



Staff Report

File #: LN-680

ZONING BOARD OF APPEALS
Meeting Date: JANUARY 16, 2025

SPECIAL EXCEPTION - BAURLEY WAREHOUSING INC

Request: Special Exception
P&Z# 24-17000011
Owner: Baurley Warehousing Inc
Project Location: 711 S Dixie Hwy E
Folio Number: 494202160260
Land Use Designation: C (Commercial)
Zoning District: B-4 (Heavy Business)
Agent: Fabio Pimentel
Project Planner: Scott Reale

Summary:

The Applicant Landowner is requesting SPECIAL EXCEPTION approval as required by Section 155.4303(W) (1) [Districts Where Permitted] of the Pompano Beach Zoning Code in order to utilize the rear portion of the subject property (Zoning District: B-4) for Outdoor Storage (as an accessory use).

The property is located on the west side of northbound S Dixie Highway, between SW 6th Street and SW 8th Street.

ZONING REGULATIONS

§155.4303. STANDARDS FOR SPECIFIC ACCESSORY USES AND STRUCTURES

...

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 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.

PROPERTY INFORMATION

1. The subject property was developed in the early-1970s with a metal warehouse (building permit #8460, Certificate of Occupancy issued on 1/15/1973), in the Raceway Center subdivision. At the time, the property was zoned General Industrial (I-1).
2. Currently, the property holds an active Business Tax Receipt (BTR) for an automobile service repair business (Auto Maia Corp), a use permitted by right in the B-4 zoning district. However, the applicant is requesting approval to utilize a portion of the area behind the building for outdoor storage. This proposed outdoor storage area will be effectively screened from view by the building itself, which fronts northbound S Dixie Highway. Many properties along S Dixie Highway feature accessory outdoor storage, a use that was lawfully permitted under the previous I-1 zoning designation. Because this property was never formally approved for accessory outdoor storage, a Special Exception is required.
3. If the Special Exception is granted, the applicant will be required to adhere to the perimeter buffer and screening standards for accessory outdoor storage. Additionally, the total outdoor storage area may not exceed 35% of the building's total gross floor area. The building measures approximately 5,040 sq ft, meaning the maximum allowable outdoor storage is 1,764 sq ft. According to the conceptual site plan and narrative submitted with this application, the proposed outdoor storage area will occupy 1,728 sq ft.
4. It should be noted that there is an active code enforcement case (Case #24-09004438) associated with the property, regarding abandoned vehicles and the improper use of designated parking and loading areas for outdoor storage. If approved, the outdoor storage will be restricted to the area behind the principal building and will not be allowed between the building and the northbound S Dixie Highway lot line.

5. Staff finds that the proposed accessory outdoor storage use is compatible with the surrounding businesses in the area.

LAND USE PATTERNS

Subject Property (Zoning District | Existing Use):

- B-4 | automotive repair (Auto Maia Corp)

Surrounding Properties (Zoning District | Existing Use):

- North: B-4 | automotive paint and body shop (Pompano Paint & Body Repair)
- South: B-4 | warehouses including church, printing, beauty supply, tire shop, auto repair
- West: B-4 | outdoor storage (unpermitted)
- East: B-4 | self-storage (Public Storage)

SPECIAL EXCEPTION REVIEW STANDARDS

A Special Exception shall be approved only on a finding that there is competent substantial evidence in the record that the Special Exception, as proposed:

