

Orig. 17

ORDINANCE NO. 2020- 16

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING ON THE NORTH SIDE OF DR. MARTIN LUTHER KING, JR. BOULEVARD WEST OF POWERLINE ROAD; FROM B-3 (GENERAL BUSINESS) TO B-4 (HEAVY BUSINESS); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach, Florida; and

WHEREAS, pursuant to Section 155.2305.C, of the Pompano Beach Code of Ordinances, notice in accordance with said section has been mailed notifying owners of real property within 500 feet of the subject parcel of the first City Commission public hearing on this proposed Ordinance; and

WHEREAS, a public hearing before the City Commission was held pursuant to the aforesaid notice, at which hearing the parties in interest and all other citizens so desiring, had an opportunity to be, and were, in fact, heard; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That the City Commission of the City of Pompano Beach, having considered the evidence and argument presented at the public hearing, finds that the Applicant has provided, as part of the record of the public hearing on the application, competent substantial evidence that the proposed amendment is consistent with the Future Land Use Category and any applicable goals, objectives and policies of the Comprehensive Plan and all other applicable city adopted plans.

SECTION 2. That the property more particularly described in Exhibit "A," attached hereto and made a part hereof ("Property), which Property is hereby rezoned from a present zoning classification of B-3 (General Business) to B-4 (Heavy Business) as said zoning classification is defined by Chapter 155 of the Code of Ordinances of the City of Pompano Beach, Florida.

SECTION 3. That the Development Services Director is hereby directed to mark the zoning provided for in this Ordinance on the Official Zoning Map of the City of Pompano Beach.

SECTION 4. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 5. This Ordinance shall become effective upon passage.

PASSED FIRST READING this 10th day of December, 2019.

PASSED SECOND READING this 14th day of January, 2020.



REX HARDIN, MAYOR

ATTEST:



ASCELETA HAMMOND, CITY CLERK

/jrm
11/5/19
l:ord/2020-44

EXHIBIT A

LEGAL DESCRIPTION (NAT JACK):

A portion of the Northeast one-quarter (NE 1/4) of Section 33, Township 48 South, Range 42 East, more fully described as follows:

Commencing at the Northeast corner of said Section 33; thence South $88^{\circ}28'20''$ West, on the North line of said Section 33, a distance of 257.68 feet to the Point of Beginning; thence continuing South $88^{\circ}28'20''$ West, on the North line of said Section 33 a distance of 402.64 feet; thence South $01^{\circ}22'37''$ East, on the East line of Pompano Manor, according to the plat thereof, as recorded in Plat Book 22, Page 14, of the public records of Broward County, Florida, a distance of 284.56 feet to a point on a curve, and to a point on the Northerly Right-of-Way line of Hammondville Road thence Southeasterly on said Northerly right-of-way line and said curve to the right, with a radius of 3869.93 feet, a central angle of $06^{\circ}38'49''$, an arc distance of 448.94 feet; thence North $01^{\circ}05'26''$ West, on a line 257.68 feet West of and parallel with the East line of said Section 33, a distance of 488.87 feet to the Point of Beginning.

Said land situate, lying and being in the City of Pompano Beach, Broward County, Florida and containing 153,341 square feet or 3.5202 acres more or less.