



## Legislation Details (With Text)

|                       |   |                      |   |                         |  |
|-----------------------|---|----------------------|---|-------------------------|--|
| <b>File #:</b>        | LN-10   | <b>Version:</b>      | 1 | <b>Name:</b>            |  |
| <b>Type:</b>          | ZBA Submission  | <b>Status:</b>       |   | Passed                  |  |
| <b>File created:</b>  | 9/30/2020   | <b>In control:</b>   |   | Zoning Board of Appeals |  |
| <b>On agenda:</b>     | 10/15/2020  | <b>Final action:</b> |   | 10/15/2020              |  |
| <b>Title:</b>         | MAJOR TEMPORARY USE - DIXIE PROPERTIES & UPPER POMPANO PROPERTIES CO  |                      |   |                         |  |
| <b>Sponsors:</b>      |   |                      |   |                         |  |
| <b>Indexes:</b>       |   |                      |   |                         |  |
| <b>Code sections:</b> |   |                      |   |                         |  |
| <b>Attachments:</b>   | 1. 20-15000011_Staff Report.pdf, 2. 000_FilingLetter_20-15000011.pdf, 3. 00_Application-OwnersCert_20-15000011.pdf, 4. 01_Narrative_20-15000011.pdf, 5. 02_Survey_20-15000011.pdf, 6. 03_Exhibits A-C_20-15000011.pdf, 7. Site Plan Drawings.zip, 8. 20-15000011_LegalDescription.pdf, 9. ZBA Public Notice 20-15000011.pdf |                      |   |                         |  |

| Date       | Ver. | Action By               | Action   | Result |
|------------|------|-------------------------|----------|--------|
| 10/15/2020 | 1    | Zoning Board of Appeals | APPROVED |        |

Zoning Board of Appeals  
Meeting Date: October 15, 2020

### MAJOR TEMPORARY USE - DIXIE PROPERTIES & UPPER POMPANO PROPERTIES CO

**Request:** Major Temporary Use  
**P&Z#** 20-15000011  
**Owner:** Dixie Properties & Upper Pompano Properties Co.  
**Project Location:** 1661 N Dixie Highway  
**Folio Number:** 4842 26 00 0380 & 4842 2600 0383  
**Zoning District:** B-3 (General Business)  
**Agent:** Thomas W. Johnston, Esq.  
**Project Planner:** Scott Reale

#### Summary:

The Applicant Landowner is requesting a MAJOR TEMPORARY USE PERMIT from the provisions of Chapter 155: Article 5 [Development Standards] of the City of Pompano Beach Zoning Code in order to utilize an existing lot for Automotive and Light Truck Rental and display without complying with the applicable development standards as required by Code.

The subject property has a COMMERCIAL (C) land use designation and is located in the Northwest CRA, on the west side of N Dixie Highway, between NW 16<sup>th</sup> Street and NE 17<sup>th</sup> Court.

LAND USE PATTERNS

Subject property (Zoning / Existing Use): B-3 (General Business) / warehouse building and rental car facility

Surrounding Properties (Zoning District / Existing Use):

- North - B-3, RD-1, RS-2 (General Business, Two-Family Residence, and Single Family Residence) / Auto-Repair & Towing Services, & Single Family Homes
- South - B-3 (General Business) / Lawn Maintenance and Trucks
- East - T (Transportation) / Sand and Spur Equestrian Park
- West - RS-2 (Single Family Residence) / Single Family Homes

PROPERTY INFORMATION

1. The subject property does not have any open code compliance cases.
2. The subject property has the following Business Tax Receipts:
  - Grevgold Inc (storage warehouse)
  - Avis Rent a Car System LLC (automobile and truck rentals)
  - Budget Rent a Car System Inc (automobile and truck rentals)
  - Budget Truck Rental LLC (automobile and truck rentals)
  - Dixie Properties & Investments (rental building)
3. On 8/15/2018, development order #17-12000057 was issued for the construction of an automobile and truck rental facility with associated landscaping and site improvements. The subject property has a number of building permits in plan review associated with the approved site plan, including the following:

| Year | Number   | Status | Date       | Name                      |
|------|----------|--------|------------|---------------------------|
| 20   | 00006365 | PC     | 08/19/2020 | Parking Lot Modifications |
| 20   | 00001213 | PC     | 02/11/2020 | DEMO WALLS OLD BLDG       |
| 19   | 00000253 | PC     | 01/10/2019 | RESURFACE PARK LOT        |
| 18   | 00009341 | PC     | 10/12/2018 | ADD INT RESTROOMS         |
| 18   | 00007292 | PC     | 08/08/2018 | SITE DEVELOPMENT / AVIS   |
| 17   | 00005307 | PC     | 07/07/2017 | INSTALL ALUM CANOPIES     |

4. A Major Temporary Use Permit for essentially the same request as this application was previously approved by the ZBA in 2019 (PZ: 19-15000016). The applicant has filed this additional Major Temporary Use Permit application in order to continue operations during the final phase of the project.

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 seven Major Temporary Use Permit review standards, staff requests the Board include the following condition as part of the Order:

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.