

# JOHNSTON & METEVIA, P.A.

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November 13, 2024

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Dan Yaffe, Chairman  
Zoning Board of Appeals  
City of Pompano Beach  
100 W. Atlantic Blvd.  
Pompano Beach, FL 33060

Re: Special Exception for Lexy's Auto Sales, Inc., tenant Justin Gelinias and Tom Mason, property owner and landlord

Dear Mr. Yaffe:

This is the written narrative for a Special Exception for Lexy's Auto Sales, Inc. The zoning code criteria is §155.4219 L (1) and (2) and sets out the following review standards for Special Exceptions:

**a. Is consistent with the Comprehensive Plan;**

The property in question is zoned B-4. This property's underlying land use is *Commercial*. Therefore, this request is completely consistent and proper for the Comprehensive Plan.

**b. Complies with all applicable zoning district standards;**

This property is zoned B-4 (see page 459 of the City's Zoning Code - §155.4219 L entitled *Used Automobile and Light Truck Sales with Outdoor Display*, see Exhibit A). You can see from 1. *Districts Where Permitted*, this B-4 district allows this particular use with a Special Exception, hence the "S" in the graph. Under 2. *Definition*:

*A used auto mobile and light truck sales with outdoor display consists of premises on which used automobiles, light trucks, motorcycles, mopeds and golf carts, in operating condition are stored and displayed for sale or lease outdoors.*

In this particular circumstance, after reviewing all of the facts, Applicant Lexy's Auto Sales, Inc., together with the property owner Tom Mason (see Exhibit B) are requesting a Special Exception in this B-4 district. Lexy's Auto Sales has two addresses, 627 S. Dixie Hwy., East, and 631 S. Dixie Hwy., East (two lots). The Broward County Property Appraiser detail for both properties is attached (see Exhibit C), with color overhead photographs highlighted in red. As one can clearly see, this property is generous in size, and is surrounded by "near" industrial uses. It has two photographs showing Lexy's Auto Sales' façade. On the north side is the Pine Crest school bus yard, which is much larger than depicted in the photographs, and on the east, is South Dixie Highway, East, and to the west is the school bus maintenance yard, and south is an industrial-looking outdoor storage facility, comprising trucks, boats, cars and miscellaneous material, and on the west side of that property is a mechanical shop and auto body shop.

It should be noted here that Mr. Gelinis is an exceptional human being as he has been operating this business on this site, and unfortunately he is disabled and legally blind. He has a family of his lovely wife and two children and provides for them with this facility. He has been in the used car business for a number years, and operated this facility even with his blindness. Applicant consists of the property owner Tom Mason, landlord, and the other being Lexy's Auto Sales, Inc., owned by tenant Mr. Gelinis. As we know for Special Exceptions and Variances, the City wants both the property owner and the business owner to participate in the application which they have.

Applicant's use is less intense, and most well-suited for B-4 than any of the surrounding uses which are more industrial. Therefore, both the land use and zoning are appropriate and lawful for this particular use.

**c. Complies with all applicable use-specific standards in Article 4: Use Standards;**

Since this application is not for outdoor storage, but pursuant to the code section for outdoor display for sales purposes only, a Special Exception in this zoning district is of limited intensity. Therefore, it meets all of the criteria required in Article 4 for use-specific standards.

**d. Avoids overburdening the available capacity of existing public facilities and services, including but not limited to, streets and other**

**transportation facilities, schools, potable water facilities, sewage disposal, stormwater management and police and fire protection;**

This business is for display and sales of automobiles. In no way does it overburden the existing facilities, streets, transportation facilities, schools, potable water facilities, sewage disposal, stormwater management nor police and fire protection. This is a “benign,” quiet display use.

**e. Is appropriate for its location and is compatible with the general character of surrounding lands and the uses permitted in the zoning district(s) of surrounding lands. Evidence for this standard shall include, but not be limited to, population density, intensity, character of activity, traffic and parking conditions and the number of similar uses or special exception uses in the neighborhood;**

As pointed out above, this business is entirely compatible with the general character of the surrounding lands and uses permitted in the zoning district. Since its neighbors are B-4, and are more intense, bordering on I-1 uses, this business is the least intense use in the entire several block area. This B-4 zoning district with a Special Exception use provides for this particular use and has no impact on population density, intensity, character of activity, traffic or parking conditions or similar uses. As seen in the over-head and ground level photographs, this property is an ideal site for the peaceful and quiet display of vehicles for sale.

