

Darlene Lumkin  
Debra Holmes  
Willie Pinkney  
Jorge Gutierrez  
Richard Berrie  
Mike Gai

**C.     MOMENT OF SILENCE**

The Chairman asked for a brief moment of silence before the start of the meeting.

**D.     APPROVAL OF THE MINUTES:**

Approval of the minutes of the meeting on September 28<sup>th</sup>, 2016.

**MOTION** was made by Joan Kovac and seconded by Trip Bechert to approve the meeting minutes of September 28<sup>th</sup>, 2016. All voted in favor of the motion; therefore, the motion passed.

**E.     INDIVIDUALS TESTIFYING PLACED UNDER OATH**

City staff and members of the public testifying before the Board at the meeting were placed under oath by Luis Bencosme, Zoning Technician and Notary Public in the State of Florida.

**F.     ABANDONMENT/VACATION REQUESTS**

**NOTE:** At this point in the meeting, the Chair requested a motion to hear agenda item #3 out of order.

**MOTION** by Joan Kovac and second by Carla Coleman to hear item #3 out of order. All voted in favor.

**1.     JEAN C. EMMANUEL / VACATION OF RIGHT-OF-WAY AT  
SOUTHLAND AVENUE**  
**Planning and Zoning #14-18000001**

- Staff is requesting reconsideration of this item.

Consideration of the request by **JEAN C. EMMANUEL** to abandon a .32 acre portion of SW 9<sup>th</sup> Avenue located to the north of the intersection of SW 9<sup>th</sup> Avenue and SW 8<sup>th</sup> Street, lying east of the I-95 wall. The width of the right-of-way varies from 60-feet to 30-feet. The right-of-way was never developed nor used as a street. The property is legally described as follows:

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Any person who decides to appeal any decision of the PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. // lb/mds

THIRTY FEET (30') OF S.W. 9<sup>TH</sup> AVENUE LYING CONTIGUOUS AND ADJACENT TO LOTS 10, 11 AND 12, BLOCK 12, OF THE AMENDED PLAT OF FAIRVIEW, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, PAGE 25, OF THE PUBLIC RECORDS OF BROWARD COUNTY FLORIDA, LYING AND BEING IN THE CITY OF POMPANO BEACH, FLORIDA, PLUS THE EAST FORTY FEET (40') OF SW 9<sup>TH</sup> AVENUE, LYING CONTIGUOUS AND ADJACENT TO THE SOUTH 30 FEET OF LOT 13, AND THE NORTH 117.07 FEET OF THE SOUTH 147.07 FEET LYING WEST OF LOT 13 AND THE NORTH 12.75 OF THE SOUTH 159.82, OF THE WEST 30 FEET OF S.W. 9<sup>TH</sup> AVENUE LYING WEST OF LOT 13, ALL IN BLOCK 12, OF THE AMENDED PLAT OF FAIRVIEW, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, PAGE 25, OF THE PUBLIC RECORDS OF BROWARD COUNTY FLORIDA, LYING AND BEING IN THE CITY OF POMPANO BEACH, FLORIDA.

AKA: Area lying to the east of the I-95 wall north of intersection of SW 9<sup>th</sup> & SW 8<sup>th</sup> Street

STAFF CONTACT: Maggie Barszewski (954)786-7921

Ms. Carrie Sarver, Assistant City Attorney, introduced herself to the Board. She explained that this item was property advertised, but that there must be a motion made by the Board to reconsider the request. She explained that this request must come from a Board member who was present at this item's last hearing and on the prevailing side of that hearing's vote.

**MOTION** by Jeff Torrey and second by Joan Kovac to reconsider the item. All voted in favor.

Ms. Maggie Barszewski, Planner, introduced herself to the Board. She provided an overview of the size and location of the subject property and explained that the applicant is requesting this vacation in order to construct a duplex on his property. The original request was for only a portion of the area, but Staff determined that a larger area to be abandoned was appropriate to avoid the creation of a dead-end. The revised abandonment area now abuts three different properties. She stated that there were four service providers that have still not provided comment on the requested abandonment. Their comment would be required before this request would be placed on a City Commission agenda. City review has determined that a utility easement should be provided. Ms. Barszewski stated that the request does meet the review standards.

Ms. Barszewski stated that the neighbor who objected to the abandonment at the September meeting is present and now supportive of the abandonment and would like to receive the area to be abandoned adjacent to his property. As such, this request is being reconsidered.

Ms. Barszewski then provided the Board with Staff's recommendation:

**Approve with conditions**

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Recommend approval to the City Commission with the following conditions:

1. This request will not be placed on a City Commission Agenda until all comments are received from each service provider, or until 60 days from the date of this recommendation, whichever occurs first.
2. Prior to placement on a City Commission agenda, an easement shall be provided that satisfies the Engineering & Utility Departments.

Mr. Machel Colquhoun (871 SW 8<sup>th</sup> Street, Pompano Beach) presented himself to the Board. He confirmed, as Ms. Barszewski testified, that he is now supportive of the request after speaking with the Property Appraiser.

**MOTION** by Joan Kovac and second by Carla Coleman to recommend approval of the requested abandonment subject to the two (2) conditions of Staff. All voted in favor.

2.      **ROYAL PALM BUSINESS CENTER / NW 15 AVE RIGHT-OF-WAY ABANDONMENT**  
**Planning and Zoning #16-18000004**

Consideration of the request by **JAMES M. MCLAUGHLIN JR.** on behalf of **ROYAL PALM BUSINESS CENTER LLC** to abandon a .6348 acre portion of NW 15<sup>th</sup> Avenue located between NW 6<sup>th</sup> Street and NW 3<sup>rd</sup> Street. The paved portion of this area is approximately 400 feet in length and 50 feet in width and dead-ends into the unimproved portion of the property which is approximately 510 feet in length and 15 feet in width. The property is legally described as follows:

ALL OF N.W. 15TH AVENUE (ELEANOR AVENUE - PLAT) BETWEEN N.W. 6TH STREET (HARDY ROAD - PLAT) AND N.W. 3RD STREET (PEARL ROAD - PLAT), AS SHOWN ON SEABOARD HIGHLANDS ADDITION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 19, PAGE 13, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, IN THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 34, TOWNSHIP 48 SOUTH, RANGE 42 BROWARD COUNTY FLORIDA, BOUNDED AS FOLLOWS:

BOUNDED ON THE EAST BY THE EAST LINE OF LOT 1 TO 20, BLOCK 2, OF SAID SEABOARD HIGHLANDS ADDITION; BOUNDED ON THE NORTH BY THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 20 OF SAID BLOCK 2; BOUNDED ON THE EAST, BY A LINE 15.00 FEET EAST OF AND PARALLEL WITH THE SAID EAST LINE OF BLOCK 2, BEING THE WEST LINE OF THE EAST ONE-HALF (E 1/2) OF THE EAST ONE-HALF (E 1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 34; AND BOUNDED ON THE SOUTH BY THE EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 1, OF SAID BLOCK 2.

AKA: Right-of-Way easement at N.W. 15<sup>th</sup> Avenue between NW 3<sup>rd</sup> and NW 6<sup>th</sup> Street

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