

ORDINANCE NO. 2007-30

**CITY OF POMPANO BEACH**  
**Broward County, Florida**

**AN ORDINANCE AMENDING SECTION 155.005 OF CHAPTER 155, "ZONING CODE," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, BY REZONING SEVERAL PARCELS LYING NORTH OF MARTIN LUTHER KING, JR. BLVD. (HAMMONDVILLE ROAD) AND APPROXIMATELY 200 FEET WEST OF NW 27<sup>TH</sup> AVENUE FROM B-3 (GENERAL BUSINESS) AND I-1 (GENERAL INDUSTRIAL) TO B-4 (HEAVY BUSINESS); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to law, fourteen (14) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

**WHEREAS**, a public hearing before the City Commission was held pursuant to the aforesaid notice, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be, and were, in fact, heard; now, therefore,

**BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:**

**SECTION 1.** That the City Commission of the City of Pompano Beach, having considered the evidence and argument presented at the public hearing, finds:

**SECTION 2.** That Section 155.005 of Chapter 155 of the Code of Ordinances of the City of Pompano Beach, Florida, is amended to include therein rezoning of the following described property:

See Exhibit "A" Attached Hereto and Made a Part Hereof.

which land is hereby rezoned from a present zoning classification of B-3 (General Business) and I-1 (General Industrial) to B-4 (Heavy Business), as said zoning classification is defined by Chapter 155 of the Code of Ordinances of the City of Pompano Beach, Florida. Said parcels being within the Atlantic Blvd. Overlay District.

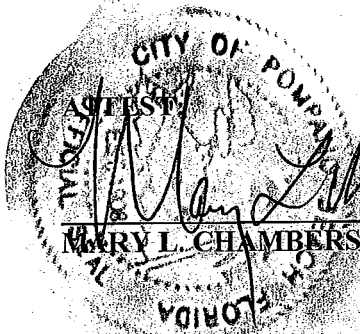
**SECTION 3.** That the Planning Director is hereby directed to mark the zoning provided for in this Ordinance on the Official Zoning Map of the City of Pompano Beach.

**SECTION 4.** If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

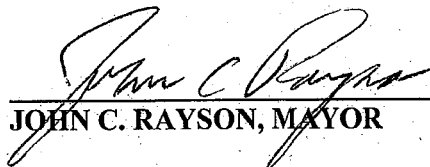
**SECTION 5.** This Ordinance shall become effective upon passage.

**PASSED FIRST READING** this 23rd day of January, 2007.

**PASSED SECOND READING** this 13th day of February, 2007.



**MARY L. CHAMBERS, CITY CLERK**

  
**JOHN C. RAYSON, MAYOR**

GBL/jrm  
8/24/06  
l:ord/ch55/2006-347

EXHIBIT "A" (GORI)

LEGAL DESCRIPTION FOR FOLIO NUMBER 4842 28 00 0353

A PORTION OF THE WEST ONE-HALF (W 1/2) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 28, TOWNSHIP 48 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHEAST CORNER OF SAID WEST ONE-HALF (W 1/2) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 28) THENCE WESTERLY ALONG THE SOUTH LINE OF SAID WEST ONE-HALF (W 1/2), A DISTANCE OF 170 FEET) THENCE NORTH AND PARALLEL TO THE EAST LINE OF SAID WEST ONE-HALF (W 1/2), A DISTANCE OF 41.19 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH ALONG THE AFORESAID COURSE, A DISTANCE OF 150 FEET) THENCE WEST MAKING AN ANGLE OF 90°07'24", A DISTANCE OF 166.42 FEET TO A POINT ON THE WEST LINE OF THE WEST ONE-HALF (W 1/2) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 28) THENCE SOUTHERLY ALONG SAID WEST LINE, MAKING AN INCLUDED ANGLE OF 89°53'03", A DISTANCE OF 150 FEET; THENCE EASTERLY MAKING AN INCLUDED ANGLE OF 90°06'57", A DISTANCE OF 166.44 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPT THE EAST 60.00 FEET THEREFROM.

