

Staff Report

File #: LN-907

ZONING BOARD OF APPEALS
Meeting Date: AUGUST 20, 2026

VARIANCE - SMAX LLC

Request:	Variance
P&Z#	26-11000018
Owner:	Smax LLC
Project Location:	1370 Dr. Martin Luther King Jr Blvd
Folio Number:	484234170010
Land Use Designation:	I (Industrial)
Zoning District:	I-1 (General Industrial)
Commission District:	4 (Beverly Perkins)
Agent:	Andre Capi
Project Planner:	Scott Reale

Summary:

The Applicant Landowner requests variances from the Pompano Beach Zoning Code in order to facilitate the development of a vacant property for principal outdoor storage, as follows:

1. Section 155.3402.C [I-1 Zoning District Intensity and Dimensional Standards] - To allow a 6,074-square-foot lot to be developed in lieu of the minimum 10,000-square-foot lot area required by Code.
2. Section 155.5102.D.1 [Minimum Off-Street Parking Requirements] - To reduce the minimum required number of off-street parking spaces to zero (0), in lieu of the one (1) parking space required by Code.

The subject property is located along the south side of Dr. Martin Luther King Jr. Boulevard and the east side of N Andrews Avenue in the Northwest CRA.

ZONING REGULATIONS

155.3402. GENERAL INDUSTRIAL (I-1)

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C. Intensity and Dimensional Standards

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- Lot area, minimum: 10,000 square feet

155.5102.D.1. MINIMUM NUMBER OF OFF-STREET PARKING SPACES

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Use Type: Outdoor storage (as a principal use)

Required Parking: 1 per 1,000 sq ft of indoor space plus 1 per 5,000 sq ft of outdoor storage area

PROPERTY INFORMATION AND STAFF ANALYSIS

1. The subject property is a vacant, triangular-shaped parcel containing approximately 6,074 square feet and located within the I-1 (General Industrial) zoning district with an Industrial Future Land Use designation. Historical records indicate the property formerly contained approximately 25,662 square feet and was developed with an industrial use. Portions of the property were acquired through eminent domain in conjunction with the FDOT/Broward County Andrews Avenue Extension project in the early 2000s, resulting in the existing lot configuration and reduced lot area.
2. The applicant proposes to develop the property for Outdoor Storage as a principal use in conjunction with the operations of Marine Max Electronics, located approximately one-quarter mile east at 1114 Dr. Martin Luther King Jr. Boulevard. No principal building is proposed. The associated Special Exception application (PZ #26-17000007) is being considered concurrently by the Zoning Board of Appeals because Outdoor Storage as a principal use requires Special Exception approval within the I-1 zoning district.
3. The current Site Plan application (PZ #26-12000016) was reviewed by the Development Review Committee (DRC) on July 15, 2026. During the review, staff identified deficiencies related to the minimum required lot area and minimum off-street parking requirements of the I-1 zoning district. The requested variances would permit development of the existing 6,074-square-foot parcel in lieu of the required 10,000-square-foot minimum lot area and would reduce the minimum required off-street parking from one space to zero.
4. The applicant states that the hardship is attributable to the property's reduced size and irregular configuration following the governmental acquisition of a substantial portion of the site for the Andrews Avenue Extension project. Because the existing lot area was created through eminent domain rather than by the actions of the current landowner, the Board must determine whether these circumstances constitute the type of extraordinary and exceptional conditions contemplated by the Variance criteria and whether the requested relief constitutes the minimum variance necessary to permit a reasonable use of the property.
5. With respect to the requested parking variance, the applicant states that the proposed Outdoor Storage use is intended to function as an unstaffed storage facility supporting an existing industrial operation at 1114 Dr. Martin Luther King Jr. Boulevard and that no employees or customers will be stationed at the site. The Board must determine whether the operational characteristics of the proposed use, in conjunction with the site's physical constraints, support the requested reduction in the minimum off-street parking requirement.
6. Based on the site plan submitted with the associated Site Plan application, the applicant proposes perimeter landscaping, buffering, screening walls, and other site improvements that exceed the minimum landscaping requirements applicable to the site. These improvements are intended to enhance the appearance of the property along Dr. Martin Luther King Jr. Boulevard, a designated gateway corridor, while supporting redevelopment of a long-vacant industrial parcel.
7. Approval of these Variances would authorize only the requested relief from the minimum lot area and minimum off-street parking requirements of the Pompano Beach Zoning Code. Approval would not waive compliance with any other applicable provisions of the Zoning Code, Site Plan approval requirements, or other applicable federal, state, county, or local regulations.

LAND USE PATTERNS

Subject property (Zoning District | Existing Use): I-1 | vacant industrial parcel

Surrounding Properties (Zoning District | Existing Use):

- North: I-1 | storage yard and office/warehouse
- South: Andrews Avenue right-of-way; I-1 | vacant industrial parcel
- West: Andrews Avenue right-of-way; I-1 | vacant industrial parcel
- East: Dr. Martin Luther King Jr. Boulevard; I-1 | industrial/cold storage facility

VARIANCE REVIEW STANDARDS

A Variance application shall be approved only on a finding that there is competent substantial evidence in the record that all of the following standards are met:

