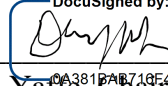
**DRC**

PZ25- 12000039  
02/18/2026

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 25<sup>th</sup> Street) or SW12th Avenue (aka: S Andrews Avenue).

This matter was heard before the Zoning Board of Appeals, and the Board pronounced its decision on May 20, 2021.

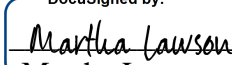
DocuSigned by:



Dan Yaffe, Chairman, Zoning Board of Appeals

Filed with the Development Services Department this May 26, 2021, day of May, 2021

DocuSigned by:



Martha Lawson, Head Secretary Development Services