



Staff Report

File #: LN-552

PLANNING AND ZONING BOARD

Meeting Date: FEBRUARY 28, 2024

ZION MISSION EASEMENT ABANDONMENT

Request: Easement Abandonment
P&Z# 23-27000005
Owner: Zion Mission Inc
Project Location: NE 1 Ave
Folio Number: 484223090270
Land Use Designation: M (Medium 10-16 DU/AC)
Zoning District: RM-20 (Multiple-Family Residence 20)
Commission District: 2 (Rhonda Sigerson-Eaton)
Agent: Carolina Brito (carolinabrito@gmail.com)
Project Planner: Maggie Barszewski (954-786-7921 / Maggie.barszewski@copbfl.com)

Summary:

This is a request to abandon a 12-foot wide utility easement by Applicant, Carolina Brito, on behalf of the owner, the Zion Mission Inc. The easement is shown on the face of the Pompano Estates Third Addition, Plat Book 58, Page 30 and Pompano Estates, Plat Book 36, Page 38. This had been a perimeter utility easement located on a triangular remnant parcel left from the construction of I-95, which is on the west side of NE 1st Avenue. The lot includes portions of 2 parcels separated by what had been a perimeter utility easement. There are no utility assets within the easement. The property owner wants to sell the parcel to a builder who intends to construct one single-family home on the property without being encumbered by this easement.

REVIEW

A. The following Service Providers commented on this request:

Code Compliance: No Objection
Fire Department: No Objection
Public Works Department: No Objection
Development Services: No Objection
Utilities Department: No Objection
FP&L: No Objection
AT&T: No Comments have been received
FDOT Not Applicable
TECO Gas: No Objection
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 subject utility easement property to be abandoned is located on a triangular remnant parcel left from the construction of I-95.
2. The Applicant's request is necessary in order to develop the property without being encumbered by this easement.

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 City service providers have stated they have no objection to this request. There are two service providers that have not yet submitted comments, Comcast and AT&T. The outstanding statements of no objection are required prior to the City Commission consideration.

With the exception of the outstanding letters of no objection, the abandonment of this easement meets the standards of Section 155.2431D.1. & 2, and therefore staff recommends approval of this request.

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 as the Board finds that the easement abandonment meets the standards of Section 155.2431D.1. & 2. With the following condition:

1. All outstanding letters of no objection must be received prior to the City Commission hearing.

II- Table

Table this abandonment request to allow time for the Applicant to address any issues raised by the affected parties, the Board or the general public.

Staff recommends alternative motion number I.

