



Staff Report

File #: LN-173

PLANNING AND ZONING BOARD

Meeting Date: JANUARY 26, 2022

**ASSISTED LIVING FACILITY EASEMENT ABANDONMENT**

**Request:** Abandonment  
**P&Z#** 21-27000002  
**Owner:** Christallis Manor III, LLC  
**Project Location:** 420 N Riverside Drive  
**Folio Number:** 484331120202  
**Land Use Designation:** High (25-46 DU/ AC)  
**Zoning District:** RM-45 (Multi-Family Residence 45)  
**Commission District:** 1 (Andrea McGee)  
**Agent:** Amparo Dierking (954-274-5573)  
**Project Planner:** Maggie Barszewski (954-786-7921 / maggie.barszewski@copbfl.com)

**Summary:**

This is a request to abandon an 18 by 3-foot portion of a Utility easement, by Amparo Dierking on behalf of Christallis Manor, LLC. The utility easement had been recorded as part of the Surfside Villas Plat, O. R. Book 26, Page 43. A portion of the structure now housing the Christallis Manor Assisted Living was constructed encroaching the utility easement that has no assets within it. The structure was built in 1979 and the applicant only wants to abandon the portion of the easement where the encroachment exists in order to clear the title on the 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):**

- Community Redevelopment: No Objection
- Code Compliance: No Objection
- Fire Department: No Objection
- Public Works Department: No Objection
- Development Services: No Objection
- Utility Department: No Objection
- FP&L: No Comments have been received



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 at 420 N. Riverside.
2. The Applicant's request is necessary in order to clear the title on the 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**

All of the service providers that have submitted comments have stated they have no objection to this request. There are four service providers that have not yet submitted comments, which include: FP&L AT&T, Teco Gas Company and Comcast. Therefore a condition will be recommended to ensure this is addressed prior to first reading by the City Commission.

With the condition of submitting the above-noted missing comments, the abandonment of this easement meets the abandonment standards of Section 155.2431D.1. & 2, and therefore staff recommends approval of this request with one condition.

