



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.barszewki@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.

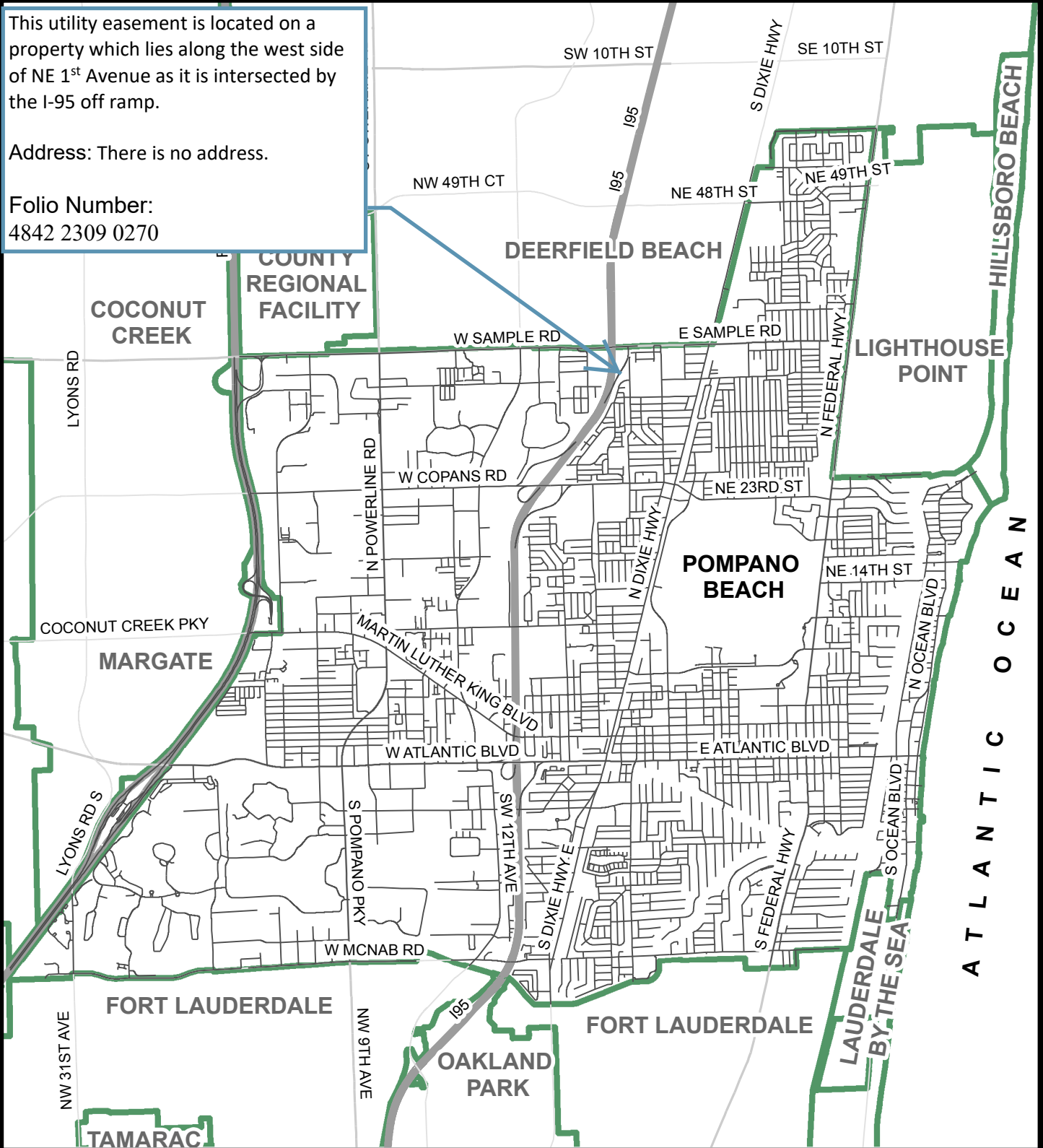
CITY OF POMPANO BEACH LOCATION MAP



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



1 in = 1 miles

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

CITY OF POMPANO BEACH AERIAL MAP



1 in = 104 ft

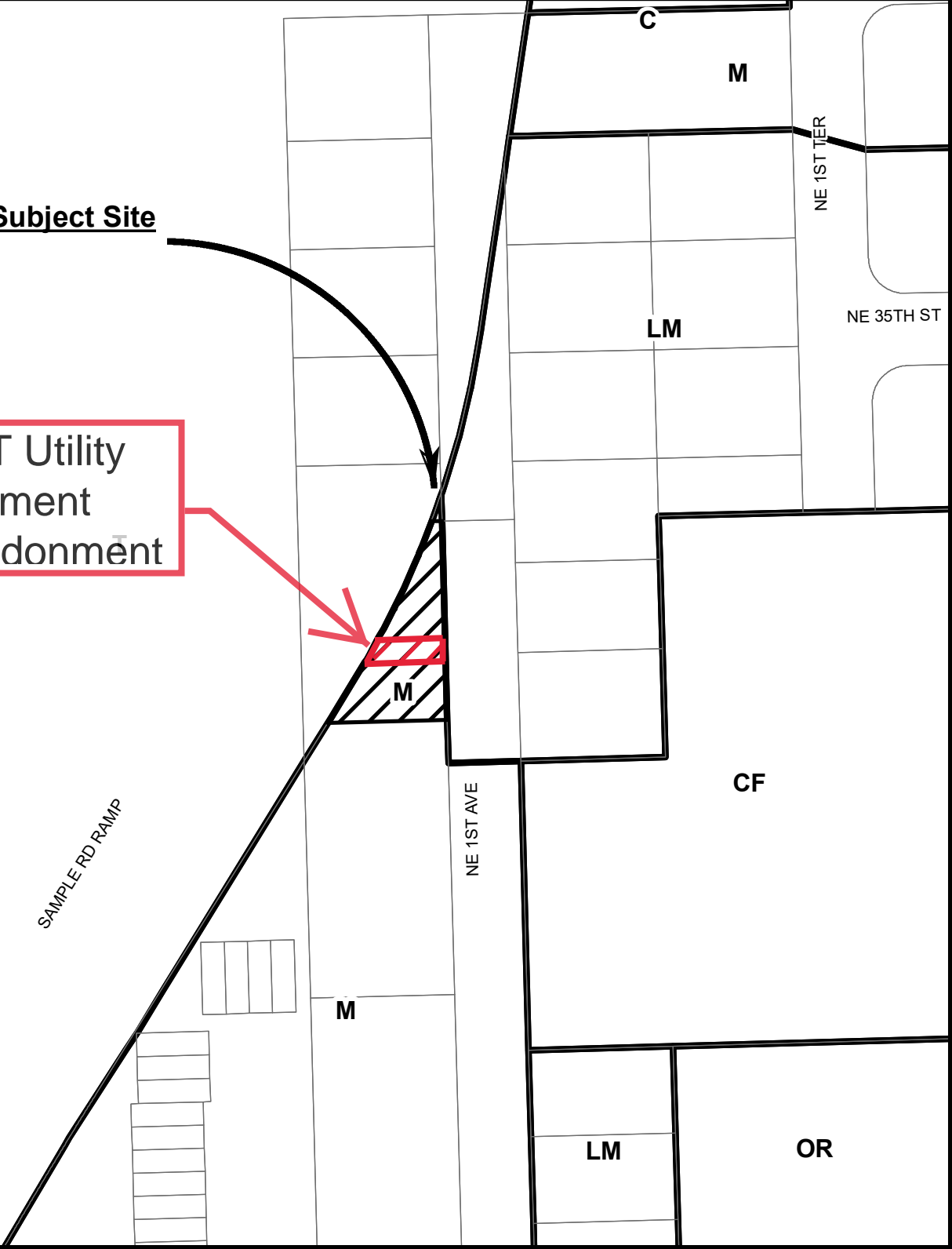
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DEPARTMENT OF
DEVELOPMENT SERVICES

CITY OF POMPANO BEACH OFFICIAL LAND USE MAP



Subject Site

12 FT Utility
Easement
Abandonment



1 in = 104 ft

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

CITY OF POMPANO BEACH OFFICIAL ZONING MAP



Subject Site

12 FT Utility
Easement
Abandonment

RM-20

RM-20

RM-12

CF

RM-12

PR

NE 1ST TER

NE 35TH ST

SAMPLE RD RAMP

NE 1ST AVE

RM-20

1 in = 104 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	RS-4	Single-Family Residence 4
	MH	RS-L	Single-Family Residence Leisureville
	H		
	12	RD-1	Two- Family Residence
	36		
		RM-7	Multiple-Family Residence 7
	C	RM-12	Multiple-Family Residence 12
	CR	*	RM-20
	Commercial Recreation		Multiple-Family Residence 20
			RM-30
	I		Multiple-Family Residence 30
	Industrial		RM-45
			Multiple-Family Residence 45
	T		MH-12
	Transportation		Mobile Home Park
		B-1	Limited Business
	U	B-2	Neighborhood Business
	Utilities	B-3	General Business
		B-4	Heavy Business
	CF	M-1	Marina Business
	Community Facilities		
		CR	Commerical Recreation
	OR		
	Recreation & Open Space		
	W	I-1	General Industrial
	Water	I-1X	Special Industrial
		O-IP	Office Industrial Park
	RAC	M-2	Marina Industrial
	Regional Activity Center		
	LAC		
	Local Activity Center		
	ETOC	TO	Transit Oriented
	East Transit Oriented Corridor	PR	Parks & Recreation
	DPTOC	CF	Community Facilities
	Downtown Pompano		
	Transit Oriented Corridor	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