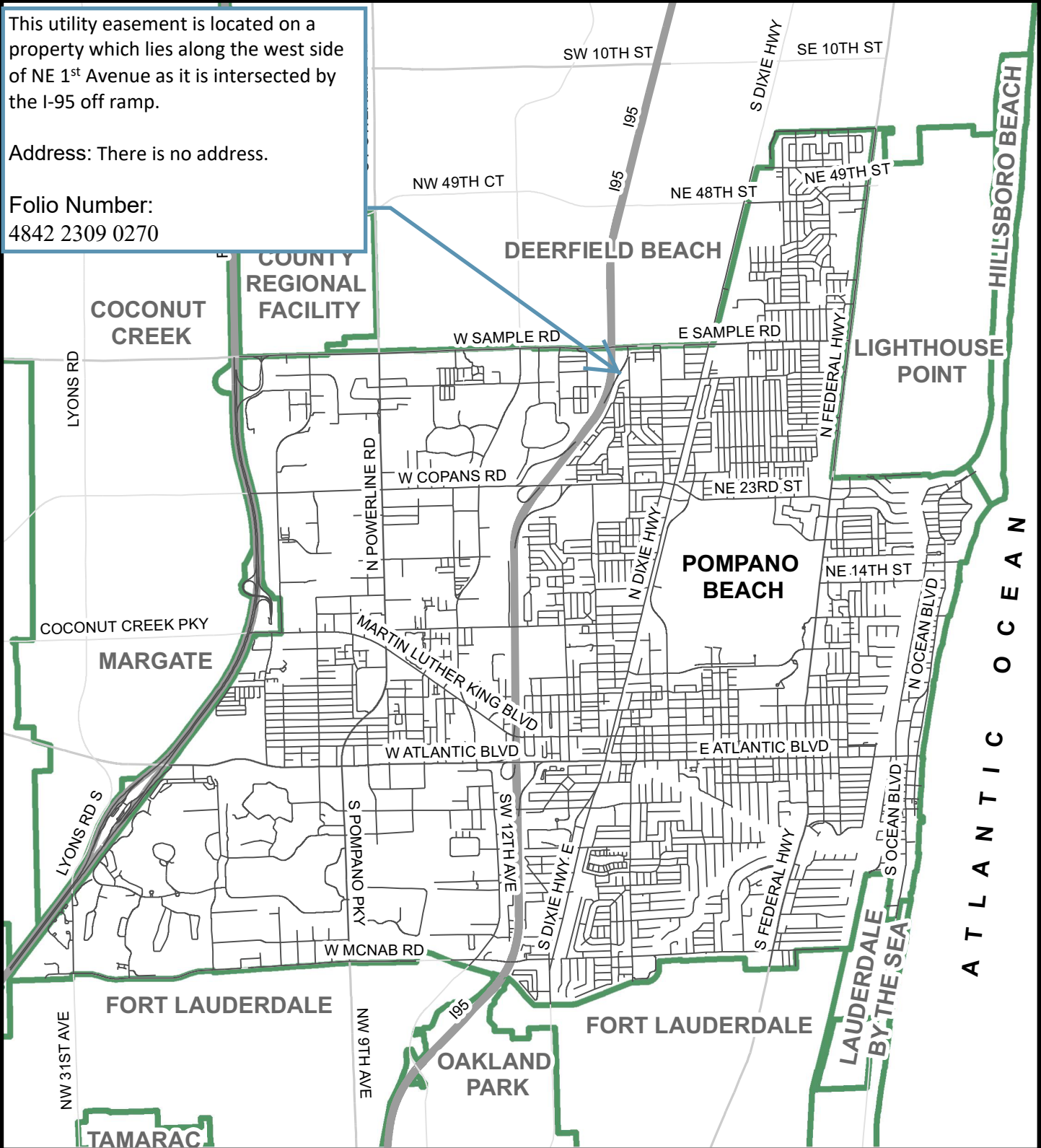
CITY OF POMPANO BEACH LOCATION MAP



This utility easement is located on a property which lies along the west side of NE 1st Avenue as it is intersected by the I-95 off ramp.

Address: There is no address.

Folio Number:
4842 2309 0270



P&Z
Scale = 1 mile
7/30/2017 KeeDan

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PZ23-27000005
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CITY OF POMPANO BEACH AERIAL MAP



