

## Legislation Details (With Text)

**File #:** 20-549      **Version:** 2      **Name:**

**Type:** Ordinance / Quasi-Judicial      **Status:** Passed

**File created:** 8/20/2020      **In control:** City Commission

**On agenda:** 9/22/2020      **Final action:** 9/22/2020

**Title:** P.H. 2020-98: (PUBLIC HEARING 2ND READING)  
AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A THREE FOOT UTILITY EASEMENT LOCATED ADJACENT TO THE EAST SIDE OF SW 9TH AVENUE RIGHT-OF-WAY, JUST SOUTH OF SW 7TH STREET AND COMMONLY KNOWN AS 701 SW 10TH DRIVE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 8, 2020

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. PZB Approval Memo 20-028.pdf, 2. City Attorney Memo.pdf, 3. Ordinance, 4. Exhibit A - Legal.pdf, 5. PZ17-12000056\_DevelopmentOrder.pdf, 6. Staff Report.pdf, 7. July P&Z Minutes Excerpt.pdf, 8. Application.pdf, 9. City Initiated Easement Abandonment Application.pdf, 10. FPL No Objection Comment.pdf, 11. Comcast No Objection Comment.pdf, 12. Teco No Objection Comment.pdf, 13. ATT No Objection Comment.pdf

Date	Ver.	Action By	Action	Result
9/22/2020	2	City Commission	ADOPTED	Pass
9/8/2020	1	City Commission	APPROVED FIRST READING	Pass

### P.H. 2020-98: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A THREE FOOT UTILITY EASEMENT LOCATED ADJACENT TO THE EAST SIDE OF SW 9TH AVENUE RIGHT-OF-WAY, JUST SOUTH OF SW 7TH STREET AND COMMONLY KNOWN AS 701 SW 10TH DRIVE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

### FIRST READING: SEPTEMBER 8, 2020

(Staff Contact: Jean Dolan/David Recor)

### Summary Explanation/Background:

This is a City-initiated abandonment request on behalf of Jean Emmanuel to vacate a 3-foot wide Utility Easement that is situated on property located at 701 SW 10th Street. The Applicant is proposing to construct a 5,416-square foot, 4-unit multifamily project on the subject property. The proposed structure would encroach on the easement, which has no assets located within it. A Minor Site Plan (P&Z # 17-12000056 Development Order attached) was approved by the Development Review Committee on October 22, 2018. This abandonment request was unanimously recommended for approval at the July 22, 2020 Planning & Zoning Board hearing with one condition, which has been met.

**Origin of request for this action:** Development Services Department on behalf of Jean Emmanuel

**Fiscal impact and source of funding:** N/A