LEGAL DESCRIPTION FOR FOLIO NUMBER 4842 28 00 0354

THE EAST 60 FEET OF THE EAST 180 FEET OF THE SOUTH 1/2 OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 48 SOUTH, RANGE 42 EAST, LESS AND EXCEPT THE SOUTH 150 FEET THEREOF, LYING NORTH OF HAMMONDVILLE ROAD.

LEGAL DESCRIPTION FOR FOLIO NUMBER 4842 28 21 0010

PARCEL "A" OF WALTON SITE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 138, AT PAGE 42 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

LEGAL DESCRIPTION FOR FOLIO NUMBER 4842 28 00 0373

A Parcel in the Southwest One-Quarter (SW 1/4) of Section 28, Township 48 South, Range 42 East, more fully described as follows:

Beginning at an Intersection of the North Right-of-Way Line of State Road No. 814 and the West Line of the East One-Half (E 1/2) of the Southeast One-Quarter (SE 1/4) of the Southwest One-Quarter (SW 1/4) of Section 28; Thence North along said West line, a Distance of 191 feet; thence East parallel to said North Right-of-Way Line of State Road No. 814, a distance of 128 feet; thence South parallel to said West line, a distance of 191 feet; thence West along said North Right-of-Way line, a distance of 128 feet, to the Point of Beginning.

LEGAL DESCRIPTION FOR FOLIO NUMBER 4842 28 00 0360

The West 120.00 feet of the East 180.00 feet, of that portion of the South One-Half (S 1/2) of the West One-Half (W 1/2) of the Southeast One-Quarter (SE 1/4) of the Southeast One-Quarter (SE 1/4) of the Southwest One-Quarter (SW 1/4) of Section 28, Township 48 South, Range 42 East, Lying North of the Right-of-Way Line of Hammondville Road; Less the South 150 feet thereof. Said lands situate, lying, and being in the City of Pompano Beach, County of Broward, State of Florida.

Said land containing 19.688 square feet, or 0.4515 acres, more or lands.

EXHIBIT "A-1" (GORI)

LEGAL DESCRIPTION FOR FOLIO NUMBER 4842 28 00 0355

A portion of the West One-Half (W 1/2) of the Southeast One-Quarter (SE 1/4) of the Southeast One-Quarter (SE 1/4) of the Southwest One-Quarter (SW 1/4) of Section 28, Township 48 South, Range 42 East, Broward County, Florida; and more fully described as follows:

Commencing at the Southeast corner of said West One-Half (W 1/2) of the Southeast One-Quarter (SE 1/4) of the Southeast One-Quarter (SE 1/4) of the Southwest One-Quarter (SW 1/4) of said Section 28; thence Westerly along the south line of said West One-Half (W 1/2) a distance of Fifty feet (50'); thence Northerly and parallel to the East line of said West One-Half a distance of 41.43 feet to the Point of Beginning; thence continue Northerly along the aforesaid course, a distance of 150 feet; thence Westerly making an included angle of  $90^{\circ}07'24''$  a distance of 60 feet; thence Southerly making an included angle of  $89^{\circ}52'36''$  a distance of 150 feet; thence Easterly making an included angle of  $90^{\circ}07'24''$  a distance of 60 feet to the Point of Beginning.

