

REQUESTED COMMISSION ACTION:

Consent
 Ordinance
 Resolution
 Consideration/ Discussion
 Presentation

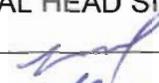
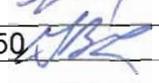
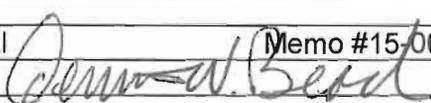
SHORT TITLE

AN ORDINANCE AMENDING CHAPTER 100, "STREETS AND SIDEWALKS," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 100.01, "MINIMUM RIGHT-OF-WAY,"; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Summary of Purpose and Why:

In conjunction with revisions to Zoning Code §155.5704 (Memorandum #15-089), Staff is recommending "housekeeping" text amendments to Chapter 100, Streets and Sidewalks. No substantive revisions are proposed. First, the existing standards in §100.01(A) were converted into a list in order to make the standards easier to read. Second, §100.01(B) was created to insert a table of thoroughfares required to have a greater right-of-way width. The majority of the thoroughfares are also Broward County Trafficways. Since 1957, the city included a list of thoroughfares required to have a greater right-of-way width in the Zoning Code. However, since the intent of a Zoning Code is to regulate private property, during the Zoning Code re-write the consultant recommended the list of thoroughfares be removed from the Zoning Code. Staff recommends inserting the list in Ch. 100, and more specifically in the existing section that regulates Minimum Right-of-Way. The proposed list includes the same thoroughfares and widths as previously found in old zoning code §155.141 (copy attached). *Staff has received a request from the public to not include NE 48th / 49th Street in the proposed list. Attached Memo #15-078 includes additional background related to NE 48th / 49th Street.* Finally, proposed §100.01(C) clarifies that property owners are only responsible to dedicate their "half" of the required right-of-way. While this has been the policy of the City, the responsibility has not been explicitly stated. At their January 28, 2015 meeting, the Planning and Zoning Board reviewed the proposed text amendments in conjunction with the changes to the Zoning Code.

- (1) Origin of request for this action: Development Services Dept.
- (2) Primary staff contact: Robin M. Bird/ Karen Friedman KBF Ext. 7792
- (3) Expiration of contract, if applicable: N/A
- (4) Fiscal impact and source of funding: N/A

DEPARTMENTAL COORDINATION	DATE	DEPARTMENTAL RECOMMENDATION	DEPARTMENTAL HEAD SIGNATURE
Dev. Services	12/12/2014	Approval	Memo #14-544 
City Attorney	02/06/2015	Approval	Memo #2015-550 
X Planning and Zoning Board		Approval	Memo #15-006 (02/17/2015)
X City Manager			

Ordinance Workshop	Resolution	Consideration
1 st Reading	1 st Reading	Results:
2 nd Reading		Results:

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

AN ORDINANCE AMENDING CHAPTER 100, "STREETS AND SIDEWALKS," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 100.01, "MINIMUM RIGHT-OF-WAY," TO REVISE MINIMUM WIDTH REQUIREMENT FOR VARIOUS STREETS WITHIN THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to law, ten (10) 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 published notice described above, 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 Section 100.01, "Minimum Right-of-Way," of Chapter 100, "Streets and Sidewalks," of the City of Pompano Beach Code of Ordinances is hereby amended to read as follows:

§ 100.01 MINIMUM RIGHT-OF-WAY.

(A) The City Commission shall not accept any street right-of-way as a public street whether by dedication in a plat or by deed or other instrument unless it complies with the applicable following minimum width.

(A)(1) The width of a right-of-way of all the following streets designated as business streets, through streets, or boulevards shall be not less than 60 feet.:

(a) Business Streets

(b) Through Streets

(c) Boulevards

(d) Primary Streets

(e) Local, Collector, Minor Arterial and Principal Arterial streets which are within or abutting a non-residential base zoning district

~~(B)~~—The right-of-way of all streets designated as primary streets shall be not less than 60 feet.

~~(C)~~(2) The width of a right-of-way of all the following streets designated as secondary or residential streets shall be not less than 50 feet.:

(a) Secondary Streets

(b) Residential Streets

(c) Local, Collector, Minor Arterial and Principal Arterial streets which are within or abutting a residential base zoning district and/or Residential Planned Unit Development.