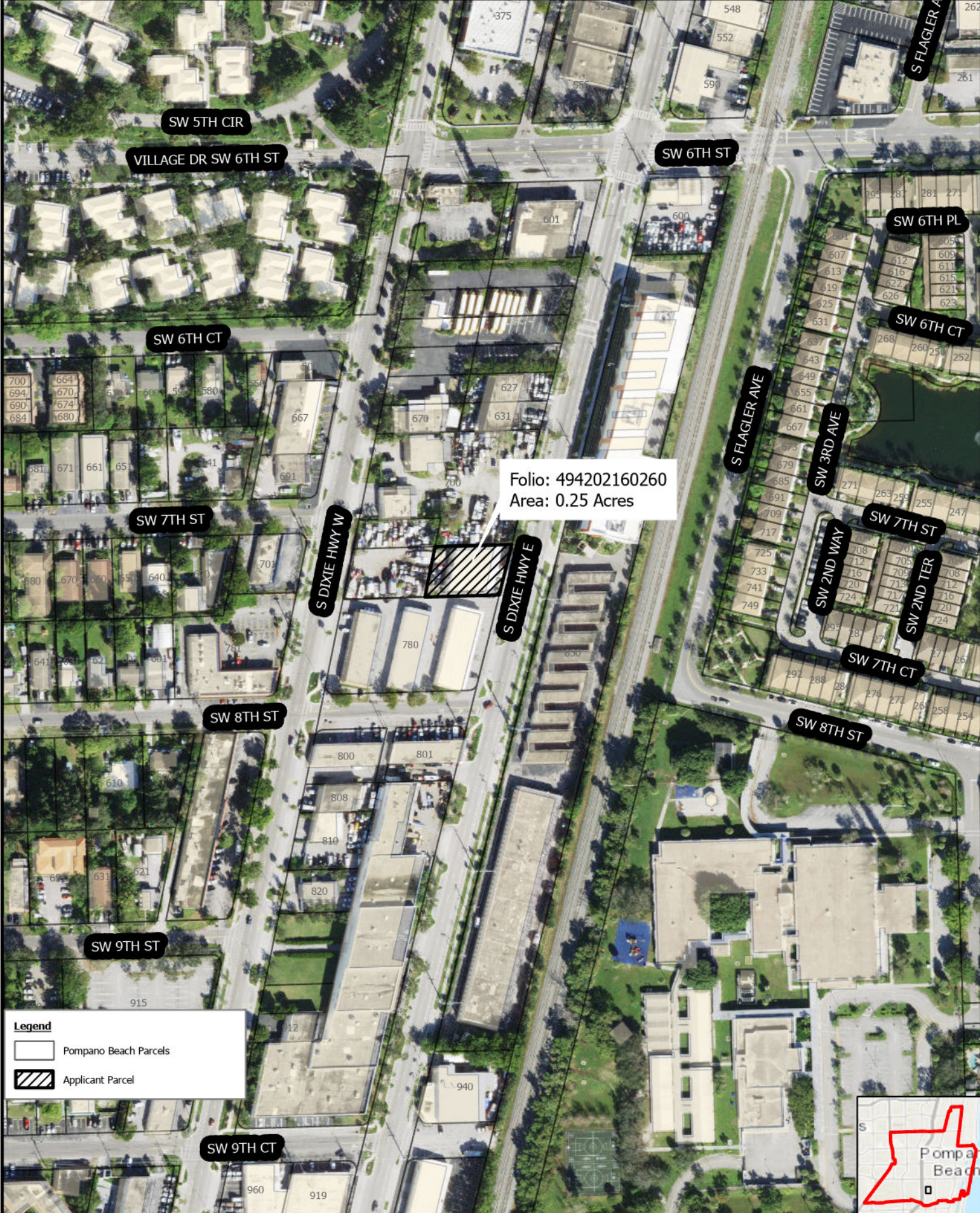
1. Is consistent with the comprehensive plan;
2. Complies with all applicable zoning district standards;
3. Complies with all applicable use-specific standards in Article 4: Use Standards;
4. Avoids overburdening the available capacity of existing public facilities and services, including, but not limited to, streets and other transportation facilities, schools, potable water facilities, sewage disposal, stormwater management, and police and fire protection;
5. Is appropriate for its location and is compatible with the general character of neighboring lands and the uses permitted in the zoning district(s) of neighboring lands. Evidence for this standard shall include, but not be limited to, population density, intensity, character of activity, traffic and parking conditions and the number of similar uses or special exception uses in the neighborhood;
6. Avoids significant adverse odor, noise, glare, and vibration impacts on surrounding lands regarding refuse collection, service delivery, parking and loading, signs, lighting, and other site elements;
7. Adequately screens, buffers, or otherwise minimizes adverse visual impacts on neighboring lands;
8. Avoids significant deterioration of water and air resources, scenic resources, and other natural resources;
9. Maintains safe and convenient ingress and egress and traffic flow onto and through the site by vehicles and pedestrians, and safe road conditions around the site and neighborhood;
10. Allows for the protection of property values and the ability of neighboring lands to develop uses permitted in the zoning district;
11. Fulfills a demonstrated need for the public convenience and service of the population of the neighborhood for the special exception use with consideration given to the present availability of such uses;
12. Complies with all other relevant city, state and federal laws and regulations; and
13. For purposes of determining impacts on neighboring properties and/or the neighborhood, the terms neighboring properties and neighborhood shall include the area affected by the requested special exception, which is typically an area of 500 feet to a one-half mile radius from the subject site.

Staff Conditions:

Should the Board determine that the applicant has provided competent, substantial evidence sufficient to meet the thirteen Special Exception review standards, staff recommends the following conditions be included in the Order:

1. The applicant must obtain all necessary permits and approvals, including a Zoning Use Certificate and a Business Tax Receipt for accessory outdoor storage.
2. Outdoor storage shall be limited to the area shown on the conceptual site plan submitted with this application. No outdoor storage shall be allowed between the principal building and the S Dixie Highway lot line.
3. The applicant must address and resolve all violations associated with Code Case #24-09004438.

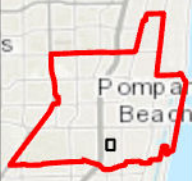
CITY OF POMPANO BEACH AERIAL MAP



Folio: 494202160260
Area: 0.25 Acres

Legend

-  Pompano Beach Parcels
-  Applicant Parcel



Scale:
1:2,500

Date: 1/2/2025

Baurley Warehousing Inc
711 S Dixie Hwy E

Special
Exception

Created by:
Department of
Development Services



Default Folder: C:\Users\Baur\Documents\ArcGIS\Projects\Baur\Map_Series_2025