**Staff 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. 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.

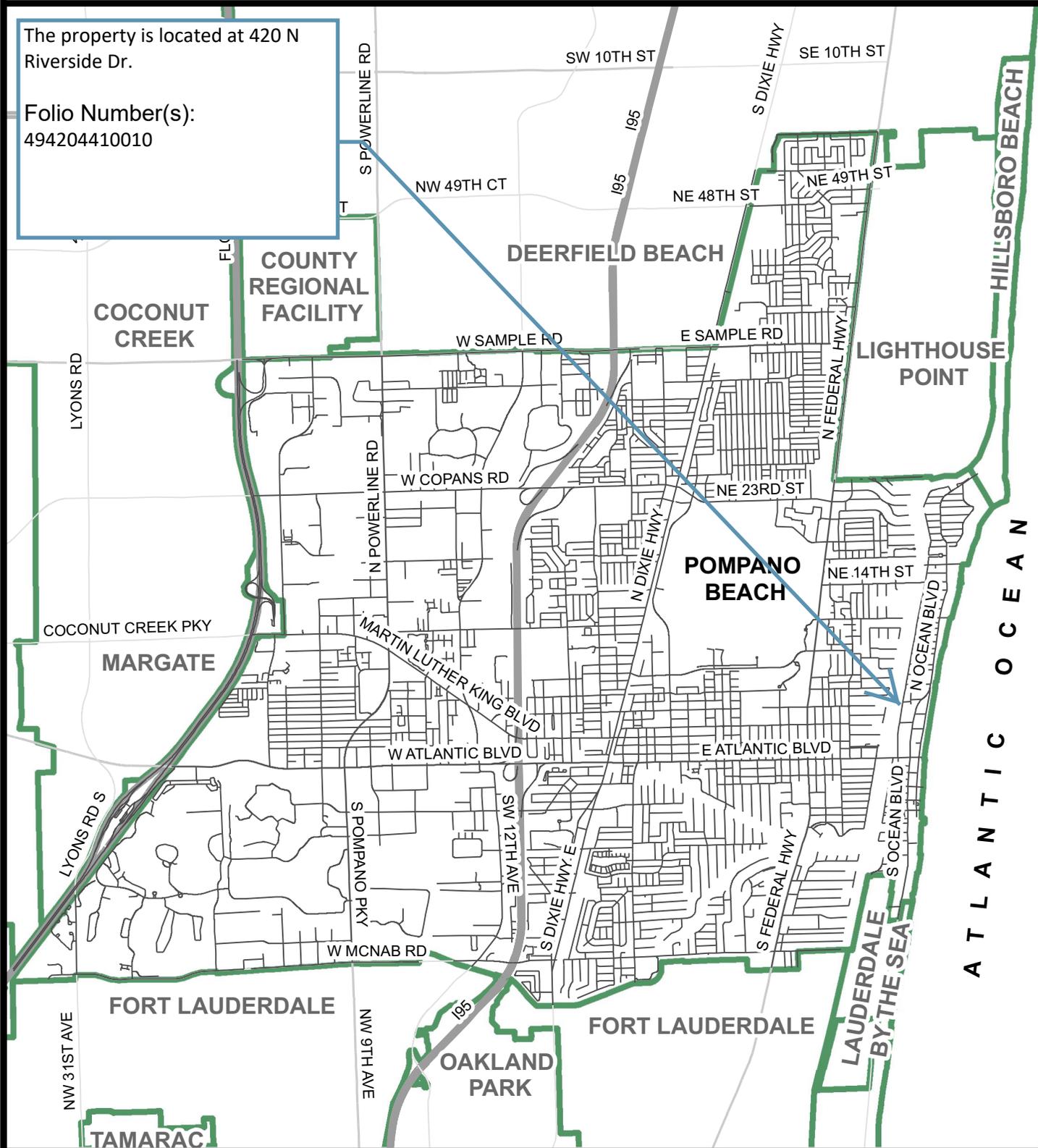
Staff recommends alternative motion number I.

# CITY OF POMPANO BEACH LOCATION MAP



The property is located at 420 N  
Riverside Dr.

