



City of Pompano Beach

100 West Atlantic Blvd.
Pompano Beach, FL 33060

Staff Report

File #: LN-589

PLANNING AND ZONING BOARD

Meeting Date: APRIL 24, 2024

FIBERBUILT UMBRELLAS ROW ABANDONMENT

Request: Right-Of-Way Abandonment
P&Z# 24-18000001
Owner: 2201 LLC
Project Location: Six Lots North of 2201 W Atlantic Blvd
Folio Number: 484233054280; 484233054282; 484233054285; 484233054284; 484233054281; 484233054283
Land Use Designation: LM (Low-Medium 5-10 DU/AC)
Zoning District: RM-12 (Multiple-Family Residence 12)
Commission District: 4 (Beverly Perkins)
Agent: John Tice (jtice@galloherbert.com / 954-703-8103)
Project Planner: Jean Dolan (jean.dolan@copbfl.com / 954-786-4045)

This is a request by the property owner to abandon right-of-way that was dedicated via deeds for several properties that have since been purchased for consolidation and development as part of the commercial property to the south. The affected properties include:

- the north 25' of Folio Number 484233054280 (herein after referred to as Parcel 1);
- the north 25' of Folio Number 484233054282 (herein after referred to as Parcel 2);
- the north 25' of Folio Number 484233054284 (herein after referred to as Parcel 4); and
- the north 25' of Folio Number 484233054283 (herein after referred to as Parcel 6).

The attached exhibit shows the subject parcels and rights-of-way. There have been no improvements to or utilities built in the dedicated right-of-way to be abandoned.

REVIEW AND SUMMARY

A. The following Service Providers commented on this request:

Code Compliance:.....No Objection
Fire Department:.....No Objection
Public Works Department:.....No Objection
Utilities Department:.....No Objection
FP&L:.....No Objection
AT&T:.....No Objection
TECO Gas:.....No Objection
Comcast Cable:.....No Response

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

1. The right-of-way dedications are generally located on the north 25' of the subject lots and were intended to provide access to the subject lots. The dedications are not continuous and do not create any potential of forming a road or an alley for access to the lots that dedicated the land.
2. The SF homes to the north of the incomplete dedicated right-of-way were never intended to be accessed from the south. In fact, if this right-of-way were to ever become a legal road, the properties to the north would have to dedicate the southern-most 25' of their lots as right-of-way. The lots to the north were designed and built over 40 years ago to front on and have access to NW 2nd Street. There is no requirement to create a street or alley in the backyard of these lots.
3. The Applicant has purchased all the lots that dedicated this random right-of-way as well as the intervening lots that did not dedicate ROW (referred to in the attached Exhibit as Parcels 3 and 5). The Applicant has plans to consolidate and develop the lots without providing access from the north. The random dedications, therefore, are not needed to provide access to the lots that dedicated the land. Per note #2 above, the dedication was never intended to provide access to the rear yards of the lots to the north which were built to have access to and from NW 2nd Street.

C. Review Standards

Section 155.2431 D. 1. & 2. state 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. Only Comcast failed to respond to the inquiry.

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 Motion 1:

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. That the Applicant provides the no objection letter from Comcast.

Alternative Motion 2

Table this abandonment request to allow time for the Applicant to address any outstanding issues identified by the Board, staff or the affected parties.

