



Staff Report

File #: LN-381

PLANNING AND ZONING BOARD

Meeting Date: JANUARY 25, 2023

ROW ABANDONMENT - PORTION OF NE 13TH AVE

Request: Right-of-Way Abandonment
P&Z# 22-18000001
Owner: City of Pompano Beach
Project Location: Portion of NE 13 Ave between NE 9 ST and NE 8 CT
Folio Number: N/A
Land Use Designation: LM (Low-Medium 5-10 DU/AC)
Zoning District: RD-1 (Two Family Residence) & RS-2 (Single-Family Residence 2)
Commission District: 3 (Alison Fournier)
Agent: N/A
Project Planner: Maggie Barszewski (954-786-7921 / maggie.barszewski@copbfl.com)

This is a City-initiated request to abandon a remnant and unimproved right-of-way shown on the Amended Plat of Pine Crest. The remnant consists of 6,000 square feet (0.14 acres) and is located adjacent to the Pompano Beach Community Park ball fields, at the eastern terminus of NE 9th Street and NE 8th Court, east of NE 12th Avenue. The unimproved right-of-way has already been abandoned to the north and south of the subject property.

REVIEW AND SUMMARY

A. The following Service Providers commented on this request (all such comments must be received prior to City Commission unless conditioned otherwise):

Code Compliance: No Comments necessary
Fire Department: No Objection
Public Works Dept: No Objection
Development Services: No Objection
Utility/Engineering Dept: No Objection
FP&L: No Objection
AT&T: No Comments have been received
TECO Gas: No Comments have been received
Comcast Cable: No Comments have been received

B. Development Services Department staff submits the following factual information which is relevant to this abandonment request:

1. The property is located adjacent and to the west of the Pompano Beach Community Park ball fields.

2. The abandonment would benefit the City since the property is too narrow to be used as a street and the areas north and south of the subject right-of-way have already been abandoned, so there are no plans to use the property for access. Rather than having the City continue to maintain the 35-foot wide area, it can be given to the adjacent property owners as taxable property.

C. Review Standards

Section 155.2431 D. 1. & 2. states that an application for vacation or abandonment of a public right-of-way or easement shall be approved only on a finding that all of the following standards are met:

1. The right-of-way or easement is not now, or in the foreseeable future, of any benefit to the city or its inhabitants; and
2. Vacation or abandonment of the right-of-way or easement is consistent with the comprehensive plan.

D. Staff Analysis

Six of the nine service providers required to comment have have no objection to this request. The Fire Department comments resulted in reducing the size of the area to be abandoned in order to provide a ‘hammerhead’ turnaround. AT&T, Teco, & Comcast are the only service providers that have not yet submitted comments, regarding this request, therefore, a condition will be recommended to ensure this is addressed prior to first reading by City Commission.

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Based on the above-noted exceptions, the abandonment of this right-of-way meets the abandonment standards of Section 155.2431D. 1. & 2, and therefore staff recommends approval of this request with conditions.

DEPARTMENT RECOMMENDATION

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. All necessary service provider comments shall be submitted with a ‘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.