**f. Avoids significant adverse odor, noise, glare and vibration impacts on surrounding lands regarding refuse collection, service delivery, parking and loading, signs, lighting and other site elements;**

There are no adverse odor, noise, glare or vibration impacts regarding the use of this land on the surrounding neighbors, and there are no refuse collection issues, service delivery, parking or loading, signs, lighting or site elements. This is a quiet and benign display of automobiles for sale.

**g. Adequately screens, buffers or otherwise minimizes adverse visual impacts on adjacent lands;**

There are no adverse visual impacts on adjacent lands, and in fact the adjacent lands due provide adverse visual impacts on these two lots. As pointed out above in **b**, the neighbors uses are quite intense, bordering on

industrial. The property to the south has a concrete wall, and the property to the north has a fence separating the property. Therefore, this minimizes visual impact.

**h. Avoids significant deterioration of water and air resources, scenic resources and other natural resources;**

There are no impacts on water, air resources, scenic resources or other natural resources. There are no natural resources in this particular area, and there is no water or air pollution given off by this benign use on this site.

**i. Maintains safe and convenient ingress and egress and traffic flow onto and through the site by vehicles and pedestrians and safe road conditions around the site;**

There is safe and convenient ingress and egress and traffic flow onto and throughout this site by vehicles and pedestrians and there are safe road conditions on this site. This property has adequate space for customers pulling in and out, and does not inhibit pedestrian movement. These two lots are between South Dixie Highway, East and South Dixie Highway, West, and it provides a natural flow of ingress and egress of traffic on those two streets.

The City has just gone through a multi-million-dollar revision of the traffic flow, limiting the lanes from 3 to 2, and providing adjacent parallel parking to this property and to the neighbors' property. It could not be better.

**j. Allows for the protection of property values and the ability of neighboring lands to develop uses permitted in the zoning district;**

The particular use of this property for benign display automobiles for sale, certainly protects the property value of the neighboring lands for development purposes in this zoning district, as can be compared with the neighbors' uses to the south, west, and north, of a commercial bus parking lot, comprised of more than 60 buses and a maintenance facility.

Applicant's uses in this B-4 district for a Special Exception are certainly less intense and less onerous than the surrounding neighbors. The surrounding businesses are near an industrial use area, and this site is nowhere near any residential zones.

**k. Fulfills a demonstrated need for the public convenience and service of the population of the neighborhood for the special exception use with consideration given to the present availability of such uses;**

Nowadays with increasing inflation, and soaring new car prices, there is a great demand for used motor vehicles. This business caters to customers who are of moderate means, and provides them an opportunity to have their choice of lower priced transportation at a convenient location. This location is convenient for ingress and egress and to public conveniences as the City and County both have bus service to this site on the east and west sides. Public convenience is certainly served by having this facility in the City.

**l. Complies with all other relevant city, state and federal laws and regulations; and**

This site complies with all other relevant city, state, federal laws and regulations. This business holds licenses issued by the State of Florida for this use at this site. Applicant has received a Business Tax Receipt for this location, and to achieve that, the property must have gone through a zoning review and received a zoning certificate, which it did, which allows this commercial business to operate in this B-4 district with its underlying commercial land use.

**m. For purposes of determining impacts on neighboring properties and/or the neighborhood, the terms neighboring properties and neighborhood shall include the are affected by the requested special exception, which is typically an area of 500 ft. to a one-half mile radius from the subject area**

There is no adverse impact whatsoever on neighboring properties in the area. This neighborhood consists of warehousing, and industrial uses, manufacturing, heavy B-4 and I uses. There is no impact on any businesses or uses, adversely or otherwise, specifically within an area 500' to ½ mile radius of the subject property.

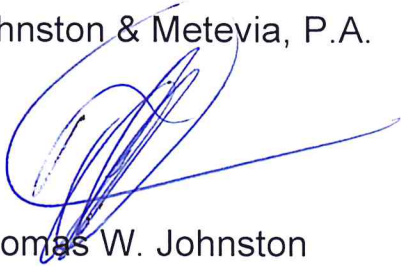
Lexy's Auto Sales has established itself as a reputable car dealership in Pompano Beach FL, specializing in providing a wide range of vehicles that cater to diverse customer needs. With over 12 years in the business, they have built a strong reputation for customer service excellence, extensive market knowledge, and an unwavering commitment to the community. Their

aim is to not only meet but exceed customer expectations, ensuring that every transaction is smooth, informative, and satisfactory.