Folio Number(s):  
494204410010



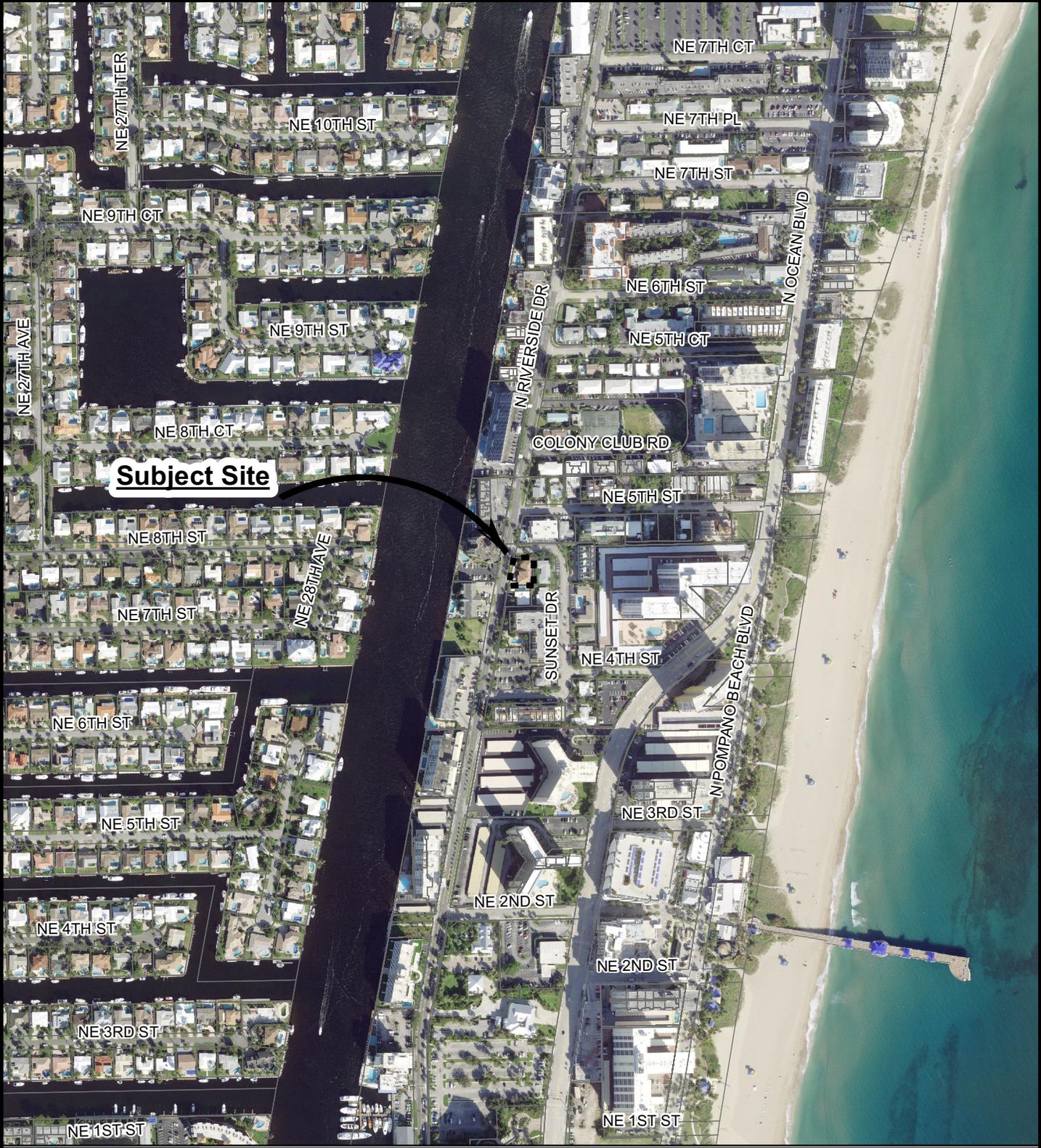
**P&Z**  
Scale = 1 miles  
7/30/2017 KeeDan