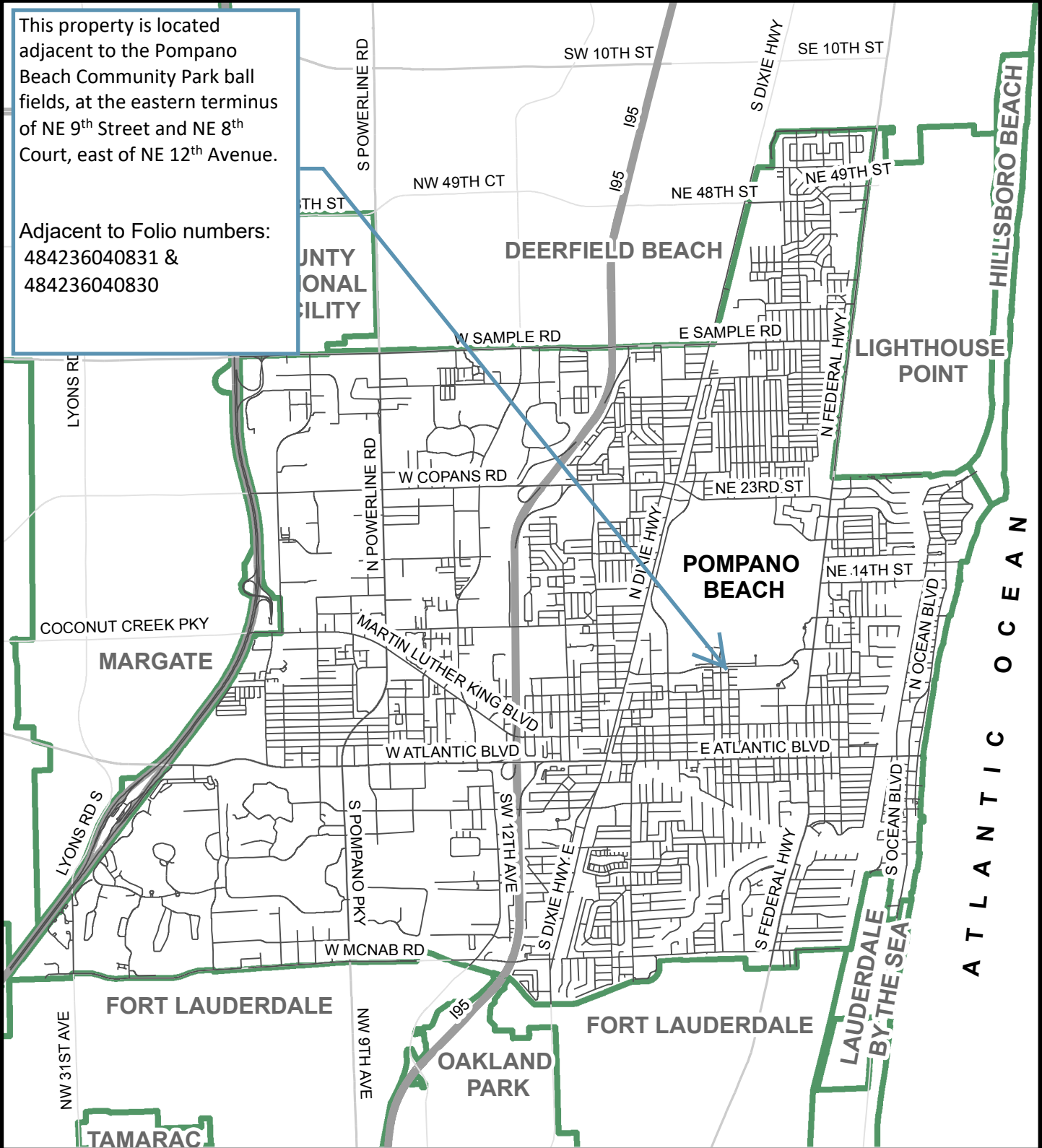
Staff recommends alternative motion number I.

CITY OF POMPANO BEACH LOCATION MAP



This property is located adjacent to the Pompano Beach Community Park ball fields, at the eastern terminus of NE 9th Street and NE 8th Court, east of NE 12th Avenue.