Lexy's Auto Sales operates in the competitive automobile sales market, focusing primarily on used vehicle sales. They have cultivated a strong brand presence in Pompano Beach, known for their customer-focused approach and comprehensive understanding of the automotive industry.

The mission at Lexy's Auto Sales is to provide quality vehicles while delivering unparalleled customer service. They strive to create a friendly and welcoming environment where every customer can find the right vehicle that meets their lifestyle and budget. They are committed to being a trusted partner in the car-buying journey and upholding the integrity of their business through honesty and transparency.

Johnston & Metevia, P.A.



Thomas W. Johnston

TWJ/mjj

Enclosures:     Survey  
                      Site Plan  
                      Exhibits A-C



- a. New automobile and light truck sales agencies, excluding those that sell or lease collector cars, motorcycles, mopeds, and golf carts, may have accessory used car sales and auto service. Agencies that sell or lease collector cars, motorcycles, mopeds, and golf carts may have accessory auto service subject to Special Exception approval.

**K. USED AUTOMOBILE AND LIGHT TRUCK SALES WITH INDOOR DISPLAY ONLY**

**1. Districts Where Permitted**

RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1	B-2	B-3	B-4	M-1	CR	I-1	I-X	OIP	M-2	TO	PR	CF	PU	T	BP	RPUD	PCD	PD-TO	LAC	PD-I	
															P				P	P										P			

**2. Definition**

A used automobile and light truck sales with indoor display only consists of premises on which used automobiles, light trucks, motorcycles, mopeds, and golf carts, in operating condition are displayed for sale or lease within a fully enclosed structure. This use does not include outdoor display, which is considered to be Used Automobile and Light Truck Sales with Outdoor Display.

**L. USED AUTOMOBILE AND LIGHT TRUCK SALES WITH OUTDOOR DISPLAY**

**1. Districts Where Permitted**

RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1	B-2	B-3	B-4	M-1	CR	I-1	I-X	OIP	M-2	TO	PR	CF	PU	T	BP	RPUD	PCD	PD-TO	LAC	PD-I
															S			S	P										S			

**2. Definition**

A used automobile and light truck sales with outdoor display consists of premises on which used automobiles, light trucks, motorcycles, mopeds, and golf carts, in operating condition are stored and displayed for sale or lease outdoors.

**M. AUTOMOBILE AND LIGHT TRUCK RENTAL**

**1. Districts Where Permitted**

RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1	B-2	B-3	B-4	M-1	CR	I-1	I-X	OIP	M-2	TO	PR	CF	PU	T	BP	RPUD	PCD	PD-TO	LAC	PD-I
															P	P			P	P										P		

9-26-2024

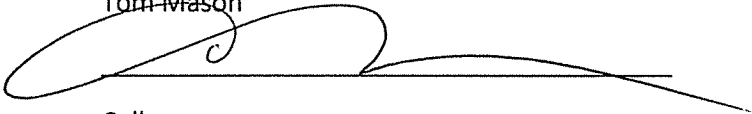
To: City of Pompano Beach

RE: Lexy Auto

Good morning: Lexy automotive is applying for a special exception regarding outdoor storage. He has my complete support in this endeavor. If I can be of any further help do not hesitate to call. Thank you.

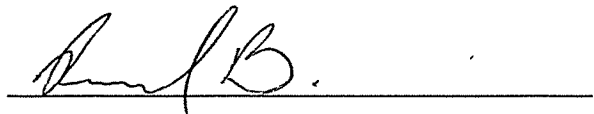
Sincerely,

Tom Mason



Cell

(954) 868-2021



Notary

STATE OF FLORIDA      COUNTY OF Broward  
 Sworn to (or affirmed) and subscribed before me  
 via  physical presence or  online notarizations  
 This 26th day of September, 2024  
 By: Thomas Mason  
 Personally Known \_\_\_\_\_ OR produced identification   
 Type of Identification Produced Drivers License  
Richard B.      Nov 8 2025  
 NOTARY NAME HERE, Notary Public      My commission expires



Richard Beharry  
Comm.: HH 196456  
Expires: Nov. 8, 2025  
Notary Public - State of Florida

**EXHIBIT B**





<b>Site Address</b>	627 S DIXIE HIGHWAY E, POMPANO BEACH FL 33060	<b>ID #</b>	4942 02 16 0200
<b>Property Owner</b>	MASON, TOM	<b>Millage</b>	1511
<b>Mailing Address</b>	1340 NE 27 WAY POMPANO BEACH FL 33062	<b>Use</b>	48-01
<b>Abbr Legal Description</b>	RACEWAY CENTER 40-25 B LOT 20 BLK 1		

The just values displayed below were set in compliance with **Sec. 193.011, Fla. Stat.**, and include a reduction for costs of sale and other adjustments required by **Sec. 193.011(8)**.

