



November 1, 2021

Nicole Jaeger, Esquire
Dunay, Miskel & Backman, LLP
14 Southeast 4 Street, Suite 36
Boca Raton, Florida 33432

Via Email Only

Dear Ms. Jaeger:

Re: Platting requirements for a parcel legally described as the North 30.7 feet of Lot 19 and all of Lots 20-23, Block 1, together with all of Lots 33 and 35-36, Block 16, "North Pompano Beach - Section A," according to the Plat thereof, as recorded in Plat Book 29, Page 15, of the Public Records of Broward County, Florida, less portions for right-of-way purposes; together with a vacated portion of Northeast 39 Street. This parcel is generally located on the southwest corner of Federal Highway/U.S. 1 and Northeast 39 Street, in the City of Pompano Beach.

This letter is in response to your correspondence regarding the Broward County Land Use Plan's platting requirements for a proposed non-residential development on the above referenced parcel.

Planning Council staff has determined that replatting **would not be required** by Policy 2.13.1 of the Broward County Land Use Plan. As per the criteria of Policy 2.13.1, replatting is required for the issuance of building permits when constructing a non-residential or multi-family development, unless all of the following conditions are met:

- a. The lot or parcel is smaller than 10 acres and is unrelated to any adjacent development;
- b. The lot or parcel has been specifically delineated in a recorded plat;
- c. All land within the lot or parcel which is necessary to comply with the County Trafficways Plan has been conveyed to the public by deed or easement; and
- d. The proposed development is in compliance with the applicable land development regulations.

The subject parcel is less than 10 acres (approximately 2.39 acres) and meets the specifically delineated requirement. This platting interpretation is subject to the municipality finding that the proposed development is unrelated to any adjacent development, as noted in "a" above.

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It is noted that lands dedicated for right-of-way purposes do not negatively impact the determination of whether or not a subject property meets the specifically delineated requirement.

Planning Council staff notes that when a specifically delineated parcel (i.e., all of Lots 20-23, 33 and 35-36) is combined with land which has been included in a plat recorded before June 4, 1953, but not specifically delineated (i.e., the North 30.7 feet of Lot 19), or with vacated right-of-way delineated (i.e., a vacated portion of Northeast 39 Street), Policy 2.13.1 of the Broward County Land Use Plan does not require replatting if the specifically delineated portion of the parcel constitutes the majority of the enlarged parcel; in this case the specifically delineated portion constitutes a majority of the enlarged parcel.

Some jurisdictions may be more restrictive and require platting in more situations than the Broward County Land Use Plan. The City of Pompano Beach's platting requirements should be investigated.

The contents of this letter are not a judgment as to whether this development proposal complies with the Broward County Trafficways Plan, permitted uses and densities, local zoning, the land development regulations of the municipality or the development review requirements of the Broward County Land Use Plan, including concurrency requirements.

If you have any additional questions concerning the Broward County Land Use Plan's platting requirements, please contact Christina Evans, Planner, at your convenience.

Respectfully,



Barbara Blake Boy
Executive Director

BBB:CME

cc/email: Gregory P. Harrison, City Manager
City of Pompano Beach

David Recor, Director, Development Services
City of Pompano Beach



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