~~(D)~~(3) The right-of-way of all double-lane streets with a parkway in the center shall be not less than 75 feet, including the parkway.

~~(E)~~(4) The width of all alleys shall be not less than 16 feet.

(B) Certain arterial thoroughfares of the city are hereby designated and determined to have a greater width than that listed in section (A) above, and no building or structure shall be erected or located upon any property abutting these streets and avenues closer to the center line of these streets than one-half of the indicated and designated width of these streets. The thoroughfares and the required right-of-way are listed in Table 100.01(B), below.

<u>Street Name</u>	<u>Starting Point</u>	<u>Ending Point</u>	<u>Required ROW width in Feet</u>
<u>Andrews Ave</u>	<u>SW 3rd St (Racetrack Rd)</u>	<u>South City Limits</u>	<u>106</u>
<u>Andrews Ave</u>	<u>SW 3rd St (Racetrack Rd)</u>	<u>North City Limits</u>	<u>110</u>
<u>Atlantic Blvd</u>	<u>Federal Hwy (US 1)</u>	<u>SR A1A</u>	<u>110</u>
<u>Atlantic Blvd</u>	<u>Florida's Turnpike</u>	<u>Federal Hwy (US 1)</u>	<u>120</u>
<u>Atlantic Blvd Extension (NW 31st Ave)</u>	<u>Atlantic Blvd</u>	<u>Dr. Martin Luther King, Jr. Blvd (Hammondville Rd)</u>	<u>106</u>

<u>Blount Rd</u>	<u>Copans Rd</u>	<u>Dr. Martin Luther King, Jr. Blvd (Hammondville Rd)</u>	<u>80</u>
<u>Blount Rd</u>	<u>Copans Rd</u>	<u>Sample Rd</u>	<u>84</u>
<u>Copans Rd</u>	<u>Federal Hwy (US 1)</u>	<u>I-95</u>	<u>106</u>
<u>Copans Rd</u>	<u>I-95</u>	<u>Florida's Turnpike</u>	<u>110</u>
<u>Cypress Rd</u>	<u>Atlantic Blvd</u>	<u>South City Limits</u>	<u>80</u>
<u>Dixie Hwy (State Rd 811)</u>	<u>South City Limits</u>	<u>North City Limits</u>	<u>80</u>
<u>Dr. Martin Luther King, Jr. Blvd (Hammondville Rd)</u>	<u>Dixie Hwy</u>	<u>NW 27th Ave</u>	<u>80</u>
<u>Dr. Martin Luther King, Jr. Blvd (Hammondville Rd)</u>	<u>NW 27th Ave</u>	<u>Florida's Turnpike</u>	<u>106</u>
<u>Federal Hwy (U.S. 1)</u>	<u>South City Limits</u>	<u>North City Limits</u>	<u>Existing Widths or 120 feet, whichever is greater</u>
<u>McNab Road (SE 15th St / SW 15th St)</u>	<u>Federal Hwy (US 1)</u>	<u>SW 7th Avenue</u>	<u>80</u>
<u>McNab Road (SW 15th St)</u>	<u>Dixie Hwy</u>	<u>SW 31st Ave</u>	<u>106</u>
<u>NE 2nd Ave</u>	<u>Atlantic Blvd</u>	<u>NE 3rd St</u>	<u>Existing Widths or 60 feet, whichever is greater</u>
<u>NE 3rd Ave</u>	<u>Copans Rd</u>	<u>Sample Rd</u>	<u>80</u>
<u>NE 10th St</u>	<u>Dixie Hwy</u>	<u>Federal Hwy (US 1)</u>	<u>106</u>
<u>NE 11th Ave</u>	<u>Atlantic Blvd</u>	<u>NE 10th St</u>	<u>Existing Widths or 60 feet, whichever is greater</u>
<u>NE 14th St</u>	<u>Federal Hwy (US 1)</u>	<u>SR A1A</u>	<u>100</u>
<u>NE 23rd Ave</u>	<u>NE 14th St</u>	<u>NE 24th St</u>	<u>Existing Widths or 60 feet, whichever is greater</u>
<u>NE 26th Ave (Harbor Dr)</u>	<u>Atlantic Blvd.</u>	<u>NE 14th St</u>	<u>Existing Widths or 70 feet, whichever is greater</u>
<u>NE 48th and NE 49th St</u>	<u>Dixie Hwy</u>	<u>Federal Hwy (US 1)</u>	<u>106</u>
<u>NW 6th Ave (Blanche Ely Ave)</u>	<u>Atlantic Blvd</u>	<u>NW 15th St</u>	<u>60</u>
<u>NW 15th St</u>	<u>I-95</u>	<u>Dixie Hwy (SR 811)</u>	<u>60</u>
<u>NW 15th St</u>	<u>Powerline Rd</u>	<u>I-95</u>	<u>80</u>
<u>NW 27th St</u>	<u>Dr. Martin Luther King, Jr. Blvd (Hammondville Rd)</u>	<u>Atlantic Blvd.</u>	<u>Existing Widths or 50 feet, whichever is greater</u>
<u>Powerline Rd</u>	<u>Sample Rd</u>	<u>McNab Rd</u>	<u>144</u>
<u>Sample Rd</u>	<u>I-95</u>	<u>Federal Hwy (US 1)</u>	<u>120</u>

