

THE ZONING BOARD OF APPEALS
CITY OF POMPANO BEACH, FLORIDA

Date: January 24, 2022

Landowner: Upper Properties & Investments, LLC and Dixie Properties & Investments, LLC

Case No.: 21-15000010

Address: 1661 N Dixie Highway

Zoned: Heavy Business (B-4)

Folio(s): 484226000383

484226000380

Legal Description:

26-48-42 PARCEL DESC AS: COMM AT PT ON W/L OF FEC RR R/W BEING 2050.72 FROM S/L OF SAID SEC 26, NW 40 TO POB, SW 209.19, W 351.64, N 300, E 270.68, SW 59.19, SE 155 TO POB, LESS R/W FOR ST RD 811 PER OR 21796/903, AND LESS POR DESC AS: COMM AT PT ON W/L FEC RR R/W BEING 2163.84 FROM S/L SEC 26, SLY 113.12, WLY 195 TO POB NW 13.05, NE 54.66, E 17.54, SW 59.20 TO POB

and
26-48-42 PORTION OF S 1/2 OF NE 1/4 OF SE 1/4 OF SAID SEC DESC AS: COMM AT INTERSEC OF S/L SEC 26 & W R/W/L FEC RR, NLY ALG W R/W/L 1730.80 TO POB, W 361.80, N 117.80, E 393.14, SLY ALG SAID W R/W/L 122.22 TO POB, LESS R/W FOR OLD DIXIE HWY

REQUEST:

Applicant Landlord is requesting a Major Temporary Use 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 utilize the existing site for various commercial uses without complying with the applicable use and development standards as required by Code.

* * * * *

ORDER

WHEREAS, upon presentation of the Applicant’s request for a Major Temporary Use Permit at a public hearing before the Zoning Board of Appeals (“Board”), and upon review and consideration of all testimony, evidence and argument presented at said hearing, the Board finds that competent substantial evidence was presented to allow a Major Temporary Use 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 utilize the existing site for various commercial uses without complying with the applicable use and development standards as required by Code.

THEREFORE, the Applicant’s request for the above Major Temporary Use Permit is GRANTED, conditioned on applicant fulfilling the following:

1. Substantial compliance with the approved Site Plan (PZ: 17-12000057), and obtain final zoning compliance and building permit approvals prior to the expiration of this approval.
2. Obtain a Zoning Use Certificate and Business Tax Receipt for all proposed uses. Until such time that the permits associated with the site plan are closed out, allowable uses. Until such time and permanently enclosed shall be strictly limited to automotive and light truck rental & display and those uses denoted in applicant’s Exhibit “E”.

3. Minimum onsite parking requirements shall be exempt only for the duration of this Temporary Use Permit. All business owners must either comply with the minimum parking requirements or sign an affidavit acknowledging that the minimum parking requirements must be satisfied prior to the expiration of this temporary use permit. Failure to comply with the parking requirements after the Temporary Use Permit expires may result in revocation of their Zoning Use Certificate and Business Tax Receipt.

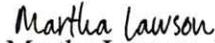
This matter was heard before the Zoning Board of Appeals, and the Board pronounced its decision on January 20, 2022.

DocuSigned by:



Dan Yaffe, Chairman, Zoning Board of Appeals

Filed with Development Services Department 27 day of January, 2022



Martha Lawson, Head Secretary Development Services