\* 2025 values are considered "working values" and are subject to change.

Property Assessment Values					
Year	Land	Building / Improvement	Just / Market Value	Assessed / SOH Value	Tax
2025	\$55,840	\$478,260	\$534,100	\$524,210	
2024	\$55,840	\$478,260	\$534,100	\$476,560	\$10,402.02
2023	\$55,840	\$414,370	\$470,210	\$433,240	\$9,530.23

2025 Exemptions and Taxable Values by Taxing Authority				
	County	School Board	Municipal	Independent
<b>Just Value</b>	\$534,100	\$534,100	\$534,100	\$534,100
<b>Portability</b>	0	0	0	0
<b>Assessed/SOH</b>	\$524,210	\$534,100	\$524,210	\$524,210
<b>Homestead</b>	0	0	0	0
<b>Add. Homestead</b>	0	0	0	0
<b>Wid/Vet/Dis</b>	0	0	0	0
<b>Senior</b>	0	0	0	0
<b>Exempt Type</b>	0	0	0	0
<b>Taxable</b>	\$524,210	\$534,100	\$524,210	\$524,210

Sales History				Land Calculations		
Date	Type	Price	Book/Page or CIN	Price	Factor	Type
4/3/2012	CE*-D	\$300	48685 / 604	\$8.00	6,980	SF
6/27/2007	WD*-Q	\$725,000	44348 / 154			
12/29/2004	QCD	\$100	38788 / 445			
11/1/1988	QCD	\$100	17080 / 314			
1/1/1985	WD	\$100				
				<b>Adj. Bldg. S.F. (Card, Sketch)</b>		3250
				<b>Eff./Act. Year Built: 1976/1975</b>		

\* Denotes Multi-Parcel Sale (See Deed)

Special Assessments								
Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc
15								
W								
3250								



