

for the 3rd to last paragraph to be clarified. He stated that there was testimony at the Architectural Appearance Committee Meeting after the P&Z meeting that said he was in favor of the faux window. He wanted to make it clear, that he stated the shutters looked better than the faux windows but both options are good. This is also reflected in the minutes. On page 8, last paragraph, he asked for “Mr. States” to be changed to “Mr. Stacer”. He added that this sentence should remove the word “were”. Mr. Stacer asked stated he wanted to clarify page 9, first paragraph. The sentence “Responded that this is a program that allows for buying out of the 15%...” should refer to someone, possibly Ms. Dolan. He asked for this to be checked. He added that the sentence “This was done was the Broward Next adoption in 2017” should state “This was done at the Broward Next adoption in 2017.”

MOTION by Joan Kovac and seconded by Willie Miller to approve the minutes of the March 24, 2021 meeting, as amended. All voted in favor.

E. INDIVIDUALS TESTIFYING PLACED UNDER OATH

Mr. Stacer explained that due to the virtual setting, individuals will be sworn in individually as opposed to in a large group setting by Pamela McCleod, Planner and Notary Public in the State of Florida.

F. NEW BUSINESS

1. LN-110 FIRE STATION 52 EASEMENT ABANDONMENT

Request: Easement Abandonment
P&Z# 21-27000001
Owner: City of Pompano Beach
Project Location: 10 SW 27 Avenue
Folio Number: 494204410010
Land Use Designation: CF (Community Facilities)
Zoning District: B-2 (Community Business)
Commission District: 5
Agent: Ann DeVeaux (954-788-3400)
Project Planner: Maggie Barszewski (954-786-7921 / maggie.barszewski@copbfl.com)

Ms. Maggie Barszewski, Planner, was granted access to the virtual meeting and placed under oath by Pamela McCleod, Planner and Notary Public in the State of Florida. Ms. Barszewski introduced herself to the Board. She stated that this is a City-initiated request to abandon a 10 by 10-foot utility easement, by Keith, Inc. on behalf of the City of Pompano Beach. The easement is located at 10 SW 27th Avenue. The utility easement had been recorded as part of the Regions Atlantic Plat, O. R. Book 178, and Page 39. The easement provides access to an electrical vault that is above ground and is being relocated and upgraded due to the new construction for the Fire Station. The new vault location will be determined by FPL and a new easement will be provided to FPL under separate OR Book and Page. There are 2 service provider letters that still need to be submitted: Comcast and FPL. This proposed easement vacation will enable renovations to be done at Fire Station 52. She reviewed the standards for an easement abandonment and stated the request meets these standards.

She stated that given the information provided to the Board, staff provides the following alternative motions for the Board’s review.

Alternative Motions

I- Approve with conditions

Recommend approval to the City Commission; however, it will not be placed on a City Commission agenda until the following condition is met:

1. The submittal of the remaining service providers letters with no objection.

II- Table

Table this abandonment request to allow time for the Applicant to address any objections raised by the affected parties or to get additional information.

III- Denial

Recommend denial to the City Commission as the Board finds that the easement serves a public purpose and should not be abandoned.

Staff recommends alternative motion number I.

Mr. Stacer asked if the Board has any questions of staff. There were none. Mr. Stacer asked if the applicant would like to make a presentation.

Mr. Michael Vonder Meulen introduced Ms. Ann DeVeaux to the Board and mentioned she would be doing a quick presentation. Mr. Vonder Meulen and Ms. DeVeaux were placed under oath by Pamela McCleod, Planner and Notary Public in the State of Florida. She stated staff has done a good job with the presentation and there is not much that needs to be added. She stated that she now has the two service letters that were needed. She presented the Board with the aerial, plat, and site plan that shows the easement location. She concluded by showing the Board a rendering of what the new Fire Station will look like.

Ms. Kovac asked if the service letters that were missing were now obtained. Ms. DeVeaux responded yes. Mr. Stacer asked Mr. Saunders if that condition can be removed. Ms. DeVeaux stated the letters were emailed to staff. Mr. Saunders stated that since Ms. Barszewski has already stated into the record that she received the letters, she will now ensure they become part of the record. Ms. Barszewski responded that she agreed and will not be able to place the item on a City Commission agenda.

Mr. Stacer asked if there was anyone from the public that wished to speak. Ms. McCleod responded there is a Mr. Schwartz present. She granted him access to the virtual meeting and was placed under oath by Pamela McCleod, Planner and Notary Public in the State of Florida.

Mr. Richard Schwartz stated that he wanted to comment on item number 4. He was asked to return when item 4 was heard. He agreed.

Mr. Stacer asked if there was anyone else from the public that wished to speak. There was none. He closed the public hearing.

Mr. Miller stated that the abandonment will serve the traffic that cuts through from the shopping center on NW 27th Avenue. This is a positive and the community will appreciate this.

MOTION was made by Joan Kovac and seconded by Willie Miller that the Board finds that competent, substantial evidence has been presented for Easement Abandonment PZ #21-27000001 that satisfies the review standards for the application and the Board recommend approval of the application, subject to the 1 condition requested by Staff. All voted in favor.