

Legislation Details (With Text)

File #: 22-598 **Version:** 2 **Name:**

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

File created: 9/8/2022 **In control:** City Commission

On agenda: 10/11/2022 **Final action:** 10/11/2022

Title: P.H. 2022-92: (PUBLIC HEARING 2ND READING)
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA,
ABANDONING A PORTION OF THE FIFTEEN FOOT WATERLINE UTILITY EASEMENT LOCATED
WITHIN THE MACY'S PARCEL OF THE POMPANO CITI CENTRE PLAT, COMMONLY KNOWN AS
1190 - 1200 N.E. 23RD STREET; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE
DATE.
(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 27, 2022

Sponsors:

Indexes:

Code sections:

Attachments: 1. City Attorney Memo.pdf, 2. Ordinance.pdf, 3. SKETCH AND LEGAL - EXHIBIT A Revised- 1190-1200 NE 23RD ST POMPANO BEACH.pdf, 4. Utility Easement Instrument.pdf, 5. Narrative Letterhead.pdf, 6. Highlighted area to be vacated..pdf, 7. 1 Executed Vacation Application.pdf

Date	Ver.	Action By	Action	Result
10/11/2022	2	City Commission	ADOPTED	Pass
9/27/2022	1	City Commission	APPROVED FIRST READING	Pass

P.H. 2022-92: (PUBLIC HEARING 2ND READING)

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1190 - 1200 N.E. 23RD STREET; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE
DATE.

(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 27, 2022

(Staff Contact: Jean Dolan/David Recor)

Summary Explanation/Background:

This is a request to abandon a 15-foot utility easement, by Linda Strutt on behalf of SVAP Pompano Citi Centre, LP. The easement was conveyed via a separate instrument accepted by the City of Pompano Beach on June 15, 2009. The location of the easement is on property within the Citi Center (1190-1200 East Copans Road), where it is encumbering the redevelopment of that site to include residential units. There is a waterline located within the easement, however it will be rerouted and privately maintained. Since this Easement was dedicated through a separate instrument rather than the Plat, this abandonment will not be reviewed by the Planning and Zoning Board. Instead, City Staff makes a recommendation and the request proceeds to the City Commission for final consideration.

Staff has reviewed the request with consideration of the requirements of Code Section 155.2431 D. 1. & 2., which states: 1. The easement is not now, or in the foreseeable future, of any benefit to the city or its inhabitants; and 2. The abandonment of the easement is consistent with the comprehensive plan. Staff has determined that this criteria has been met and therefore recommends approval of this abandonment request.

Origin of request for this action: Linda Strutt of Linda Strutt Consulting, Inc. on behalf of SVAP Pompano Citi Centre, LP

Fiscal impact and source of funding: N/A