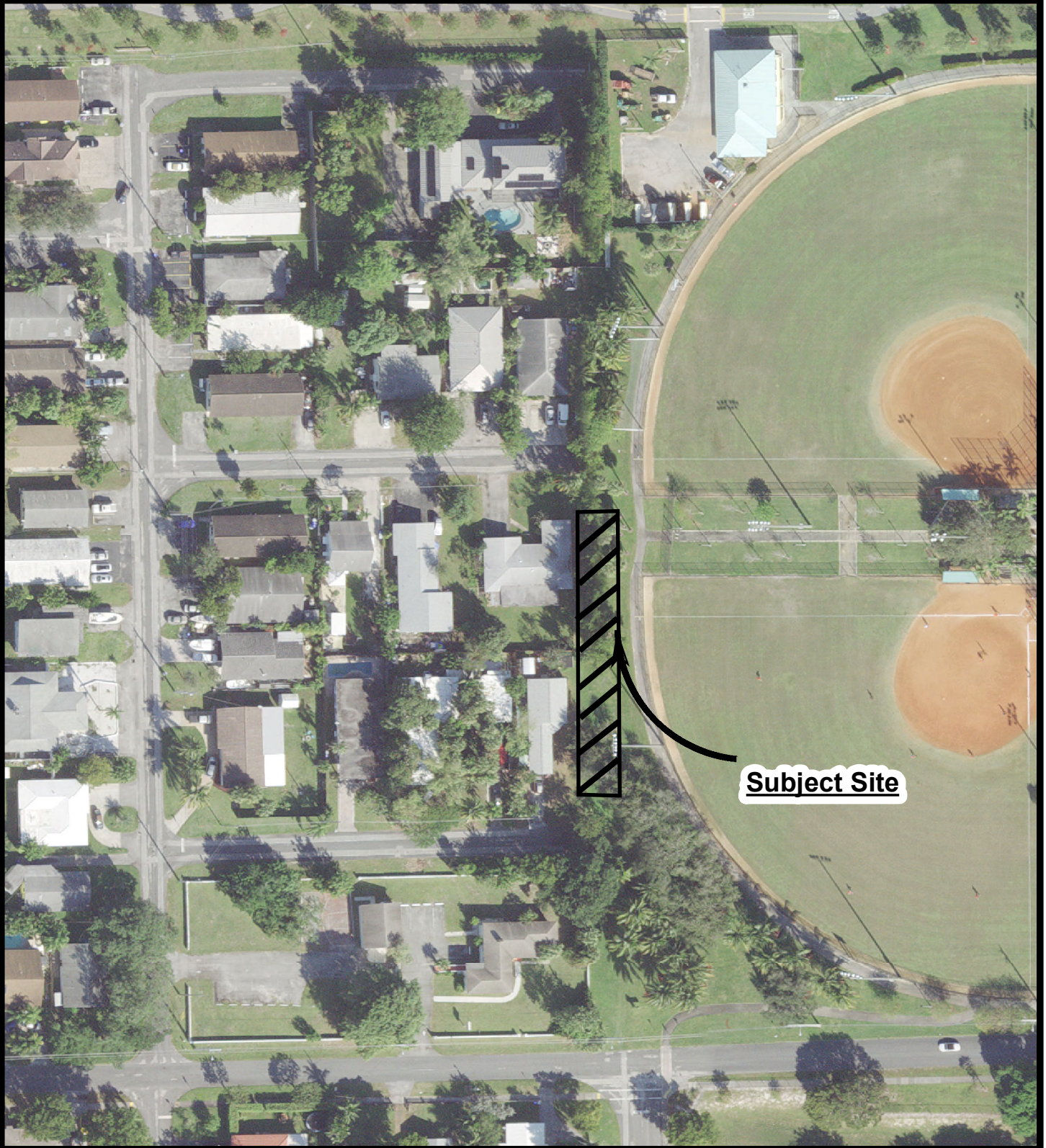
Adjacent to Folio numbers:
484236040831 &
484236040830



1 in = 1 miles

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DEPARTMENT OF
DEVELOPMENT SERVICES