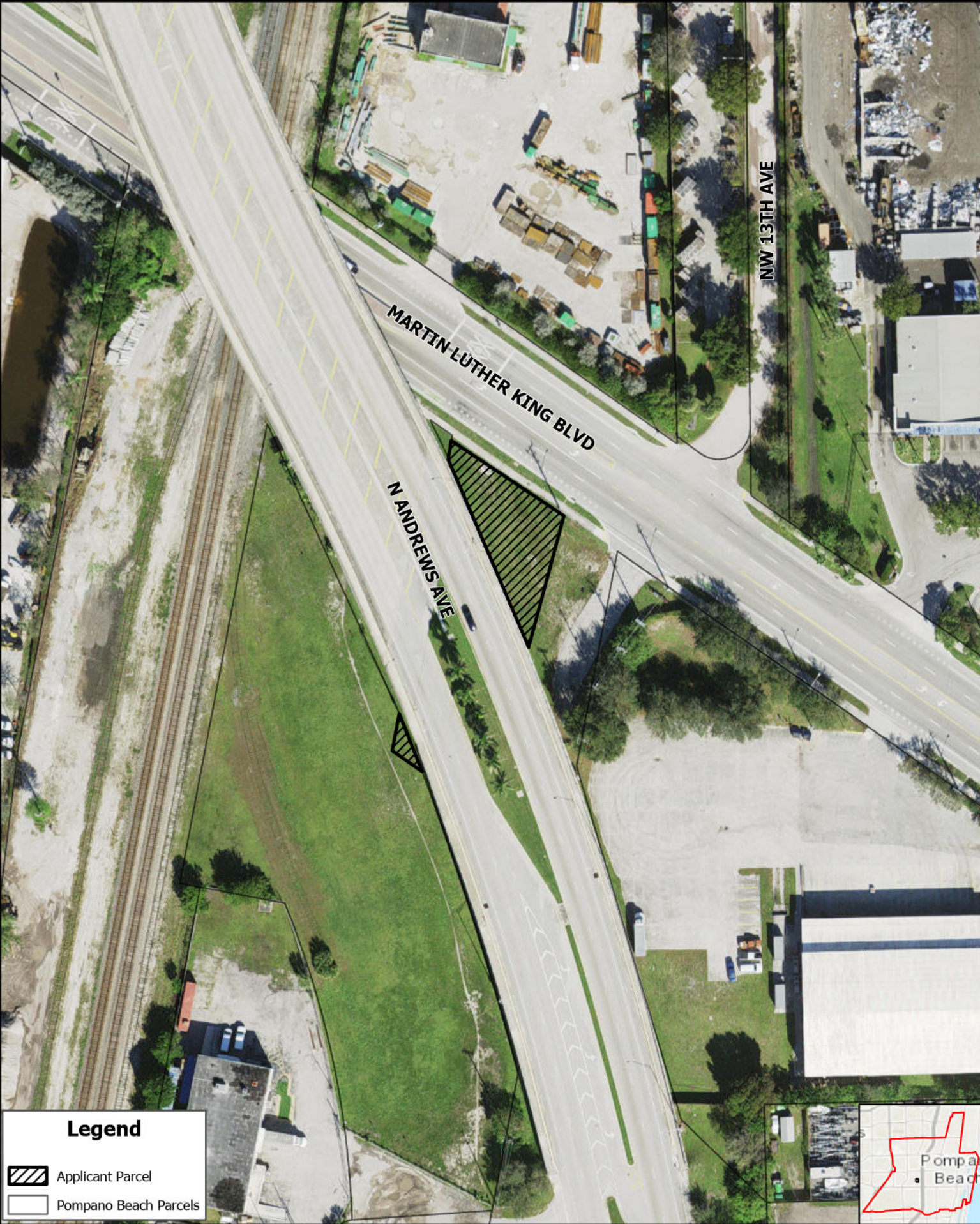
- a) There are extraordinary and exceptional conditions (such as topographic conditions, narrowness, shallowness, or the shape of the parcel of land) pertaining to the particular land or structure for which the Variance is sought, that do not generally apply to other lands or structures in the vicinity;
- b) The extraordinary and exceptional conditions referred to in paragraph a., above, are not the result of the actions of the landowner;
- c) Because of the extraordinary and exceptional conditions referred to in paragraph a., above, the application of this Code to the land or structure for which the Variance is sought would effectively prohibit or unreasonably restrict the utilization of the land or structure and result in unnecessary and undue hardship;
- d) The Variance would not confer any special privilege on the landowner that is denied to other lands or structures that are similarly situated.
- e) The extent of the Variance is the minimum necessary to allow a reasonable use of the land or structure;
- f) The Variance is in harmony with the general purpose and intent of this Code and preserves its spirit;
- g) The Variance would not adversely affect the health or safety of persons residing or working in the neighborhood, be injurious to property or improvements in the neighborhood, or otherwise be detrimental to the public welfare; and
- h) The Variance is consistent with the comprehensive plan.

Staff Conditions:

Should the Board determine that the applicant has provided competent and substantial evidence to satisfy the eight Variance review standards, staff recommends the Board include the following conditions as part of the Order:

1. Obtain all necessary governmental permits and approvals, including Site Plan, Building, and Zoning Compliance permits.
2. Development shall be in substantial compliance with the site plan submitted with this Variance application and associated Site Plan application (PZ #26-12000016).
3. Approval of the associated Special Exception application (PZ #26-17000007) shall be required prior to commencement of the Outdoor Storage use.
4. Approval of these Variances shall not be construed as approval of any other deviation from the requirements of the Pompano Beach Zoning Code.

CITY OF POMPANO BEACH
AERIAL MAP



Legend

-  Applicant Parcel
-  Pompano Beach Parcels

Scale:
1:1,200
07/30/2026

1370 Dr Martin Luther King Jr Blvd
SMAX LLC

Variance

Created by:
Department of
Development Services

