



Legislation Details (With Text)

File #:	LN-512	Version:	1	Name:	
Type:	ZBA Submission	Status:		Passed	
File created:	8/31/2023	In control:	Zoning Board of Appeals		
On agenda:	9/21/2023	Final action:	9/21/2023		
Title:	MAJOR TEMPORARY USE - Montana Enterprises Inc. and Beachcomber Villas Inc.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	1. Staff Report_23-15000008.pdf, 2. 00_Application-OwnersCert_23-15000008.pdf, 3. 01_Project Narrative_23-15000008.pdf, 4. 02_Survey_23-15000008.pdf, 5. 03_Conceptual Site Plan_23-15000008.pdf, 6. 04_Previous TUP Order 22-15000014.pdf, 7. Legal Description_23-15000008.pdf, 8. 23-15000008_Aerial Map.pdf, 9. ZBA Public Notice_23-15000008.pdf, 10. Fire Memo_23-15000008.pdf				

Date	Ver.	Action By	Action	Result
9/21/2023	1	Zoning Board of Appeals	APPROVED	

Zoning Board of Appeals
Meeting Date: September 21, 2023

MAJOR TEMPORARY USE - Montana Enterprises Inc. and Beachcomber Villas Inc.

Request: Major Temporary Use
P&Z# 23-15000008
Owner: Montana Enterprises Inc. and Beachcomber Villas Inc.
Project Location: 1213 S Ocean Blvd
Folio Number: 494306000080 and 494306050040
Land Use Designation: C- Commercial
Zoning District: General Business (B-3)
Agent: Andrea Harper
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 two adjacent parcels for a temporary sales center and parking without complying with the applicable use and development standards as required by Code.

The subject property is located on the west side of A1A (N Ocean Boulevard), between SE 12th Street and SE 13th Street.

PROPERTY INFORMATION

1. The subject property currently contains a sales center gallery with associated parking and landscaping, which as approved by the Zoning Board of Appeals on 9/15/2022 via Major Temporary Use Permit application PZ #22-15000014, and later approved via BP #22-11343, to showcase a forthcoming 27-story, 92-unit residential development at 1350 S Ocean Boulevard. That development was approved via Major Site Plan PZ #15-12000002. The applicant is proposing to utilize the sales center for an additional year, which prompted this application.
2. Vehicular access to the sales center has been provided through the existing parking lot to the south, which has ingress/egress along S Ocean Boulevard.
3. The sales center itself is a 1-story aluminum building comprising approximately 4,000 sq. ft., with a wooden deck and associated landscaping. Ten parking spaces will be reserved for the sales center.
4. The ZBA has approved a number of other sales center galleries for high-end developments on the barrier island. Staff does not object and finds the use and layout appropriate for the site and surrounding development.

LAND USE PATTERNS

Subject Property (Zoning | Existing Use): B-3 | vacant land and parking lot

Surrounding Properties (Zoning | Existing Use):

- North: B-3 | shopping center
- South: B-3 | multi-family residential
- East: B-3 | multi-family residential
- West: B-3 | parking lot

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 and/or maintain all necessary governmental permits and approvals, including building and

zoning compliance permits, and a business tax receipt for the sales center.

2. Substantial compliance with conceptual site plan submitted with this application.
3. Prior to expiration of the Temporary Use Permit, the sales center shall be removed and the affected area shall be replaced with drought resistant sod.