

10/7/2025

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Lexy's Auto Sales Inc  
627 S Dixie Highway E  
Pompano Beach, FL 33060

City of Pompano Beach  
Zoning Board of Appeals  
100 West Atlantic Boulevard  
Pompano Beach, Florida 33060

Re: 627 S Dixie Highway East- Variance Justification Statement

Dear Members of the Zoning Board of Appeals:

Lexy's Auto sales Inc, ("Applicant"), hereby requests variances for reducing the required number of parking spaces and increased outdoor display space in association with the proposed improvements to its property located at 627 S Dixie Highway E ("Property") in the City of Pompano Beach, Florida.

As detailed below, the need for these variances stems from site and development conditions that were established prior to the Applicant's ownership of the property. Approval of the requested variances will enable the Applicant to implement a broader plan to significantly improve a long-neglected site that is in critical need of reinvestment. Therefore, the Applicant respectfully requests approval of this variance application.

#### **Tabular Summary of Requests**

<b>Variance Request No.</b>	<b>Zoning Code Section</b>	<b>Requirement</b>	<b>Provided</b>	<b>Variance Request</b>
1	155.5102.D.1	11 onsite parking spaces	3 onsite parking spaces	Reduce required number of parking spaces from 11 to 3

2	155.4219.A.2.a	500 sq ft per 100 feet of frontage	100 sq feet of frontage	Increase allowance from 500 sq ft to 3000 sq ft
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### **Justification Statement**

The Property has a zoning designation of B-4 (heavy business). The applicant operates a used automobile sales business with a Business Tax Receipt (BTR) indicating the utilization of approximately 4,400 square feet of interior space. According to Section §155.5102.D.1 of the Pompano Beach Zoning Code, the minimum parking requirement for such operations is one (1) parking space per 400 square feet of indoor sales display and office area. Based on this calculation, the property is required to provide eleven (11) on-site parking spaces for customers and employees.

However, the applicant is requesting a variance to reduce this requirement from eleven (11) spaces to three (3) spaces. This request is based on the following considerations:

- The property's limited lot size and existing site constraints make it physically impractical to accommodate the full parking requirement without significantly impacting the primary use of the site for vehicle sales and display.
- The vehicles displayed for sale are located within the designated Vehicular Use Area (VUA) and do not count toward the parking minimum, per code.
- The applicant has observed that the actual customer and employee parking demand is substantially lower than the code requirement, based on operational experience and business patterns.
- The requested reduction will not adversely affect traffic circulation, neighborhood character, or public safety, as sufficient parking will remain to accommodate typical business needs.

Granting this variance will allow the applicant to maintain viable business operations while respecting the physical limitations of the property and the intent of the zoning regulations.

The subject property, comprised of two adjacent parcels located at 627 and 631 S Dixie Highway East, has a combined lot size of approximately 3,000 square feet (1,600 sq ft and 1,400 sq ft respectively). While Section §155.4219.A.2.a of the Pompano Beach Zoning Code limits outdoor vehicle display area to 500 square feet per 100 feet of frontage, which allows for roughly 3 to 4 vehicles, the property currently supports the display of approximately 30 vehicles.

This discrepancy arises because the applicant has efficiently utilized the available lot area to maximize vehicle display within the physical constraints of the site. Vehicles are arranged compactly in a manner consistent with dealership display practices, which differs from standard

parking lot configurations. This approach enables the property to accommodate a significantly greater number of vehicles than would otherwise be allowed under the current code restrictions.

Therefore, the applicant respectfully requests a variance to increase the allowable outdoor vehicle display area from 500 square feet to 3,000 square feet, corresponding to the total lot area. Approval of this variance will formalize the existing use, support the applicant's business operations, and allow for continued reinvestment and improvement of a site that has historically been underutilized.

The requested variance is consistent with the intent of the zoning regulations, as it reflects the unique circumstances of the property and does not adversely affect surrounding properties or the character of the neighborhood.

### **Variance Criteria Analysis**

- 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.**

The subject properties at 627 and 631 S Dixie Highway East have extraordinary and exceptional conditions that do not generally apply to other parcels in the vicinity. Individually, 627 S Dixie Highway East measures approximately 40 feet wide by 40 feet deep (about 1,600 square feet), while 631 S Dixie Highway East is approximately 35 feet wide by 40 feet deep (about 1,400 square feet). Combined, these lots total approximately 3,000 square feet, which is significantly smaller and more irregularly shaped compared to typical nearby parcels that generally have greater depth and more rectangular configurations. These unusual lot dimensions, coupled with site-specific constraints such as easements and setback requirements, substantially limit the buildable area and create challenges unique to these properties. These factors justify the need for the requested variance relief.

- b. The extraordinary and exceptional conditions referred to in paragraph a., above, are not the result of the actions of the landowner.**

The extraordinary and exceptional conditions described above are not the result of any actions taken by the current landowner. These conditions predate the ownership of the property and are inherent to the original lot configurations and site characteristics. The narrow, shallow, and irregularly shaped parcels were established long before the applicant acquired the properties, and the current landowner is seeking relief to address these pre-existing constraints to improve and utilize the site effectively.