LEGAL DESCRIPTION FOR FOLIO NUMBER 4842 28 00 0361

A portion of the West One-Half (W 1/2) of the Southeast One-Quarter (SE 1/4) of the Southeast One-Quarter (SE 1/4) of the Southwest One-Quarter (SW 1/4) of Section 28, Township 48 South, Range 42 East, Broward County, Florida; and more fully described as follows:

Commencing at the Southeast corner of said West One-Half (W 1/2) of the Southeast One-Quarter (SE 1/4) of the Southeast One-Quarter (SE 1/4) of the Southwest One-Quarter (SW 1/4) of said Section 28; thence North  $0^{\circ}14'08''$  West, along the East line of the said West One-Half (W 1/2) of the Southeast One-Quarter (SE 1/4) of the Southeast One-Quarter (SE 1/4) of the Southwest One-Quarter (SW 1/4) of Section 28, a distance of 150 feet North of and parallel with the South line of said Section 28, a distance of 50.00 feet; thence North  $0^{\circ}14'08''$  West along the line 50.00 feet West of an parallel with the said East line of the West One-Half (W 1/2) of the Southeast One-Quarter (SE 1/4) of the Southeast One-Quarter (SE 1/4) of the Southwest One-Quarter (SW 1/4), a distance of 41.33 feet; thence North  $89^{\circ}53'28''$  East along the line 150.00 feet North of and parallel with the North Right-of-Way line of Hammondville Road, a distance of 50.00 feet; thence South  $0^{\circ}14'08''$  East, along the said East line of the West One-Half (W 1/2) of the Southeast One-Quarter (SE 1/4) of the Southeast One-Quarter (SE 1/4) of the Southwest One-Quarter (SW 1/4) of Section 28, a distance of 41.43 feet to the Point of Beginning.

LEGAL DESCRIPTION FOR FOLIO NUMBER 4842 28 00 0430

A portion of the West One-Half (W 1/2) of the Southeast One-Quarter (SE 1/4) of the Southeast One-Quarter (SE 1/4) of the Southwest One-Quarter (SW 1/4) of Section 28, Township 48 South, Range 42 East, Broward County, Florida; and more fully described as follows:

Commencing at the Southeast corner of said West One-Half (W 1/2) of the Southeast One-Quarter (SE 1/4) of the Southeast One-Quarter (SE 1/4) of the Southwest One-Quarter (SW 1/4) of said Section 28; thence Westerly along the South line of said West One-Half (W 1/2) a distance of 50 feet; thence Northerly and parallel to the East line of said West One-Half (W 1/2) a distance of 41.43 feet to the Point of Beginning; thence continue Northerly along the aforesaid course, a distance of 150 feet; thence Westerly making an included angle of  $90^{\circ}07'24''$  a distance of 60 feet, thence Southerly making an included angle of  $89^{\circ}52'36''$  a distance of 150 feet thence Easterly making an included angle of  $90^{\circ}07'24''$  a distance of 60 feet to the Point of Beginning.

LEGAL DESCRIPTION FOR FOLIO NUMBER 4842 28 00 0359

A PORTION OF THE EAST ONE-HALF (E 1/2) OF THE SOUTHWEST ONE QUARTER (SW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 28, TOWNSHIP 48 SOUTH, RANGE 42 EAST MORE FULLY DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 28) THENCE DUE EAST ALONG THE SOUTH LINE OF SAID SECTION 28, A DISTANCE OF 672.90 FEET) THENCE NORTH  $00^{\circ}13'34''$  WEST, ALONG THE EAST LINE OF THE EAST ONE-HALF (E 1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 28, A DISTANCE OF 190.79 FEET TO THE POINT OF BEGINNING) THENCE CONTINUING NORTH  $00^{\circ}13'34''$  EAST, ON SAID EAST LINE, A DISTANCE OF 143.71 FEET) THENCE NORTH  $89^{\circ}59'43''$  EAST, ON THE NORTH LINE OF THE SOUTH ONE-HALF (S 1/2) OF THE WEST ONE-HALF (W 1/2) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 28, A DISTANCE OF 156.39 FEET; THENCE SOUTH  $00^{\circ}14'08''$  EAST, A DISTANCE OF 143.43 FEET) THENCE SOUTH  $89^{\circ}53'28''$  WEST, A DISTANCE OF 156.42 FEET TO THE POINT OF BEGINNING.