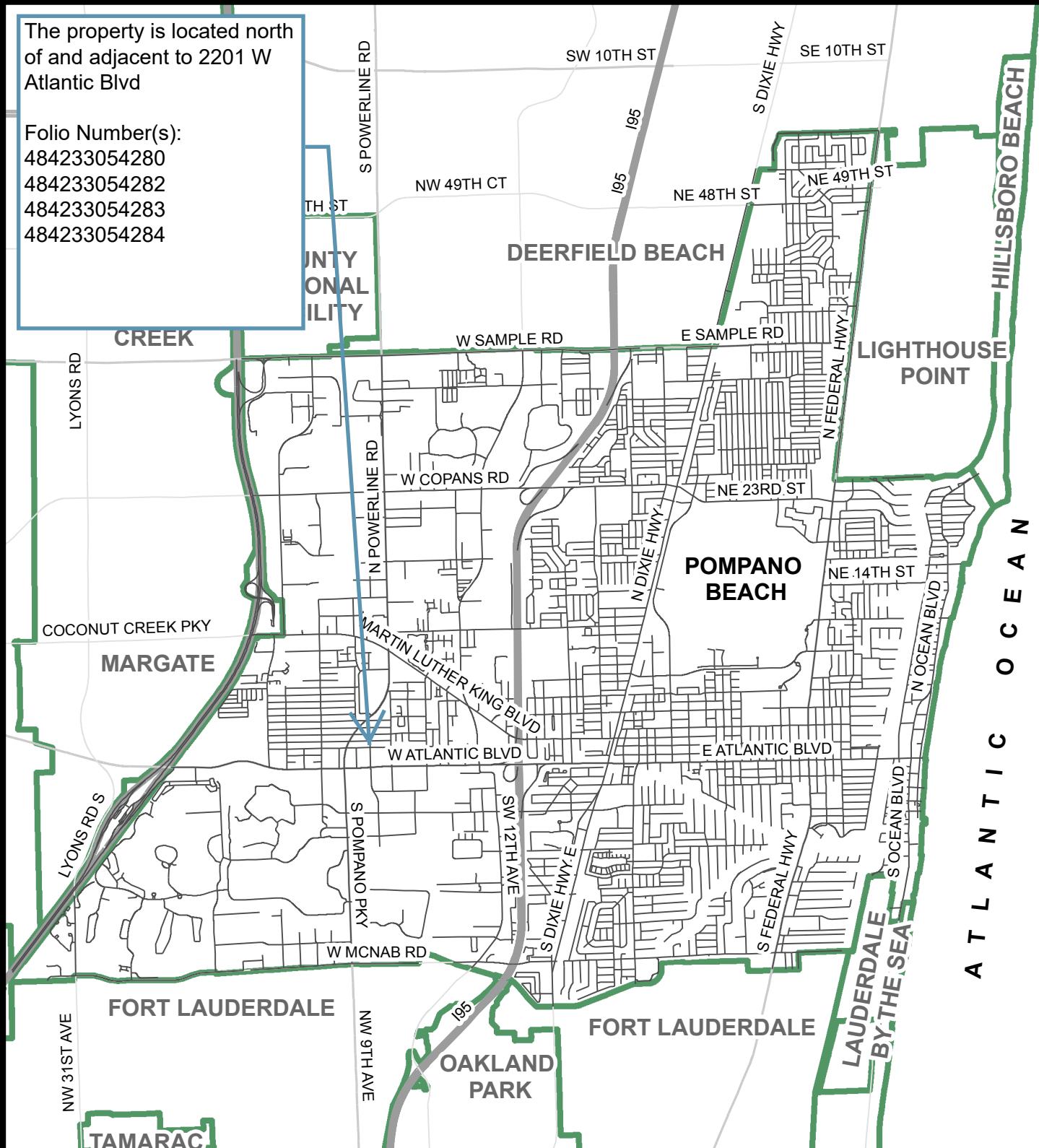
Staff recommends alternative motion number 1.

CITY OF POMPANO BEACH LOCATION MAP



The property is located north of and adjacent to 2201 W Atlantic Blvd

Folio Number(s):
484233054280
484233054282
484233054283
484233054284



1 in = 1 miles

CITY OF POMPANO BEACH AERIAL MAP



1 in = 104 ft

CITY OF POMPANO BEACH OFFICIAL LAND USE MAP



Subject Site

25 FT ROW Abandonment

CF

NW 23RD AVE

LM

C

1 in = 104 ft

CITY OF POMPANO BEACH OFFICIAL ZONING MAP



Subject Site

25 FT ROW Abandonment

RM-12

Parcel 1

Parcel 2

Parcel 3

Parcel 4

Parcel 5

Parcel 6

CF

B-3

NW 23RD AVE

T

W ATLANTIC BLVD

W

1 in = 104 ft

LEGEND

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