<u>Sample Rd</u>	<u>Florida's Turnpike</u>	<u>I-95</u>	<u>200</u>
<u>SE 11th Ave</u>	<u>Pompano Canal</u>	<u>Atlantic Blvd.</u>	<u>70</u>
<u>State Road A1A (Ocean Blvd.)</u>	<u>Terra Mar Dr</u>	<u>North City Limits</u>	<u>80</u>
<u>State Road A1A (Ocean Blvd.)</u>	<u>Terra Mar Dr</u>	<u>South City Limits</u>	<u>106</u>
<u>SW 3rd St (Racetrack Rd / John Knox Blvd)</u>	<u>I-95</u>	<u>Cypress Rd</u>	<u>110</u>
<u>SW 3rd St (Racetrack Rd / Pompano Park Place)</u>	<u>Powerline Rd (Pompano Parkway)</u>	<u>I-95</u>	<u>106</u>
<u>SW 46th Ave</u>	<u>McNab Rd</u>	<u>Florida's Turnpike</u>	<u>106</u>

(C) Property owners required to dedicate required right-of-way in accordance with Zoning Code §155.5704 shall only be required to dedicate half of the applicable right-of-way width to the center line of the street.

SECTION 2. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect any 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 3. This Ordinance shall become effective upon passage.

PASSED FIRST READING this _____ day of _____, 2015.

PASSED SECOND READING this _____ day of _____, 2015.

LAMAR FISHER, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

GBL/jrm
2/6/15
l:ord/ch100/2015-203



City Attorney's Communication #2015-550

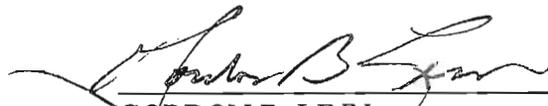
February 6, 2015

TO: Karen Friedman, AICP, Planner
FROM: Gordon B. Linn, City Attorney
RE: Ordinance Amending Chapter 100, "Streets and Sidewalks"

As requested in your memorandum of January 29, 2014, Department of Development Services Memorandum No. 15-052, the following form of Ordinance, relative to the above-referenced matter, has been prepared and is attached:

AN ORDINANCE AMENDING CHAPTER 100, "STREETS AND SIDEWALKS," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 100.01, "MINIMUM RIGHT-OF-WAY," TO REVISE MINIMUM WIDTH REQUIREMENT FOR VARIOUS STREETS WITHIN THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Please carefully review the ordinance to ensure that it meets with your requirements.


GORDON B. LINN

/jrm
l:cor/dev-srv/2015-550

Attachment

**PLANNING AND ZONING BOARD/ LOCAL PLANNING AGENCY
MEMORANDUM #15-006**

DATE: February 17, 201~~4~~⁵
TO: City Commission
FROM: Planning and Zoning Board/ Local Planning Agency
SUBJECT: Proposed Text Amendments to Zoning Code,
Minimum Right-of-Way

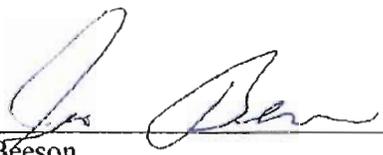
At the meeting of the Planning and Zoning Board/ Local Planning Agency held on January 28, 2015, the Board considered proposed text amendments to the Zoning Code regarding revisions to the standards in the Minimum Right-of-Way as set forth in the Department of Development Services Administrative Report 14-544.

