



Staff Report

File #: LN-875

ZONING BOARD OF APPEALS

Meeting Date: MAY 21, 2026

VARIANCE - FOLLIA BUILDING LLC

Request:	Variance
P&Z#	26-11000010
Owner:	Follia Building LLC
Project Location:	621 NE 1 Ave
Folio Number:	484235920010
Land Use Designation:	C (Commercial)
Zoning District:	B-4 (Heavy Business)
Commission District:	2 (Rhonda Sigerson-Eaton)
Agent:	Dmytro Nartov
Project Planner:	Scott Reale

Summary:

The Applicant Landowner requests a Variance from Section §155.5102(D)(1) (Minimum Number of Off-Street Parking Spaces) of the Pompano Beach Zoning Code to permit a reduction in the required number of parking spaces from 25 to 7. The variance request is based on a 10,000-square-foot use of Used Automobile and Light Truck Sales with Indoor Display Only, which requires 1 parking space per 400 square feet of indoor sales display area and office space pursuant to Code.

The applicant proposes to utilize the property as a vehicle storage and appointment-based showroom facility operated primarily through online sales. According to the applicant, the operation will not function as a traditional automobile dealership, as customer visits will occur by appointment only, vehicles will be stored entirely indoors, and on-site staffing will remain limited. The business is classified as a “Used Automobile and Light Truck Sales with Indoor Display Only” (AKA a car dealership) because of the State’s requirement to obtain a dealership license to operate this business, regardless of the online sales.

The subject property is located south of NE 8th Street, west of NE 1st Avenue, and east of N Dixie Highway in Old Pompano.

ZONING REGULATIONS

§155.5102. OFF-STREET PARKING AND LOADING

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TABLE 155.5102.D.1: MINIMUM NUMBER OF OFF-STREET PARKING SPACES		
Use Category	Use Type	Minimum Number of Parking Spaces
Commercial Uses		
Motor Vehicle Sales and Service Uses	Used Automobile and Light Truck sales with indoor display only	1 per 400 sq ft of indoor sales display area and office space

PROPERTY INFORMATION AND STAFF ANALYSIS

1. The subject property obtained Major Site Plan approval from the Planning & Zoning Board on March 24, 2021 for two warehouse buildings, each approximately 5,000 square feet in size, with associated parking, loading, and landscaping (PZ #20-12000034). The buildings were subsequently constructed through Building Permits #21-10240 (Building 1) and #21-10241 (Building 2).
2. The property was originally site planned with seven parking spaces based on warehouse uses permitted at the time of development.
3. The new owners seek to utilize the property for a business that is classified under the Zoning Code as Used Automobile and Light Truck Sales with Indoor Display Only. The Zoning Code does not distinguish between traditional automobile dealerships and appointment-based indoor vehicle storage/showroom operations for purposes of parking calculations.
4. The applicant states that the proposed operation differs from a traditional automobile dealership in that sales are conducted primarily online, there will be no outdoor vehicle display areas, customer visits will occur by appointment only, and on-site staffing will generally be limited to one to three employees. The applicant indicates that anticipated parking demand will remain minimal and within the capacity of the existing parking supply.
5. Staff notes that the subject property is substantially constrained by the placement of the two existing warehouse structures, required landscape buffers, internal circulation requirements, utility easements, drainage infrastructure, and limited remaining developable area. The site is substantially developed and contains limited available area for additional parking while maintaining required setbacks, landscaping, drainage, and circulation standards. Accommodating the full parking requirement on-site would likely require substantial site reconstruction or demolition of existing improvements.

LAND USE PATTERNS

Subject property (Zoning District | Existing Use): B-4 | no active BTR

Surrounding Properties (Zoning District | Existing Use):

- North: B-4 | warehouse with contractor-related uses
- South: B-3 | Family Dollar
- West: T | FEC Railway and N Dixie Highway
- East: B-3 and B-4 | single-family residential; auto repair, auto dealer, and towing uses

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 FINDINGS

Staff finds that the applicant has presented competent substantial evidence that:

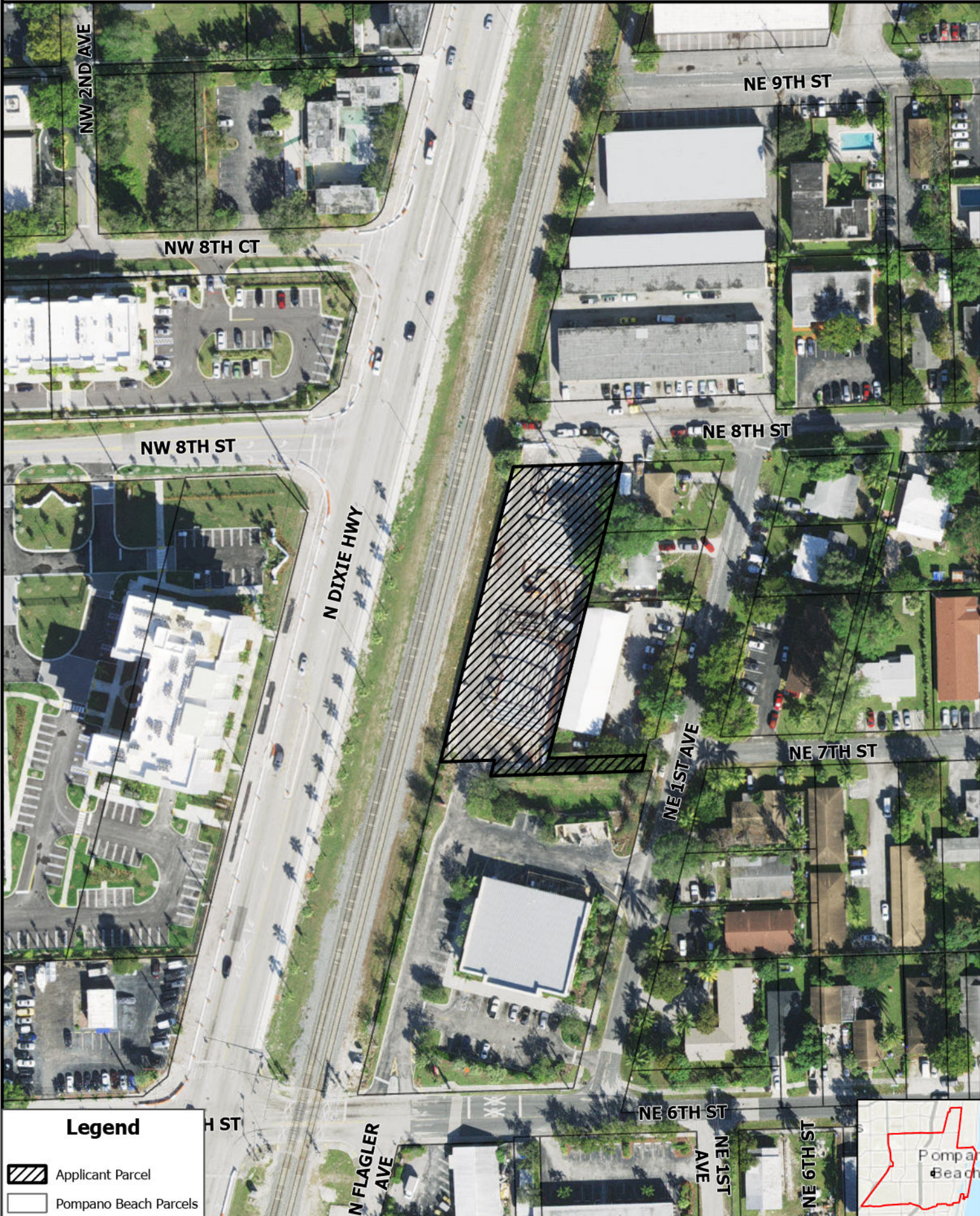
- The property contains physical site constraints associated with an already-developed industrial/commercial site;
- Such constraints were not self-created by the applicant;
- Strict application of the parking standard would unreasonably restrict adaptive reuse of the property;
- The requested relief is limited in scope and tied to the specific operational characteristics of the proposed use; and
- The request can be granted without adverse impacts to surrounding properties, subject to the conditions of approval.

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. The applicant shall obtain all necessary governmental permits and approvals, including Building and Zoning Compliance permits.
2. The variance shall apply solely to the vehicle storage and appointment-based showroom use described in the applicant’s narrative. Any change to a traditional automobile dealership operation involving walk-in customer traffic, outdoor display, or increased on-site customer activity shall require additional review and verification of parking compliance.

CITY OF POMPANO BEACH AERIAL MAP



Legend

-  Applicant Parcel
-  Pompano Beach Parcels

Scale:
1:1,400
04/27/2026

621 NE 1 AVE
Folia Building LLC

Variance

Created by:
Department of
Development Services

