



Staff Report

File #: LN-434

Zoning Board of Appeals
Meeting Date: April 20, 2023

MAJOR TEMPORARY USE - TAL SHIAR PROPERTIES LLC

Request: Major Temporary Use
P&Z# 23-15000005
Owner: Tal Shiar Properties LLC
Project Location: SW 3rd Street (vacant)
Folio Number: 494202020061, 494202020063, 494202020070
Land Use Designation: MH- MEDIUM-HIGH 16-25 DU/AC and C- COMMERCIAL
Zoning District: Multiple-Family Residence 30 (RM-30) and General Business (B-3)
Agent: Gabriela Morales
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 vacant lots (Zoning Districts: RM-30 and B-3) for off-site parking related to ongoing construction at the adjacent John Knox Village facility without complying with the applicable use and development standards as required by Code.

The subject property is located in the NW CRA along the north side of SW 3rd Street (Race Track Rd) between SW 4th Avenue and S Dixie Highway.

PROPERTY INFORMATION AND STAFF ANALYSIS

1. The subject property is located on three undeveloped parcels and has no Business Tax Receipts. Three building permits for a temporary fence (one for each parcel) are in plan review: BP #22-1308; #22-1309; #22-1310.
2. The property has no open code enforcement cases.
3. The ZBA granted the same relief to the applicant on 3/17/2022 via Major Temporary Use Permit #22-15000006. As construction continues at the nearby John Knox Village facility, the applicant is seeking to extend the temporary off-site parking for an additional year.
4. A Temporary Use Permit is required whenever construction-related activity, i.e. staging, storage, parking, is occurring off-site from the associated approved building permits. If the parking was located on the John Knox Village property, a Temporary Use Permit would not be required.

5. The temporary parking lot is accessed from SW 4th Avenue.

LAND USE PATTERNS

Subject Property (Zoning | Existing Use):

- RM-30 and B-3 | temporary offsite parking

Surrounding Properties (Zoning | Existing Use):

- North: RM-30 HR | multi-family residential
- South: LAC | John Knox Village
- East: B-3 | strip mall (laundry, convenience store, restaurant/entertainment)
- West: RM-30 | Assisted Living / Memory Care Facility

TEMPORARY USE PERMIT REVIEW STANDARDS

Temporary Use Permit shall be approved only on a finding that the temporary use as proposed:

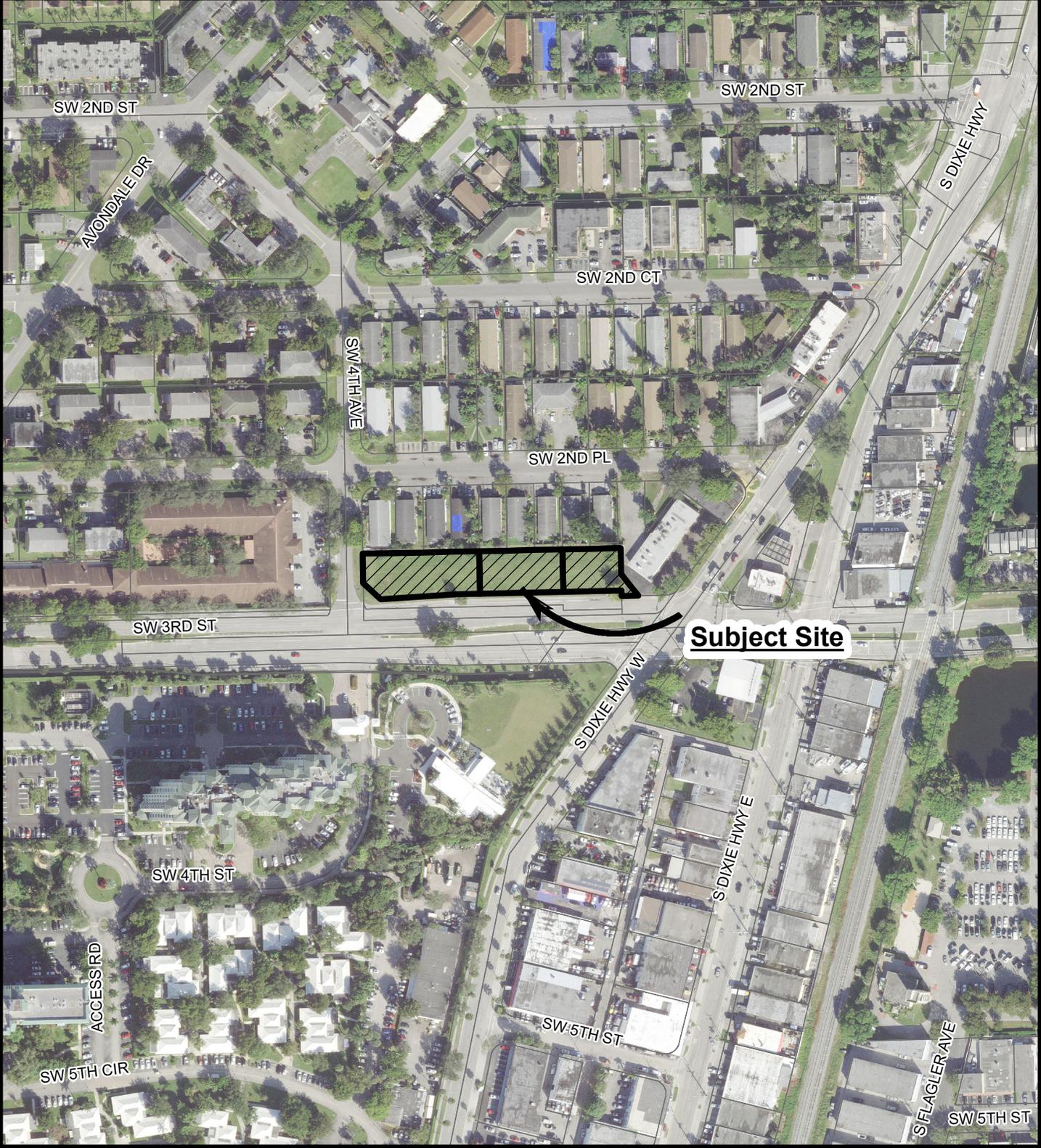
1. Is on its face temporary in nature;
2. Is in harmony with the spirit and intent of this Code;
3. Is not detrimental to property or improvements in the surrounding area, or to the public health, safety, or general welfare;
4. Does not have substantial adverse effects or noise impacts on any adjoining 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. Prior to the expiration of this permit, drought-resistant sod shall be installed on the entire property.
2. Obtain approval for the three temporary fence building permits within 60 days of approval of this Major Temporary Use Permit.
3. Approval is limited to parking of vehicles associated with John Knox Village construction and does not include storage of building materials.

CITY OF POMPANO BEACH OFFICIAL AERIAL MAP



1 in = 250 ft

SW 3rd St

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES