

DRC

Noah Martin

PZ23-12000018

09/06/2023

From: David McGirr <David.McGirr@copbfl.com>
Sent: Thursday, May 11, 2023 8:39 AM
To: Noah Martin; Daniel Keester
Cc: Michael Carr; John Sfiropoulos; Hellena Lahens
Subject: [External] RE: PZ 23-12000018 Planning Comment

Correct, if nothing new is proposed there would be no conflict but if there is existing structures that are now on private property and after any ROW dedication are then in the ROW it would be a conflict.



From: Noah Martin <nmartin@langan.com>
Sent: Thursday, May 11, 2023 8:29 AM
To: David McGirr <David.McGirr@copbfl.com>; Daniel Keester <Daniel.Keester@copbfl.com>
Cc: Michael Carr <mcarr@Langan.com>; John Sfiropoulos <John.Sfiropoulos@copbfl.com>; Hellena Lahens <Hellena.Lahens@copbfl.com>
Subject: RE: PZ 23-12000018 Planning Comment

Good morning David,

Thank you for providing feedback. We are not proposing any new structures, so it is our understanding we will not be conflicting with this requirement.

Regards,

Noah Martin
Senior Staff Engineer

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PZ23-12000018

07/19/2023

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PZ23-12000018

09/06/2023

From: David McGirr <David.McGirr@copbfl.com>
Sent: Thursday, May 11, 2023 8:25 AM
To: Daniel Keester <Daniel.Keester@copbfl.com>; Noah Martin <nmartin@langan.com>
Cc: Michael Carr <mcarr@Langan.com>; John Sfiropoulos <John.Sfiropoulos@copbfl.com>; Hellena Lahens <Hellena.Lahens@copbfl.com>
Subject: [External] RE: PZ 23-12000018 Planning Comment

Below is the section of our code for structures within the city right-of-way. Also there are provisions for residents to keep certain items in the ROW with a revocable license agreement. Which would need to be approved by city commission.

100.35 BUILDING OR OBSTRUCTION ON PUBLIC STREETS, SIDEWALKS, AND RIGHT-OF-WAY SWALE AREAS; PEDESTRIAN MEDIAN SAFETY.

(A) It shall be unlawful for any person:

(C) Any building, structure, or obstruction abutting or encroaching upon any public street, alley, sidewalk, or right-of-way swale area in the city is hereby declared to be a public nuisance against the welfare and safety of the public, and the owner, or lessee or agent of the owner, or any person responsible for the presence of any such public nuisance shall remove the nuisance or otherwise comply with the exemption requirements of this section, and shall be guilty of a punishable offense for placement of the nuisance, or for failure to remove same, or for both. ('58 Code, § 44.30)

https://codelibrary.amlegal.com/codes/pompanobeach/latest/pompanobeach_fl/0-0-0-84049#JD_100.35



From: Daniel Keester <Daniel.Keester@copbfl.com>
Sent: Wednesday, May 10, 2023 9:24 AM
To: Noah Martin <nmartin@langan.com>
Cc: Michael Carr <mcarr@Langan.com>; David McGirr <David.McGirr@copbfl.com>; John Sfiropoulos <John.Sfiropoulos@copbfl.com>; Hellena Lahens <Hellena.Lahens@copbfl.com>
Subject: RE: PZ 23-12000018 Planning Comment

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Noah, thanks for the follow-up. Let us know if you have any additional questions!

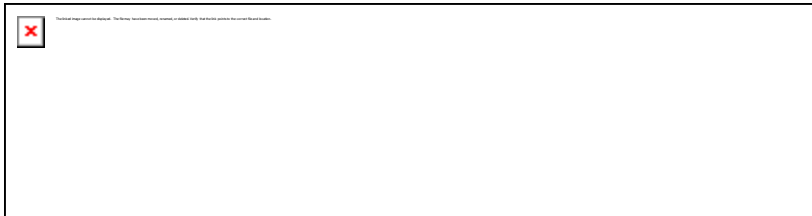
PZ23-12000018

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- I attached a markup that should capture your comments, showing we are not proposing any structures in the areas subject to R/W dedication.
 - To clarify: we will be proposing dry retention area within the dedicated area on the south side to meet drainage requirements, but no drainage structures or paving will be proposed.
 - Thank you, I understand.
 - Also, we will be subject to meeting landscaping buffer/screening requirements - from the existing R/W line presently shown?
 - Yes, landscaping material & trees may be within the existing property lines, and within the future right-of-way.

Dave/ John, Noah has a question directed towards you:

- Existing structures are in the future dedicated areas, but they will be undisturbed by the proposed construction on the east side of the existing building.
 - Can Dave/John provide confirmation that all the existing structures in the future dedicated areas can remain in place for this project?
 - Includes pavement and parking stalls, drainage structures, fence, ADA ramp for entry to SW building entry, etc.



Hours of operation for City Hall is: Monday – Thursday, 7 AM – 6 PM

From: Noah Martin <nmartin@langan.com>

Sent: Tuesday, May 9, 2023 4:18 PM

To: Daniel Keester <Daniel.Keester@copbfl.com>

Cc: Michael Carr <mcarr@Langan.com>; David McGirr <David.McGirr@copbfl.com>; John Sfiropoulos <John.Sfiropoulos@copbfl.com>; Hellena Lahens <Hellena.Lahens@copbfl.com>

Subject: RE: PZ 23-12000018 Planning Comment

Good afternoon Daniel,

Thank you for providing the quick feedback!

- I attached a markup that should capture your comments, showing we are not proposing any structures in the areas subject to R/W dedication.
 - To clarify: we will be proposing dry retention area within the dedicated area on the south side to meet drainage requirements, but no drainage structures or paving will be proposed.
 - Also, we will be subject to meeting landscaping buffer/screening requirements - from the existing R/W line presently shown?
- We will incorporate the necessary linework and add complete R/W dimensions once the survey gets revised showing the full R/W for all roads.

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- Existing structures are in the future dedicated areas, but they will be undisturbed by the proposed construction on the east side of the existing building.
 - Can Dave/John provide confirmation that all the existing structures in the future dedicated areas can remain in place for this project?
 - Includes pavement and parking stalls, drainage structures, fence, ADA ramp for entry to SW building entry, etc.

Much appreciated!

Noah Martin, E.I.T.
Senior Staff Engineer

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From: Daniel Keester <Daniel.Keester@copbfl.com>

Sent: Tuesday, May 9, 2023 3:41 PM

To: Noah Martin <nmartin@langan.com>

Cc: Michael Carr <mcarr@Langan.com>; David McGirr <David.McGirr@copbfl.com>; John Sfiropoulos <John.Sfiropoulos@copbfl.com>; Hellena Lahens <Hellena.Lahens@copbfl.com>

Subject: [External] RE: PZ 23-12000018 Planning Comment

Noah, thanks for your email. Please review my responses, below, and let me know if you have any additional questions. I've added Dave McGirr on this email, as the Engineering review for the proposal & he can share with the City Engineer (John Sfiropoulos) to weigh in on the right-of-way of SW 14 Avenue – if there's any issue or question on the centerline for the City right-of-way.

- *Per discussion with the County, SW 3rd Street dedications are not required at this time, because we are not replatting or platting for this particular proposed improvement. Please confirm the City agrees with this.*
 - Yes, the County correctly explained that the Trafficways Plan is a future requirement that land will need to be dedicated & the time of the required dedication will be with a major addition/ redevelopment or platting. While that dedication may not be required today, or with this proposal, the City will not permit any development in the future right-of-way. The plans will need to illustrate the future right-of-way & structures should not be proposed in the future right-of-way.
- *SW 14th Avenue (west side of the property) we are not proposing any changes either, but there appears to be an existing nonconformance with the C/L being 25' from the ROW line – is this a similar scenario to the above where an additional 5' would be required in the future if platting occurs (but not for now)?*
 - A minor site plan does not require the dedication of land; however, the City does not typically permit structures within the future right-of-way. The future dedications should be noted on the plans. If there's any "nonconformity" to the right-of-way line & the centerline, I think that Dave/John would be the best to speak on where that is or how it's measured – should you have any questions on that.

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From: Noah Martin <nmartin@langan.com>
Sent: Tuesday, May 9, 2023 12:56 PM
To: Daniel Keester <Daniel.Keester@copbfl.com>
Cc: Michael Carr <mcarr@Langan.com>
Subject: PZ 23-12000018 Planning Comment

EXTERNAL Email: Do not reply, click links, or open attachments unless you recognize the sender's **EMAIL ADDRESS** as legitimate and know the contents are safe.

Good afternoon Daniel,

We are in the process of working through one of your comments regarding the ROW along SW 3rd Street (other names include Pompano Park Place/Racetrack Road) for PZ 23-12000018.
I just got off the phone with Broward County Trafficways and explained our scenario of the site being located between SW 3rd Street intersections with SW 13th Avenue and SW 14th Avenue.

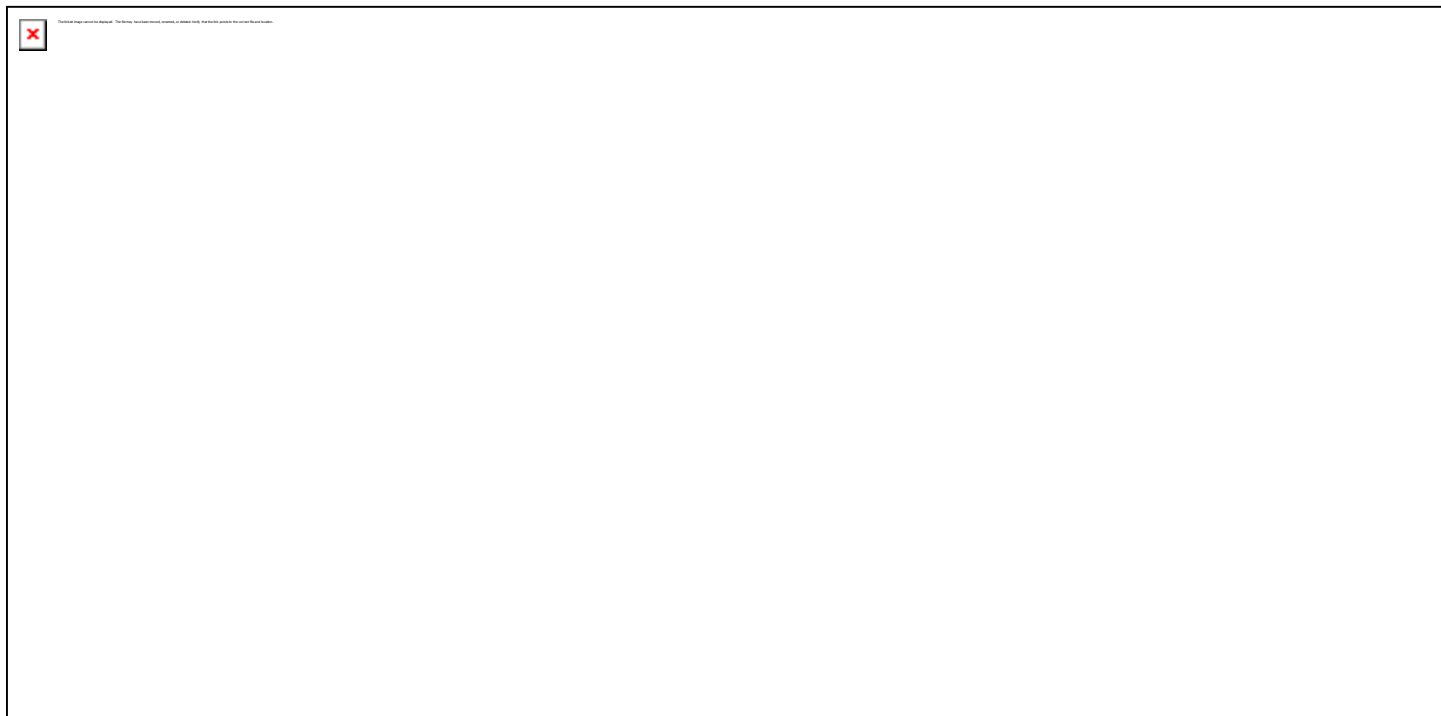


The Brewster County Trafficways Map above shows SW 3rd Street simplified as a 106' ROW, but it does not presently function this way.

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A portion of SW 3rd Street from SW 13th Avenue to SW 15th Avenue tapers down to a lesser ROW width, where existing developments with existing parking stalls appear less than 53' away from the Centerline of Road.



The County explained that if we are proposing to replat and have intentions to change the principal use, change the existing building, etc. then we would be required to meet this Trafficways Map.

Since we are only proposing a truck court and not changing the building, your comment indicates a plat will not be necessary (although the property appears unplatted) – therefore the County stated we would not need to dedicate at this time.

- My 2 main questions are:
 - Per discussion with the County, SW 3rd Street dedications are not required at this time, because we are not replatting or platting for this particular proposed improvement. Please confirm the City agrees with this.
 - SW 14th Avenue (west side of the property) we are not proposing any changes either, but there appears to be an existing nonconformance with the C/L being 25' from the ROW line – is this a similar scenario to the above where an additional 5' *would* be required in the future if platting occurs (but not for now)?

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