**MARTY KIAR**  
**BR**  **WARD**  
COUNTY  
PROPERTY APPRAISER

Photographs for Parcel ID [494202-16-0200](#), displayed on 10/15/2024

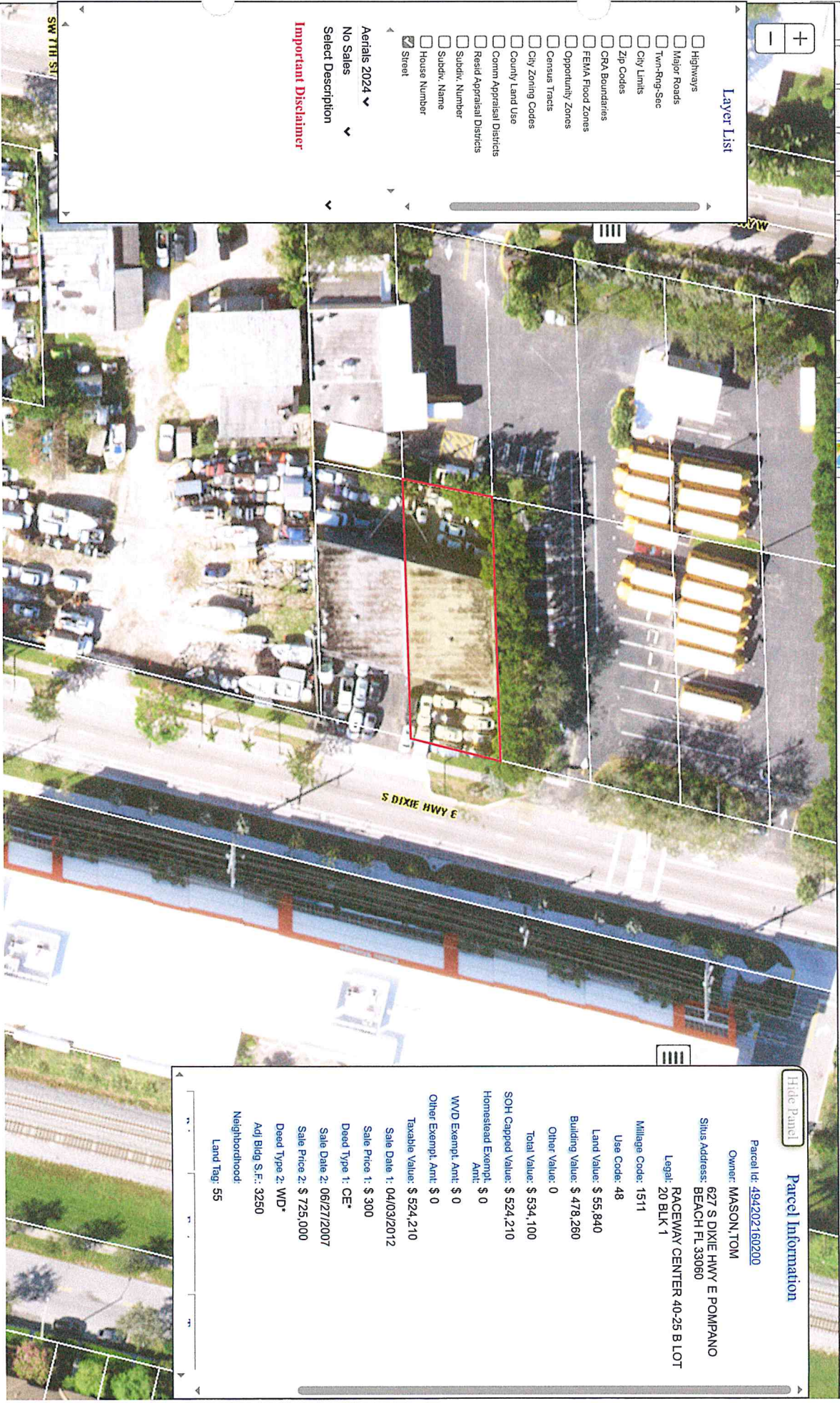


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Highways  
 Major Roads  
 Twin-Eng-See  
 City Limits  
 Zip Codes  
 CRA Boundaries  
 FEMA Flood Zones  
 Opportunity Zones  
 Census Tracts  
 City Zoning Codes  
 County Land Use  
 Comm Appraisal Districts  
 Resid Appraisal Districts  
 Subdiv. Number  
 Subdiv. Name  
 House Number  
 Sheet

Aerials 2024  
 No Sales  
 Select Description  
**Important Disclaimer**



Hide Panel

Parcel Information

Parcel Id: 494202160200  
 Owner: MASON, TOM  
 Situs Address: 627 S DIXIE HWY E POMIPANO BEACH FL 33080  
 Legal: RACEWAY CENTER 40-25 B LOT 20 BLK 1  
 Millage Code: 1511  
 Use Code: 48  
 Land Value: \$ 55,840  
 Building Value: \$ 478,260  
 Other Value: 0  
 Total Value: \$ 534,100  
 SOH Capped Value: \$ 524,210  
 Homestead Exempt: \$ 0  
 Amt: \$ 0  
 WVD Exempt Amt: \$ 0  
 Other Exempt Amt: \$ 0  
 Taxable Value: \$ 524,210  
 Sale Date 1: 04/03/2012  
 Sale Price 1: \$ 300  
 Deed Type 1: CE\*  
 Sale Date 2: 06/27/2007  
 Sale Price 2: \$ 725,000  
 Deed Type 2: WD\*  
 Adj Bldg S.F.: 3250  
 Neighborhood:  
 Land Tag: 55