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DEVELOPMENT SERVICES

PZ21-27000002  
1/26/2022

# CITY OF POMPANO BEACH AERIAL MAP



**Subject Site**

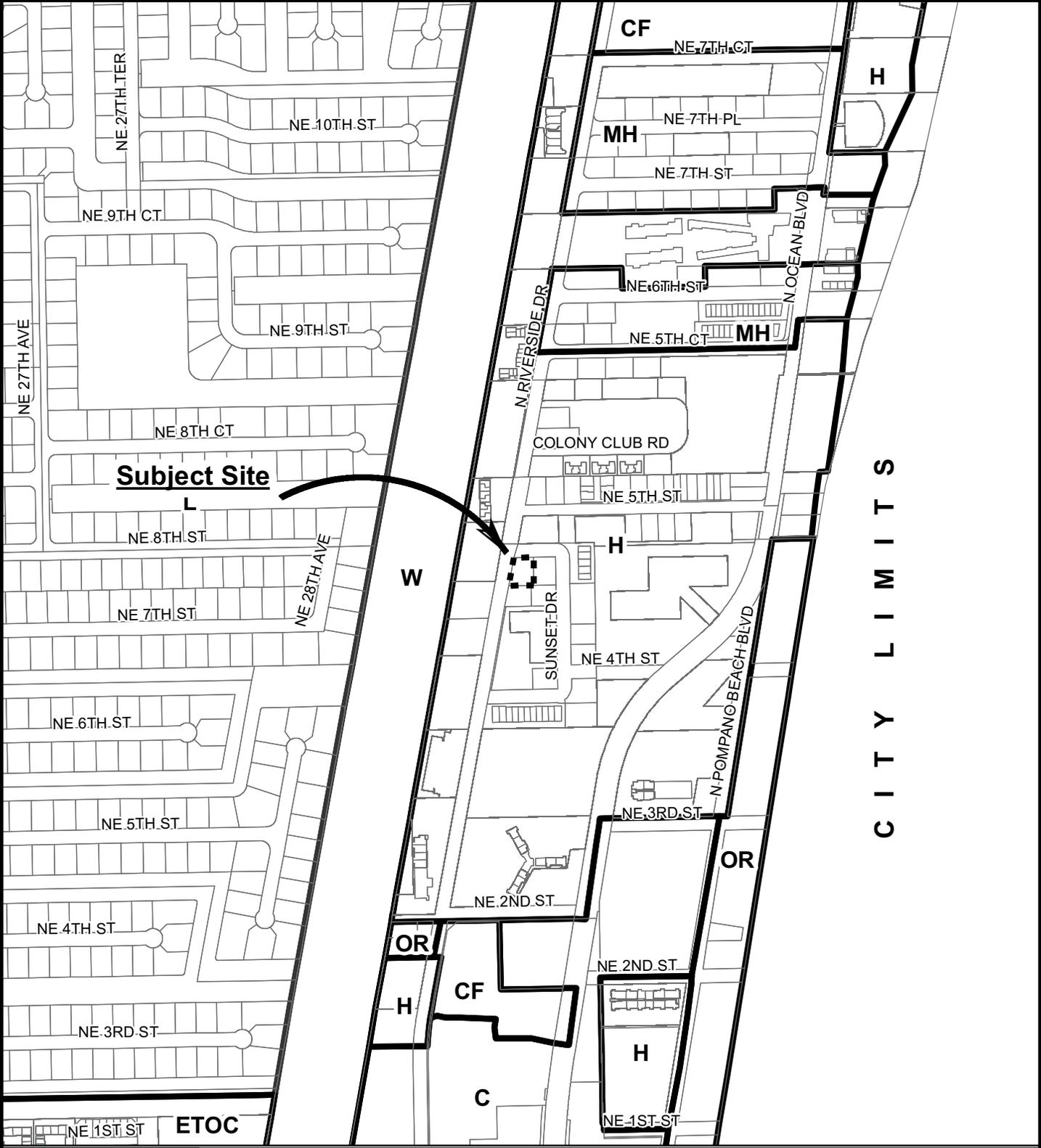
**P & Z**  
1/1/2022 KeeDan

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# CITY OF POMPANO BEACH OFFICIAL LAND USE MAP



CITY LIMITS

**Subject Site**

L

W

OR

H

CF

C

NE 2ND ST

H

NE 1ST ST

OR

NE 3RD ST

NE 4TH ST

H

NE 5TH ST

COLONY CLUB RD

NE 5TH CT

MH

NE 6TH ST

NE 7TH ST

MH

NE 7TH PL

CF

NE 7TH CT

H

NE 8TH ST

NE 8TH CT

NE 9TH ST

NE 9TH CT

NE 10TH ST

NE 27TH TER