CITY OF POMPANO BEACH AERIAL MAP

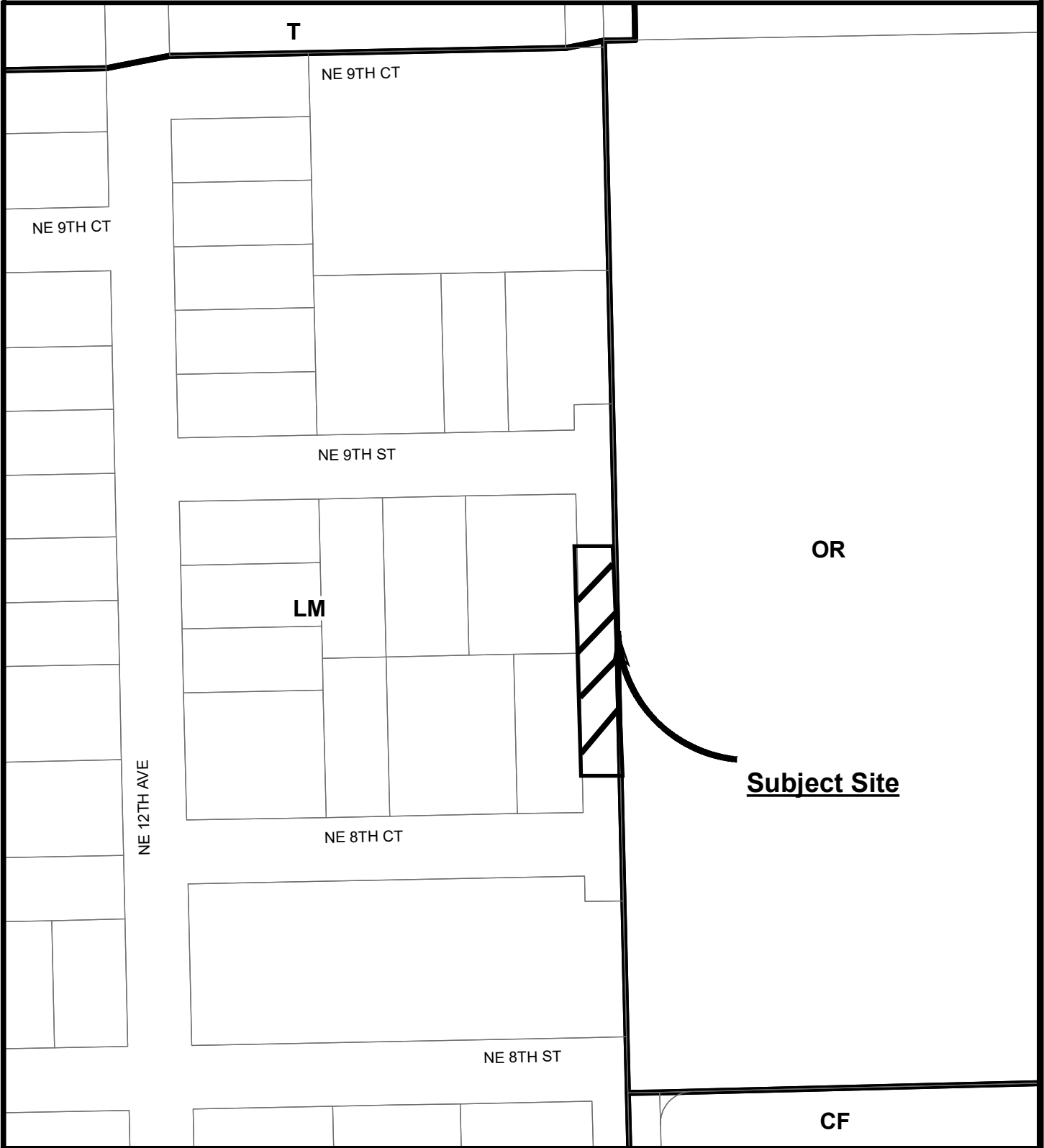


Subject Site

1 in = 108 ft

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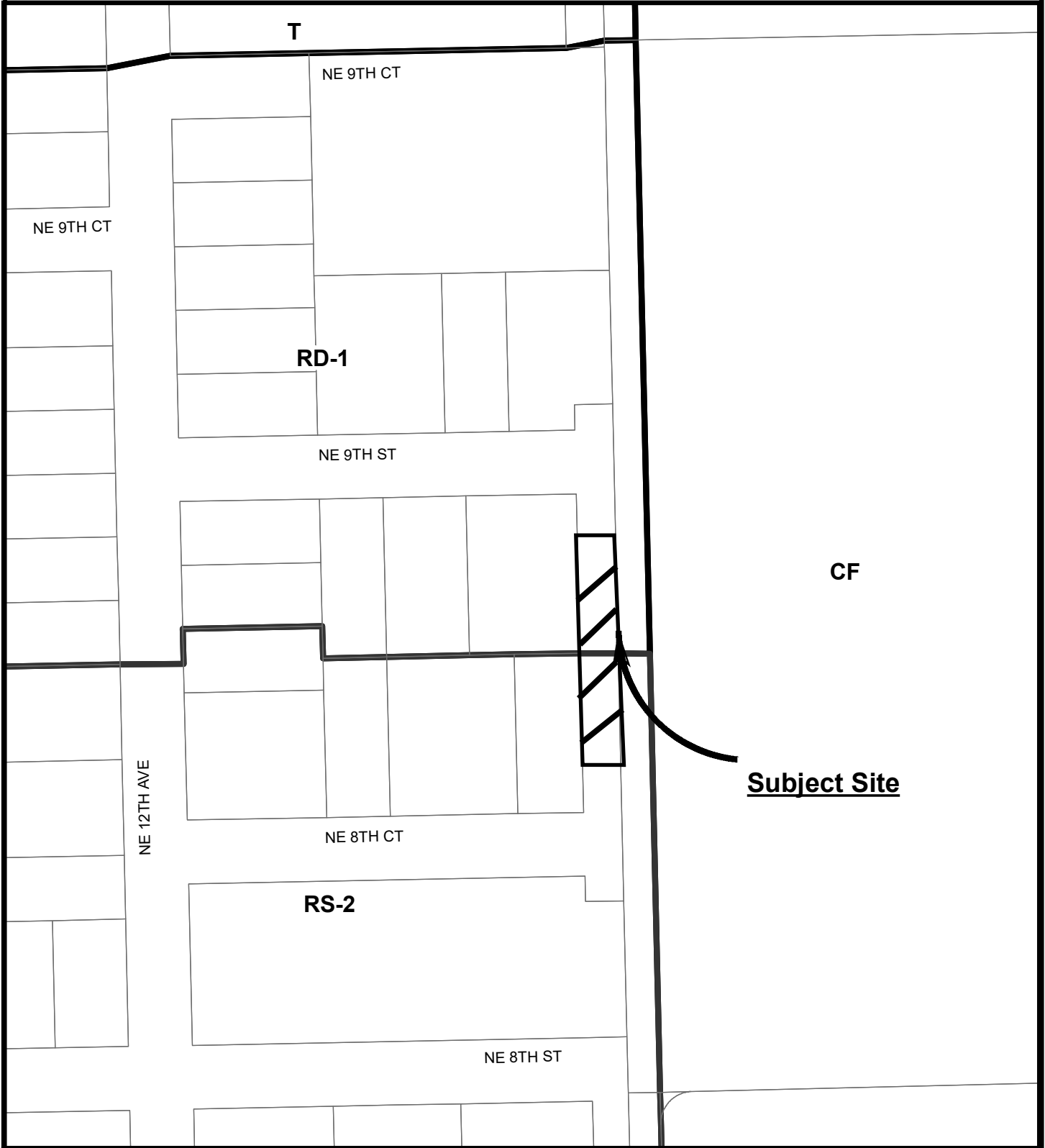
CITY OF POMPANO BEACH OFFICIAL LAND USE MAP