Staff recommends revisions to the Zoning Code §155.5704.C, §155.5704.D, and §155.9401.H.3 to cross-reference to §100.01.B.

Staff also recommends revision to §155.9401.H.5 to reinsert the measurement from the old Zoning Code's §155.009 which is used to determine setbacks for properties on a cul-de-sac.

The Planning and Zoning Board recommends that the City Commission initiate a Broward County Trafficways Plan Amendment to remove NE 48th/49th Street from the plan due to the residential nature of the street.

With a unanimous vote for the approval of the amendment, it is the recommendation of the Board that the text amendments be approved.



Jim Beeson
Chairman
Planning and Zoning Board/ Local Planning Agency

avenues, and thoroughfares, are hereby considered and determined to be the existing street lines of the streets, and the use of the lands is zoned accordingly.

(*58 Code, § 50.54) (Ord. 664, passed - -)

§ 155.141 SETBACK REQUIREMENTS; STREET WIDTHS.

(A) Certain arterial thoroughfares of the city are hereby designated and determined to have a greater width than 50 feet, and no building or structure shall be erected or located upon any property abutting these streets and avenues closer to the center line of these streets than one-half of the indicated and designated width of these streets. The dedicated portion and use portion of the following streets, avenues, and public ways, if any, shall constitute a portion of the street right-of-way. The City Engineer shall determine and fix the exact locations of the streets, avenues, and public ways.

<i>Arterial Street Description</i>	<i>Width in Feet</i>
(1) State Road A1A (Ocean Boulevard) from the south city limits to the north city limits.	80
(2) N.E. 26th Avenue (also known as Harbor Drive) from Atlantic Boulevard to N.E. 14th Street	Existing widths 70 min.
(3) N.E. 23rd Avenue from N.E. 14th Street to N.E. 24th Street	Existing widths 60 min.
(4) Federal Highway (U.S. 1) from the south city limits to the north city limits	Existing widths 120 min.
(5) S.E. 11th Avenue from the Pompano Canal to Atlantic Boulevard (State Road 814)	70
(6) N.E. 11th Avenue from Atlantic Boulevard (State Road 814) to N. E. 10th Street	Existing widths 60

<i>Arterial Street Description</i>	<i>Width in Feet</i>
(7) N.E. 2nd Avenue from Atlantic Boulevard (State Road 814) to N.E. 3rd Street	Existing widths 60
(8) Old Dixie Highway (State Road 811) from south city limits to north city limits	80
(9) N.W. 6th Avenue (also known as Blanche Ely Avenue) from Atlantic Boulevard to N.W. 15th Street	60
(10A) Andrews Avenue from S.W. 3rd Street (also known as Racetrack Road) to Sample Road	110
(10B) Andrews Avenue from S.W. 3rd Street to south city limits	106
(11A) Copans Road from Federal Highway (U.S. 1) to I-95	106
(11B) Copans Road from I-95 to Florida's Turnpike	110
(12) N.E. 14th Street from Federal Highway (U.S.1) to S.R. A1A	100
(13A) N.W. 15th Street from Powerline Road to I-95	80
(13B) N.W. 15th Street from I-95 to North I-95 to North Dixie Highway (State Road 811)	60
(14) N. E. 10th Street from the Old Dixie Highway (State Road 811) to Federal Highway (U.S. 1)	106