## **“EXHIBIT B”**

Owner desires to develop property utilizing a combination of B-3 and B-4 uses. We propose to re-zone to B-4 with a deed restriction eliminating any noxious uses allowed under B-4. This is a companion application with contiguous property to the west.

**CITY OF POMPANO BEACH**  
**Broward County, Florida**

**AN ORDINANCE AMENDING SECTION 155.005 OF CHAPTER 155, "ZONING CODE," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, BY REZONING A PARCEL LYING NORTH OF MARTIN LUTHER KING, JR. BLVD. (HAMMONDVILLE ROAD) AND APPROXIMATELY 200 FEET EAST OF NW 30<sup>TH</sup> AVENUE (BLOUNT ROAD) FROM B-3 (GENERAL BUSINESS) TO B-4 (HEAVY BUSINESS); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to law, fourteen (14) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

**WHEREAS**, a public hearing before the City Commission was held pursuant to the aforesaid notice, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be, and were, in fact, heard; now, therefore,

**BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:**

**SECTION 1.** That the City Commission of the City of Pompano Beach, having considered the evidence and argument presented at the public hearing, finds:

**SECTION 2.** That Section 155.005 of Chapter 155 of the Code of Ordinances of the City of Pompano Beach, Florida, is amended to include therein rezoning of the following described property:

See Exhibit "A" Attached Hereto and Made a Part Hereof.

## Exhibit "A"

The West 70.00 feet of the South 100 feet of that portion of the East one-half of the Southwest one-quarter of the Southeast one-quarter of the Southwest one-quarter of Section 28, Township 48 South, Range 42 East, lying North of the North right of way line of Hammondville Road, as same is now located and existing, containing 0.1607 acres, more or less.

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**CITY OF POMPANO BEACH**  
**Broward County, Florida**

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**SECTION 1.** That the City Commission of the City of Pompano Beach, having considered the evidence and argument presented at the public hearing, finds:

**SECTION 2.** That Section 155.005 of Chapter 155 of the Code of Ordinances of the City of Pompano Beach, Florida, is amended to include therein rezoning of the following described property:

See Exhibit "A" Attached Hereto and Made a Part Hereof.



## Exhibit "A"

### LEGAL DESCRIPTION:

A PORTION OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 28, TOWNSHIP 48 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF PARCEL "A", "CORNWALL PLAT" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 144, PAGE 16 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH 00°11'06" EAST ALONG THE WEST LINE OF SAID PARCEL "A" 313.80 FEET; THENCE SOUTH 89°58'16" WEST 336.26 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00°12'03" EAST 314.15 FEET TO THE INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF HAMMONDVILLE ROAD; THENCE SOUTH 89°53'32" WEST ALONG SAID RIGHT-OF-WAY LINE 266.39 FEET TO THE INTERSECTION WITH THE EAST LINE OF THE WEST 70.00 FEET OF THE EAST ONE-HALF (E 1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 28; THENCE NORTH 00°11'26" WEST ALONG SAID EAST LINE 100.00 FEET TO THE INTERSECTION WITH A LINE LYING 100.00 FEET NORTH OF AND PARALLEL TO THE SAID NORTH RIGHT-OF-WAY LINE OF HAMMONDVILLE ROAD; THENCE SOUTH 89°53'32" WEST ALONG SAID PARALLEL LINE 70.00 FEET TO THE INTERSECTION WITH THE EAST LINE OF PARCEL "D", "BROWARD COUNTY PLAT NO. 2", RECORDED IN PLAT BOOK 159, PAGE 16 OF SAID PUBLIC RECORDS; THENCE NORTH 00°11'26" WEST ALONG SAID EAST LINE AND ALONG AN EAST LINE OF PARCEL "C" OF SAID "BROWARD COUNTY PLAT NO. 2" FOR 214.61 FEET; THENCE NORTH 89°58'16" EAST 336.26 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF POMPAÑO BEACH, BROWARD COUNTY, FLORIDA CONTAINING 98,744 SQUARE FEET (2.2669 ACRES).