1 in = 108 ft

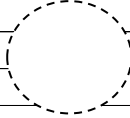
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CITY OF POMPANO BEACH OFFICIAL ZONING MAP



1 in = 108 ft

LEGEND

FOR LAND USE PLAN		FOR ZONING MAP	
Symbol	Classification Units/ Acre	Symbol	District
		RS-1	Single-Family Residence 1
L	Low (1-5 DU/AC)	RS-2	Single-Family Residence 2
* LM	Low- Medium (5-10 DU/AC)	RS-3	Single-Family Residence 3
M	Medium (10-16 DU/AC)	RS-4	Single-Family Residence 4
MH	Medium-High 16-25 DU/AC)	RS-L	Single-Family Residence Leisureville
H	High (25-46 DU/AC)		
12	Irregular Density	* RD-1	Two- Family Residence
36	Irregular Density		
		RM-7	Multiple-Family Residence 7
C	Commercial	RM-12	Multiple-Family Residence 12
CR	Commercial Recreation	RM-20	Multiple-Family Residence 20
		RM-30	Multiple-Family Residence 30
I	Industrial	RM-45	Multiple-Family Residence 45
		MH-12	Mobile Home Park
T	Transportation		
		B-1	Limited Business
U	Utilities	B-2	Neighborhood Business
		B-3	General Business
CF	Community Facilities	B-4	Heavy Business
		M-1	Marina Business
OR	Recreation & Open Space	CR	Commerical Recreation
W	Water	I-1	General Industrial
		I-1X	Special Industrial
RAC	Regional Activity Center	O-IP	Office Industrial Park
		M-2	Marina Industrial
LAC	Local Activity Center		
		TO	Transit Oriented
DPTOC	Downtown Pompano	PR	Parks & Recreation
	Transit Oriented Corridor	CF	Community Facilities
	Number	PU	Public Utility
		T	Transportation
		BP	Business Parking
		LAC	Local Activity Center
*	Current Designation		
>	Proposed Designation	RPUD	Residential Planned Unit Dev.
		PCD	Planned Commercial Development
		PD-TO	Planned Development - Transit Oriented
		PD-I	Planned Development - Infill
		RM-45 HR	Multiple-Family Residence 45 High Rise-Overlay
		AOD	Atlantic Boulevard Overlay District
		CRAO	Community Redevelopment Area Overlay
		NCO	Neighborhood Conservation Overlay
		APO	Air Park Overlay
		DP	Downtown Pompano Beach Overlay