- 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.**

Because of the extraordinary and exceptional conditions described above—specifically, the narrowness, shallowness, and irregular shape of the combined parcels at 627 and 631 S Dixie Highway East—the strict application of the Zoning Code would effectively prohibit or unreasonably restrict the utilization of the land. The limited buildable area and site constraints prevent compliance with required setbacks and dimensional standards without severely limiting the ability to develop or operate a viable business on the property. This results in unnecessary and undue hardship, as the property cannot be reasonably used for its intended commercial purpose without the requested variance relief.

- d. The Variance would not confer any special privilege on the landowner that is denied to other lands or structures that are similarly situated.**

The granting of the variance related to the increase in allowable outdoor vehicle display area would not confer a special privilege on the Applicant. Approval of this variance will allow the Applicant to utilize the combined properties at 627 and 631 S Dixie Highway East in a manner consistent with the unique physical constraints of these lots, including their limited size, irregular shape, and site-specific easement and setback conditions.

These properties are located within a commercial corridor in Pompano Beach where several parcels demonstrate similar nonconforming characteristics due to historical subdivision patterns and prior development. A review of surrounding parcels indicates that numerous neighboring properties also face challenges in fully complying with setback and lot coverage requirements, many of which have received variances or operate under pre-existing nonconforming conditions.

Granting this variance aligns with the intent of the Pompano Beach Zoning Code (§155.4219 and related sections) to accommodate reasonable use of property despite unique limitations, without providing an undue advantage. This variance will facilitate the revitalization and reinvestment in a site that is currently underutilized, while maintaining compatibility with adjacent uses and the character of the neighborhood. Therefore, this request ensures equitable treatment consistent with other similarly situated properties, rather than granting any special privilege denied to others.

- e. The extent of the Variance is the minimum necessary to allow a reasonable use of the land or structure.**

The variances requested are the minimum necessary to allow for the continued operation and improvement of the existing automobile sales business at 627 S Dixie Highway East. Strict compliance with the zoning code's parking and outdoor display requirements would severely limit the ability to utilize the property effectively due to its size and configuration. Granting these variances ensures reasonable use of the land while accommodating the unique constraints of the site.

**f. The Variance is in harmony with the general purpose and intent of this Code and preserves its spirit.**

1. The requested variance to reduce the number of required parking spaces is consistent with the general purpose and intent of the Code. The property's limited size and configuration create physical constraints that make full compliance impractical without compromising the primary business use—vehicle sales and display. The Applicant has maintained adequate parking spaces to meet actual demand based on operational experience, ensuring no adverse impact on traffic flow or public safety. This approach balances the need for reasonable use of the property with the intent of the parking regulations.
2. The requested variance to increase the allowable outdoor vehicle display area aligns with the Code's intent by supporting a viable commercial use while recognizing the unique lot constraints. The expanded display area maximizes efficient use of the limited site without negatively impacting the neighborhood character or adjacent properties. The compact and organized vehicle display complies with established dealership practices and preserves the overall spirit of the zoning regulations, promoting reinvestment in a historically underutilized property.

**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**

1. The requested variance to reduce the required number of parking spaces will not adversely affect the health or safety of persons residing or working in the neighborhood. The site's current and anticipated traffic flow is manageable with the reduced parking spaces, and no increase in congestion or unsafe conditions is expected. The Applicant's operational experience confirms that the actual parking demand is significantly lower than the Code's requirement. Additionally, the existing vehicular display areas are well-organized and do not impede pedestrian or vehicular safety. The reduction in parking and increase in outdoor display will support business viability while maintaining public safety and welfare.
2. The requested variance to increase the allowable outdoor vehicle display area will not be injurious to surrounding properties or detrimental to the public welfare. The property is located along a commercial corridor where vehicle sales and display are common and compatible uses. The display area is compactly arranged to minimize visual clutter and maintain clear access and circulation. Lighting and noise levels are consistent with typical dealership operations and do not pose disturbances to neighbors. The Applicant's plan to improve and revitalize the property is expected to enhance the overall appearance and economic vitality of the neighborhood.

**h. The Variance is consistent with the comprehensive plan.**

The requested variances support the Applicant's continued use and improvement of the existing automobile sales business at 627 S Dixie Highway East, a property located within a commercial zoning district that permits vehicle sales and related uses. This use aligns with the City of Pompano Beach's Comprehensive Plan, which encourages economic revitalization and redevelopment of underutilized commercial properties along major corridors such as South Dixie Highway.

The property benefits from its proximity to major transportation routes, consistent with the Comprehensive Plan's goals to promote business activities that leverage access to highways and other transportation facilities. The variances will facilitate reinvestment in a property that has historically been underutilized, contributing positively to the local economy and supporting the City's objectives for sustainable commercial development and neighborhood enhancement.

Therefore, granting the requested variances is consistent with the intent and policies of the Comprehensive Plan, promoting reasonable use of land while fostering economic vitality and improved urban character in Pompano Beach.

Please feel free to contact should there be any questions or concerns.

Respectfully submitted,

Justin Gelinas

Lexy's Auto Sales Inc

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