<i>Arterial Street Description</i>	<i>Width in Feet</i>	<i>Arterial Street Description</i>	<i>Width in Feet</i>
(15A) Dr. Martin Luther King, Jr. Boulevard, also known as Hammondville Road from Dixie Highway (State Road 811), to N.W. 27th Avenue	80	(20B) S.W. 15th Street (also known as McNab Road) from Dixie Highway to S.W. 46th Avenue	106
(15B) Dr. Martin Luther King, Jr. Boulevard, also known as Hammondville Road from N.W. 27th Avenue to Florida's Turnpike	106	(21A) Sample Road from Florida's Turnpike to I-95	200
(16) Atlantic Boulevard extension (N.W. 31st Avenue) from Atlantic Boulevard to Dr. Martin Luther King, Jr. Boulevard/Hammondville Road	106	(21B) Sample Road from I-95 to Federal Highway (U.S. 1)	120
(17A) Atlantic Boulevard (State Road 814) from Florida's Turnpike to Federal Highway (U.S. 1)	120	(22) Powerline Road from Sample Road to McNab Road	144
(17B) Atlantic Boulevard (State Road 814) from Federal Highway (U.S. 1) to S.R. A1A	110	(23) N.W. 27th Avenue from Dr. Martin Luther King, Jr. Boulevard/Hammondville Road to Atlantic Boulevard	Existing widths 50
(18A) S.W. 3rd Street (also known as Racetrack Road and also known as Pompano Park Place) from Pompano Parkway (also known as Powerline Road) to I-95	106	(24) S.W. 46th Avenue from McNab Road to Florida's Turnpike	106
(18B) S.W. 3rd Street (also known as Racetrack Road and also known as Pompano Park Place and also known as John Knox Boulevard) from I-95 to Cypress Road	110	(25A) Blount Road from Copans Road to Sample Road	84
(19) Cypress Road from Atlantic Boulevard (State Road 814) to south city limits	80	(25B) Blount Road from Copans Road to Dr. Martin Luther King, Jr. Boulevard	80
(20A) That portion of S.E. 15th Street and S.W. 15th Street (also known as McNab Road) from South Federal Highway (U.S. 1) to S.W. 7th Avenue	80	(26) N.E. 3rd Avenue from Copans Road to Sample Road	80
		(27) N.E. 48th/N.E. 49th Streets from North Dixie Highway to Federal Highway (U.S. 1)	106

(B) All street, avenues or other public ways, but not alleys, which have a residential zoning shall have a minimum width of 50 feet. All residentially zoned property abutting the street, avenue or other public way shall not erect a building or structure closer than 25 feet to the center line of these streets.



MEMORANDUM

Development Services

ADMINISTRATIVE MEMORANDUM NO. 14-544

DATE: December 12, 2014
TO: Planning and Zoning Board
VIA: Robin M. Bird, Director of Development Services *[Signature]*
FROM: Karen Friedman, AICP, Planner *KBF*
RE: Text Amendments to Zoning Code and Chapter 100
Minimum Right-Of-Way

Staff is recommending revisions to the Zoning Code regarding minimum right-of way. The revisions are directly impacted by a related revision to Ch 100, Streets and Sidewalks. An explanation of the revisions is below.

The old Zoning Code's §155.141 (copy attached) listed streets with a right-of-way greater than 50 feet. Since this regulation did not impact private property the consultant recommended it not be carried forward into the revised Zoning Code. Staff recommends re-adopting the list, and recommends inserting the list of streets into Chapter 100, Streets and Sidewalks as §100.01.B. The City Engineer has reviewed the recommended change.

In conjunction with creation of §100.01.B, Staff concurrently recommends revisions to the Zoning Code §155.5704.C, §155.5704.D, and §155.9401.H.3 to cross-reference to §100.01.B.

Finally, the old Zoning Code's §155.009 (copy attached) included a specific measurement to determine setbacks for properties on a cul-de-sac. This language was not included in the revised Zoning Code. Staff is recommending revision to §155.9401.H.5 to reinsert this measurement.

The proposed revisions to Chapter 100, Streets and Sidewalks are being presented to this Board as a courtesy. Staff is, however, requesting the Board approve the recommended changes to the Zoning Code to the City Commission for adoption.

CHAPTER 100: STREETS AND SIDEWALKS

§ 100.01 MINIMUM RIGHT-OF-WAY.

(A) The City Commission shall not accept any street right-of-way as a public street whether by dedication in a plat or by deed or other instrument unless it complies with the applicable following minimum width.

~~(A)~~(1) The width of a right-of-way of all the following streets shall be not less than 60 feet: designated as business streets, through streets, or boulevards shall be not less than 60 feet.

(a) Business Streets

(b) Through Streets

(c) Boulevards

(d) Primary Streets

(e) Local, Collector, Minor Arterial and Principal Arterial streets which are within or abutting a non-residential base zoning district

~~(B)~~ The right-of-way of all streets designated as primary streets shall be not less than 60 feet.

