



1505 SW 4th Circle, Boca Raton, FL 33486
561-592-9455

Date: June 2nd, 2026

Author: Julian Stein, Property Owner

RE: Variance – Lot Area - for 1370 Dr. MLK Jr. Blvd., Pompano Beach, FL 33069,
Folio 484234170010

Introduction:

My name is Julian Stein, I am President of Max Marine Electronics Inc and President of SMAX LLC. I am requesting a variance from code section 155.3402.C specifically for lot area. Code requires 10,000 square feet and our proposed site is 6074 square feet. SMAX LLC intends to develop this parcel into a small outdoor storage area to keep some of the things that are currently kept in our parking lot and warehouse, such as our trailers that are used for liquidations of product, extra pallets, and larger items like marine satellite communication domes that can be kept outside. We may also add a small connex box or two to handle overflow when multiple liquidations occur in a short time-span.

Like we did with our current location at 1114 Dr. MLK Jr. Blvd, we intend to create a project that enhances, not detracts from, the aesthetic of the gateway corridor. It should be noted that we look at this development as an extension of our current location/operations ¼ mile to the east, and that if this parcel were contiguous with our current parcel, it would not require a special exception as it would be looked at as accessory outdoor storage by right.

The parcel is unique in that it was a code-compliant, platted, industrial site prior to the taking of a large portion of it during the Andrews Ave flyover construction. The involuntary taking has created a small lot that has remained vacant since the construction of the flyover.

We feel that outdoor storage is the only practical use of the property, as the property isn't large enough for a structure, there are no privately owned adjacent lands that could be acquired to make it large enough for a structure, and it just so happens that it would be a perfect extension of our current operations ¼ mile away that would allow our business to continue growing.

We believe our request meets all of the review standards as explained below:

- 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*
 - a. Most other industrial parcels in this area are well over the required 10,000 square feet. This parcel, prior to the taking, was 25,662 square feet. The small lot area of this parcel is very unique to this particular parcel and most other industrial parcels in the area do not share this condition.

- b. *The extraordinary and exceptional conditions referred to in paragraph a., above, are not the result of the actions of the landowner*
 - a. The small lot area was not created by the landowner, but by FDOT, through eminent domain (ref O.R.B. Book 35234, Pg 368). Therefore, the condition was created by FDOT, not by 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.*
 - a. Due to the lot size, if the minimum lot area of 10,000 square feet in the code were applied to this parcel, it would effectively prohibit the land from every being developed. This results in unnecessary and undue hardship to the landowner, as the land is not usable as such. The landowner has demonstrated that the land can be used in a very safe and innovative way, therefore, the hardship created by not developing the land is an unnecessary one.
- d. *The Variance would not confer any special privilege on the landowner that is denied to other lands or structures that are similarly situated.*
 - a. We do not feel that the issuance of this variance gives us any special privileges over other landowners, as the spirit of a variance is to evaluate unique situations that conflict with the code on a case by case basis and to approve variance for situations where the landowner demonstrates that their request meets a certain set of standards. We feel our request meets those standards, and hypothetically, we believe that anyone else in a similar situation that similarly meets those standards would be treated equally. We will note that it is hard for us to compare our situation to “other lands or structures that are similarly situated” as we have established in review standard “a” that the situation we are in does “*not generally apply to other lands or structures in the vicinity.*”
- e. *The extent of the Variance is the minimum necessary to allow a reasonable use of the land or structure*
 - a. We believe that we are asking for the minimum necessary relief to allow for reasonable use of this land. There is simply no means for us to increase the amount of land available for this site above the 6074 square feet we own.
- f. *The Variance is in harmony with the general purpose and intent of this Code and preserves its spirit.*
 - a. Pompano Beach code has specific purpose and intent objectives as outlined in 155.1103, we will address some of them below:
 - i. *A. Preserve and enhance present advantages and overcome present handicaps that exist in the city;*
 - 1. One of the handicaps in the city are vacant lots that are not being utilized in constructive ways that increase the tax base. One of the advantages of the city is the strong economic maritime base. The issuance of this variance allows for a small project with big impact to help a team player in the Pompano Beach marine business community and convert another nuisance property into a property with a purpose!
 - ii. *B. Encourage the most appropriate use of land, water, and resources;*
 - 1. We feel that our project is not only the most appropriate use of this land, it is the only practical use of this land.

- iii. *C. Deal effectively with future problems that may result from the use and development of land;*
 - 1. The lack of development on this land has caused a nuisance situation that will continue costing the city valuable policing dollars dealing with illegally parked vehicles and vagrants. By developing the parcel, we move the needle forward on eliminating these problems.
 - iv. *G. Encourage compact, mixed-use, pedestrian-oriented, and transit-oriented development;*
 - 1. This parcel is certainly compact!
 - 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*
 - a. We feel the variance does not create any impact to the general public as the site is closed off to public access. We also feel that within the site, there is no more or less danger to our employees than we currently have in the parking lot behind our business, or in the warehouse where we work every day. In 15 years of business, Max Marine Electronics has not had a single workplace injury resulting from material handling equipment or vehicles (including trailers), the few we have had have been minor injuries from day to day operations like soldering and lifting that will not be taking place at the off-site storage site. We feel that our variance will not cause any damage to property or improvements, as what we are proposing is very simple and low-impact – we're not building a high rise.
 - h. *The Variance is consistent with the comprehensive plan.*
 - a. There are some specific policies in the comprehensive plan that this variance, which would allow for our development, would not only be consistent with, but help advance:
 - i. *"Policy 01.08.03 Continue the construction of facilities such as roadway, drainage, water and sewer facilities and enhanced medians and other street section beautification efforts in the northwest Dr. Martin Luther King Jr. Blvd, NW 31st Avenue and Atlantic Boulevard corridors. Encourage auto-oriented and industrial development along this gateway corridor to provide an enhanced roadway frontage for both the building facades and the landscaping visible from the roadway to beautify the corridor."*
 - 1. The land is currently vacant land with a large concrete wall. There is not a tree or even a shrub planted within the property lines. It is often a place for trucks to park.



We feel that responsibly developing this small parcel with attractive

landscaping and a decorative pre-cast wall that doubles as an opaque buffer achieves the intent of beautifying the corridor by adding landscaping. We feel that responsible development in the gateway corridor can only help promote the goals of the comprehensive plan. We have already demonstrated our ability to do this with our current facility.

- ii. *“Policy 01.23.04 Consider the effects of land use and zoning decisions on the marine industry and consider developing incentives to retain marine-related uses.”*
 - 1. Our business is not only a marine business that serves retail customers, but it serves dozens of marine businesses in the Pompano/Ft Lauderdale metro area. By allowing us to develop this parcel, we are able to add marine jobs and marine industry revenue to this area and support surrounding marine businesses.

Thank you for your consideration of our request.

Regards,
Julian Stein
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