NE 27TH AVE

NE 28TH AVE

NE 7TH ST

NE 6TH ST

NE 5TH ST

NE 4TH ST

NE 3RD ST

NE 1ST ST

ETOC

**P & Z**  
Scale = 500 ft

1/11/2022

KeeDan

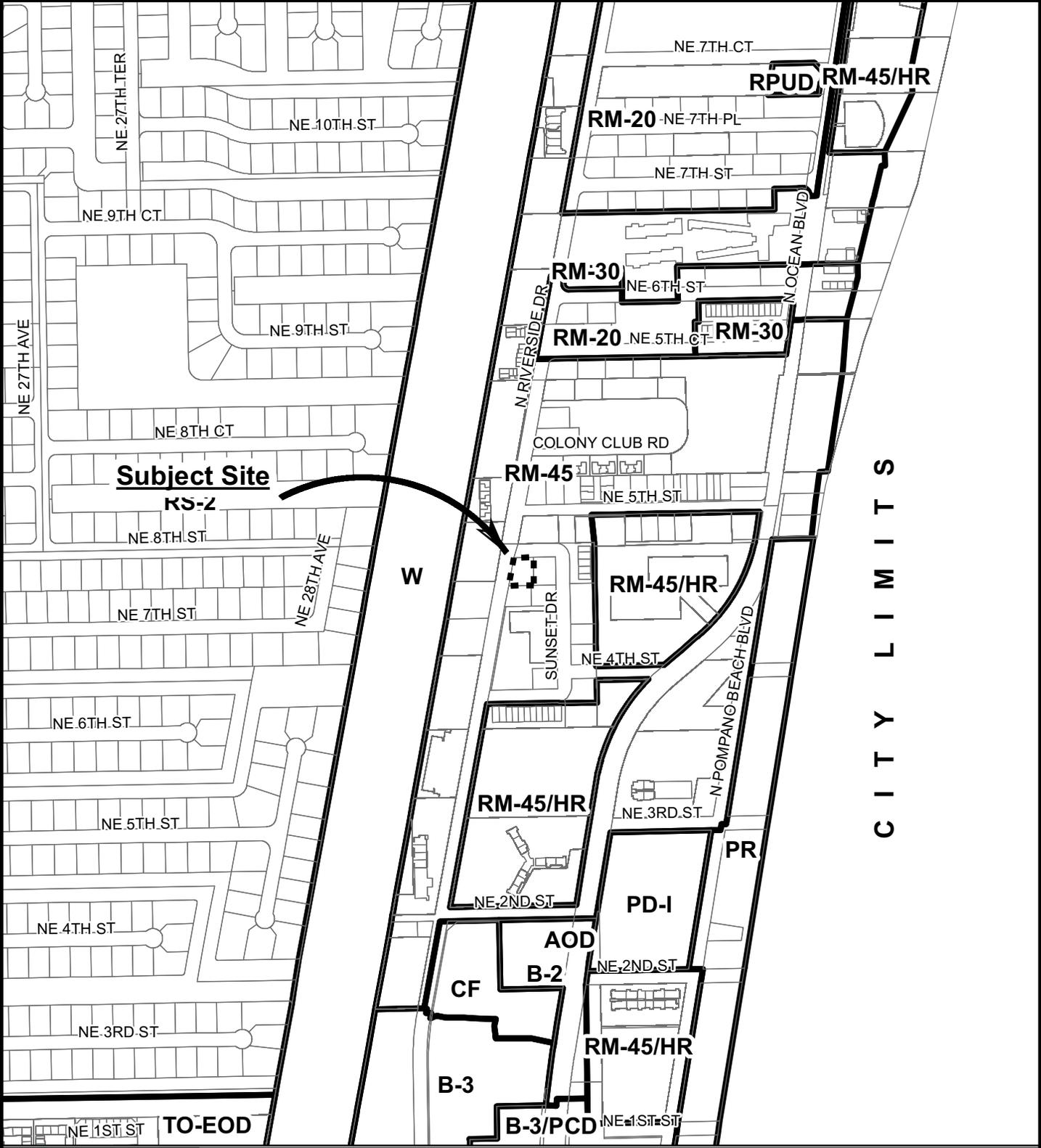
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PZ21-27000002

1/26/2022

# CITY OF POMPANO BEACH OFFICIAL ZONING MAP



**Subject Site**  
**KS-2**

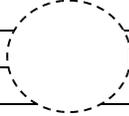
CITY LIMITS

**P & Z**  
1/11/2022 KeeDan

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## 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
		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

# P&Z