Subject Site

**12 FT Utility
Easement
Abandonment**

SAMPLE RD RAMP

NE 1ST AVE

NE 1ST TER

NE 35TH ST

P & Z
in = 100 ft
2/12/2024 AdkBob

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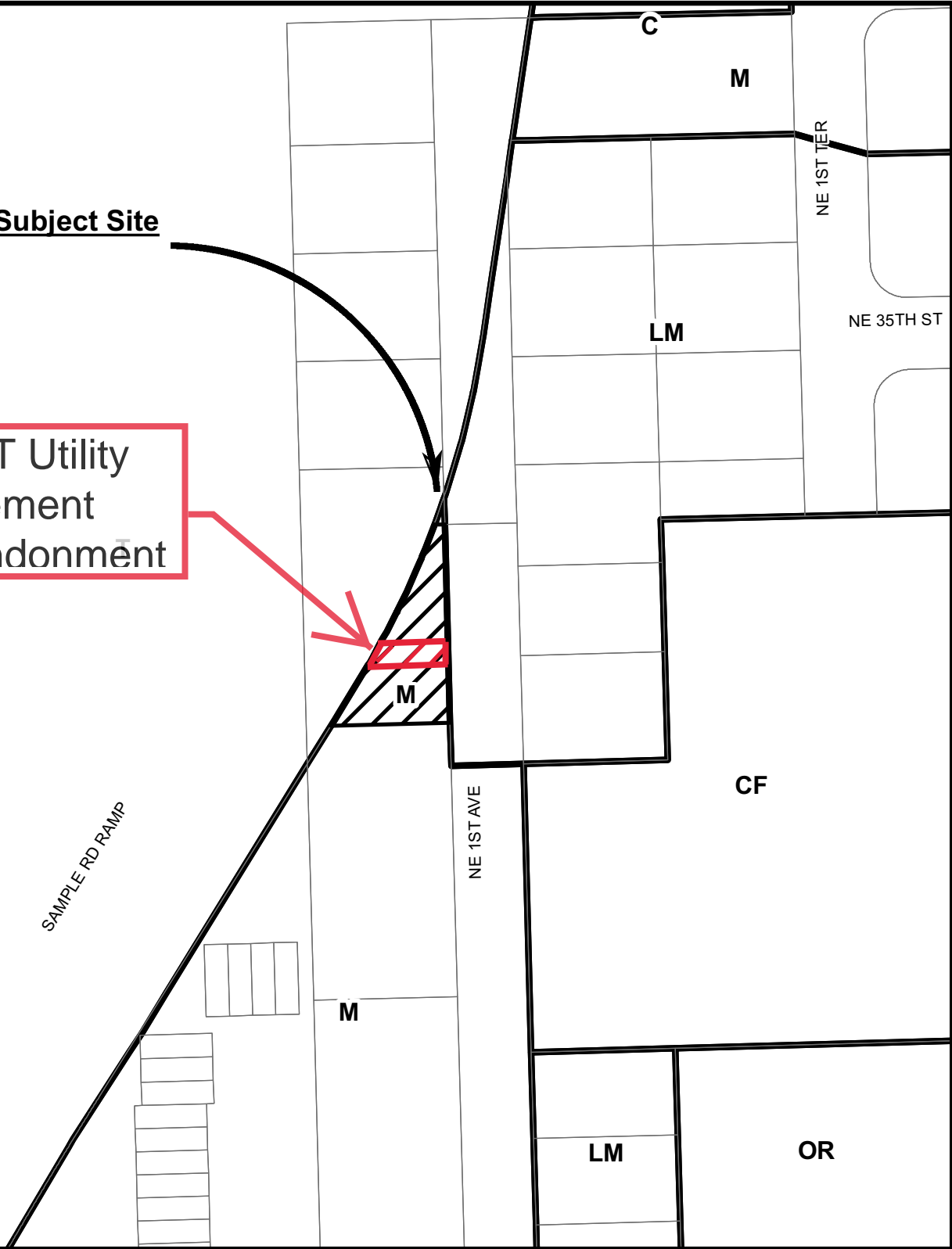
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CITY OF POMPANO BEACH
OFFICIAL LAND USE MAP



Subject Site

12 FT Utility
Easement
Abandonment



P&Z
in = 10 ft
2/12/2024 AdkBob

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CITY OF POMPANO BEACH OFFICIAL ZONING MAP



Subject Site

12 FT Utility
Easement
Abandonment

RM-20

NE 1ST TER

NE 35TH ST

RM-12

RM-20

CF

NE 1ST AVE

RM-20

RM-12

PR

SAMPLE RD RAMP

P&Z

Scale = 10 ft

2/12/2024

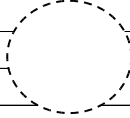
AdkBob

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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			
ETOC	East Transit Oriented Corridor		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
			EOD	East Overlay District
			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
			DPOD	Downtown Pompano Beach Overlay

P&Z

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