



Staff Report

**File #:** LN-227

Zoning Board of Appeals  
Meeting Date: February 17, 2022

**MAJOR TEMPORARY USE - SOUTHWEST EIGHTH STREET, INC.**

**Request:** Major Temporary Use  
**P&Z#** 22-15000001  
**Owner:** Southwest Eighth Street, Inc.  
**Project Location:** 1406 SW 8<sup>th</sup> Street  
**Folio Number:** 4942 03 00 0411  
**Land Use Designation:** I - Industrial  
**Zoning District:** General Industrial (I-1)  
**Agent:** Thomas Johnston, Esq.  
**Project Planner:** Scott Reale

**Summary:**

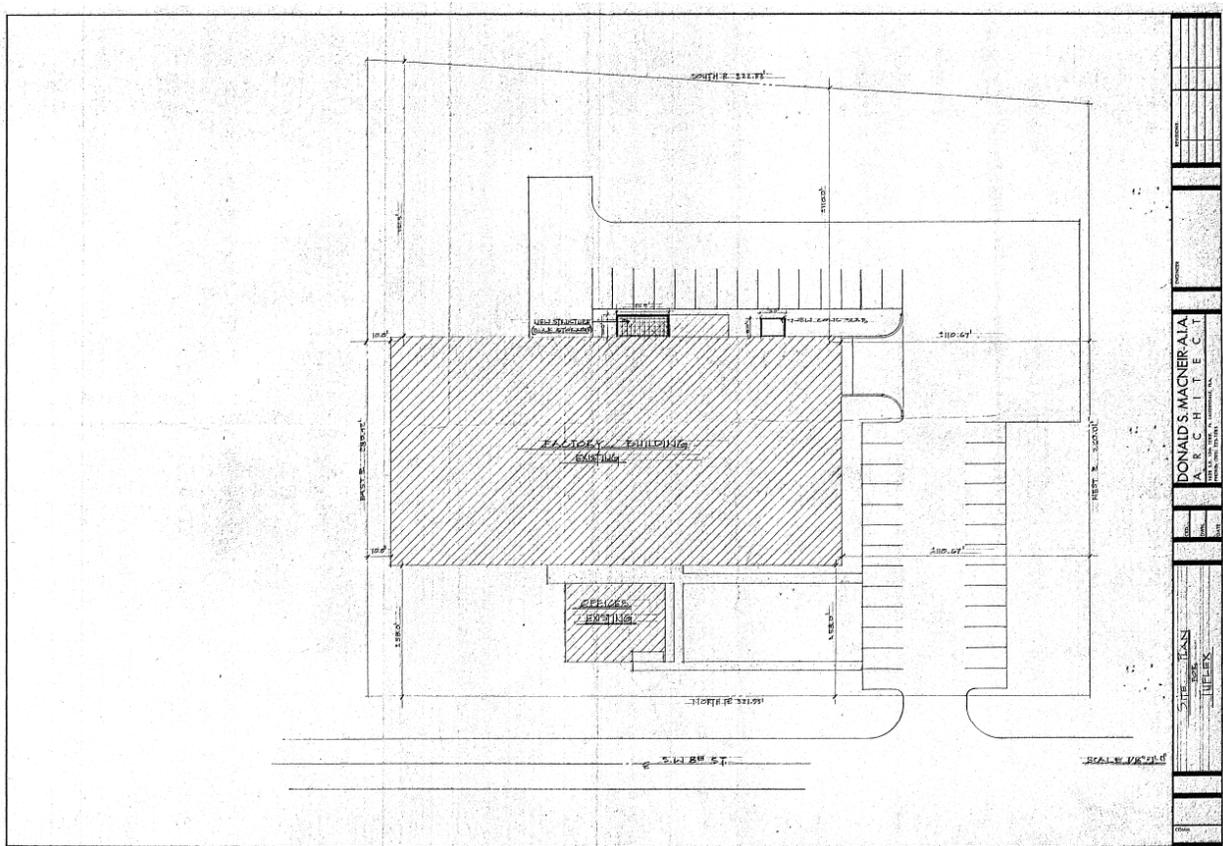
The Applicant Landowner is requesting a Major Temporary Permit from the provisions of Chapter 155: Article 4 [Use Standards] and Article 5 [Development Standards] of the City of Pompano Beach Zoning Code, in order to temporarily utilize a portion of a developed property (I-1 zoning) for principal outdoor storage without complying with the applicable development standards as required by Code.