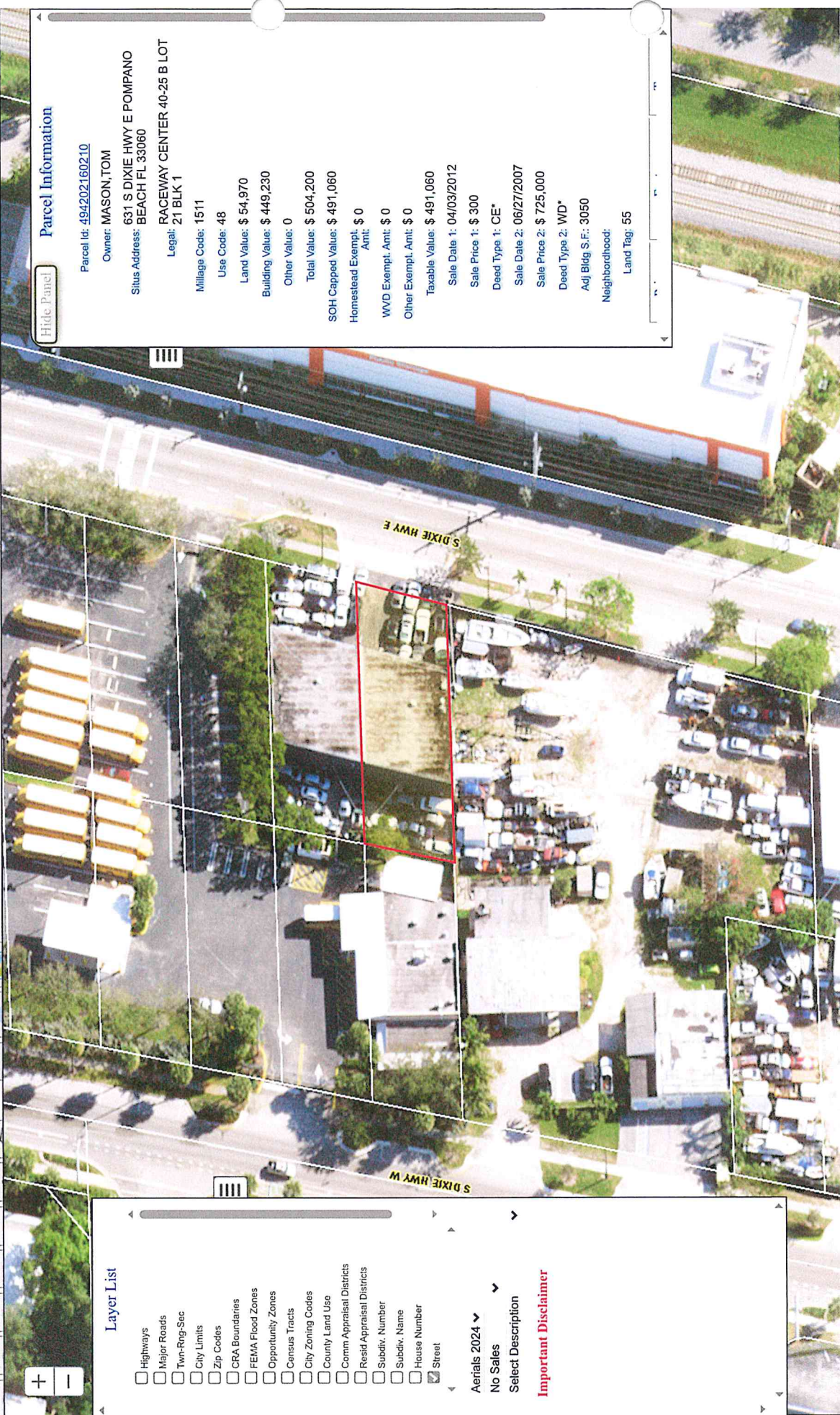
**MARTY KIAR**  
**BR**  **WARD**  
COUNTY  
PROPERTY APPRAISER

Photographs for Parcel ID [494202-16-0210](#), displayed on 10/15/2024



More pictures may be available on an external website called Google Street View.  
[Click here](#) to exit our site and visit Google Street View. Any concerns about images displayed on Google Street View must be addressed directly to Google.com





Hide Panel Parcel Information

Parcel Id: 494202160210  
 Owner: MASON, TOM  
 Situs Address: 631 S DIXIE HWY E POMPANO BEACH FL 33060  
 Legal: RACEWAY CENTER 40-25 B LOT 21 BLK 1  
 Millage Code: 1511  
 Use Code: 48  
 Land Value: \$ 54,970  
 Building Value: \$ 449,230  
 Other Value: 0  
 Total Value: \$ 504,200  
 SOH Capped Value: \$ 491,060  
 Homestead Exempt. Amt: \$ 0  
 WVD Exempt. Amt: \$ 0  
 Other Exempt. Amt: \$ 0  
 Taxable Value: \$ 491,060  
 Sale Date 1: 04/03/2012  
 Sale Price 1: \$ 300  
 Deed Type 1: CE\*  
 Sale Date 2: 06/27/2007  
 Sale Price 2: \$ 725,000  
 Deed Type 2: WD\*  
 Adj Bldg S.F.: 3050  
 Neighborhood:  
 Land Tag: 55

Layer List

- Highways
- Major Roads
- Twin-Ring-Sec
- City Limits
- Zip Codes
- CRA Boundaries
- FEMA Flood Zones
- Opportunity Zones
- Census Tracts
- City Zoning Codes
- County Land Use
- Comm Appraisal Districts
- Resid Appraisal Districts
- Subdiv. Number
- Subdiv. Name
- House Number
- Street

Aerials 2024  
 No Sales  
 Select Description  
**Important Disclaimer**