The subject property is located west of S Andrews Avenue (SW 12<sup>th</sup> Avenue) along the south side of SW 8<sup>th</sup> Street.

**PROPERTY INFORMATION**

1. The subject property has no open code compliance cases and no open building permits.
2. The subject property has the following active Business Tax Receipts:
  - a. TUFLEX MANUFACTURING CO - MANUFACTURE & MGF EMPLOYING OVER 10 PRSN | License No. 8336
  - b. SAYWARD, M T & JEAN - RENTAL BUILDING-INDUSTL,BLDG LEASE/RENT | License No. 33703
3. The subject property was originally developed in the mid-1960s as a warehouse facility, right around when this section of town was annexed into Pompano Beach. Original permit records could not be found but a building permit was issued in 1982 (BP #82-2249) for an addition and alterations

(Certificate of Occupancy issued 11/19/1982). A rudimentary plot plan showing the basic site configuration and parking was included with the 1982 permit.



4. The applicant is concurrently submitting an application for a Special Exception in order to allow outdoor storage as a principal use, and to use the site as an enclosed warehouse for its grandstand and outdoor event staging and seating services. Approval of this Major Temporary Use Permit will allow the applicant to commence with operations for one year, while going through DRC Site Plan review process to ensure full compliance with parking, circulation, landscaping, lighting, CPED standards, perimeter buffering, etc.
5. Staff concedes the site is in need of upgrades, but a one year timeframe should provide ample time to comply with code requirements through formalized site plan review and building permit. Further, the entire block is comprised of industrial/warehouse uses, and should not disrupt the status quo by engaging in the desired business operations.

**LAND USE PATTERNS**

Subject property (Zoning District / Existing Use):

- I-1 / warehouse

Surrounding Properties (Zoning District / Existing Use):

- North: I-1 / storage yard (no active BTR)
- South: I-1 / Southeastern Freight Lines - trucking service
- East: I-1 / Imperial Privacy Systems - manufacturing
- West: I-1 / Precision Metal Industries - machine shops

**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. Outdoor storage shall not be located in designated parking areas on the current site plan. Subject property shall maintain a minimum 20% overall pervious area. All areas used for outdoor storage shall have a surface that avoids dust and safeguard groundwater. Applicant shall submit to staff for approval a revised site plan that demonstrates how these conditions will be met.
3. Submit a Tree Permit for tree protection for any existing trees where outdoor storage is proposed.
4. Any non-screened portions of the outdoor storage area shall provide a temporary perimeter site fence at least six feet high, with approved 90% opaque wind screening material outside and securely and tightly attached to the fence to prevent dust and debris intrusion upon adjacent properties. Materials shall not be stored higher than the height of the screening.
5. Submittal of a Site Plan application within 6 months of this approval that complies with all use specific standards for outdoor storage as a principal use (§155.4228.A.3)
6. If a Special Exception for Outdoor Storage is not granted, all outdoor operations shall cease or be moved to a fully enclosed space prior to the expiration of this Temporary Permit.
7. All business activity including but not limited to loading/unloading/staging shall occur entirely within the property and not along SW 8<sup>th</sup> Street.

# CITY OF POMPANO BEACH AERIAL MAP



1 in = 417 ft

PREPARED BY:  
DEPARTMENT OF  
DEVELOPMENT SERVICES