~~(C)~~(2) The width of a right-of-way of all the following streets shall be not less than 50 feet: designated as secondary or residential streets shall be not less than 50 feet.

(a) Secondary Streets

(b) Residential Streets

(c) Local, Collector, Minor Arterial and Principal Arterial streets which are within or abutting a residential base zoning district and/or Residential Planned Unit Development.

~~(D)~~(3) The right-of-way of all double-lane streets with a parkway in the center shall be not less than 75 feet, including the parkway.

~~(E)~~(4) The width of all alleys shall be not less than 16 feet.

(B) Certain arterial thoroughfares of the city are hereby designated and determined to have a greater width than that listed in section (A) above, and no building or structure shall be erected or located upon any property abutting these streets and avenues closer to the center line of these streets than one-half of the indicated and designated width of these streets. The thoroughfares and the required right-of-way is listed in Table 100.01(B), below.

Table 100.01(B): Arterial Thoroughfares with Required ROW Width

<u>Street Name</u>	<u>Starting Point</u>	<u>Ending Point</u>	<u>Required ROW width in Feet</u>
<u>Andrews Ave</u>	<u>SW 3rd St (Racetrack Rd)</u>	<u>South City Limits</u>	<u>106</u>
<u>Andrews Ave</u>	<u>SW 3rd St (Racetrack Rd)</u>	<u>North City Limits</u>	<u>110</u>
<u>Atlantic Blvd</u>	<u>Federal Hwy (US1)</u>	<u>SR A1A</u>	<u>110</u>
<u>Atlantic Blvd</u>	<u>Florida's Turnpike</u>	<u>Federal Hwy (US1)</u>	<u>120</u>
<u>Atlantic Blvd Extension (NW 31st Ave)</u>	<u>Atlantic Blvd</u>	<u>Dr. Martin Luther King, Jr. Blvd (Hammondville Rd)</u>	<u>106</u>
<u>Blount Rd</u>	<u>Copans Rd</u>	<u>Dr. Martin Luther King, Jr. Blvd (Hammondville Rd)</u>	<u>80</u>
<u>Blount Rd</u>	<u>Copans Rd</u>	<u>Sample Rd</u>	<u>84</u>
<u>Copans Rd</u>	<u>Federal Hwy (US 1)</u>	<u>I-95</u>	<u>106</u>

<u>Copans Rd</u>	<u>I-95</u>	<u>Florida's Turnpike</u>	<u>110</u>
<u>Cypress Rd</u>	<u>Atlantic Blvd</u>	<u>South City Limits</u>	<u>80</u>
<u>Dixie Hwy (State Rd 811)</u>	<u>South City Limits</u>	<u>North City Limits</u>	<u>80</u>
<u>Dr. Martin Luther King, Jr. Blvd (Hammondville Rd)</u>	<u>Dixie Hwy</u>	<u>NW 27th Ave</u>	<u>80</u>
<u>Dr. Martin Luther King, Jr. Blvd (Hammondville Rd)</u>	<u>NW 27th Ave</u>	<u>Florida's Turnpike</u>	<u>106</u>
<u>Federal Hwy (U.S. 1)</u>	<u>South City Limits</u>	<u>North City Limits</u>	<u>Existing Widths or 120 feet, whichever is greater</u>
<u>McNab Road (SE 15th St / SW 15th St)</u>	<u>Federal Hwy (US 1)</u>	<u>SW 7th Avenue</u>	<u>80</u>
<u>McNab Road (SW 15th St)</u>	<u>Dixie Hwy</u>	<u>SW 31st Ave</u>	<u>106</u>
<u>NE 2nd Ave</u>	<u>Atlantic Blvd</u>	<u>NE 3rd St</u>	<u>Existing Widths or 60 feet, whichever is greater</u>
<u>NE 3rd Ave</u>	<u>Copans Rd</u>	<u>Sample Rd</u>	<u>80</u>
<u>NE 10th St</u>	<u>Dixie Hwy</u>	<u>Federal Hwy (US 1)</u>	<u>106</u>
<u>NE 11th Ave</u>	<u>Atlantic Blvd</u>	<u>NE 10th St</u>	<u>Existing Widths or 60 feet, whichever is greater</u>
<u>NE 14th St</u>	<u>Federal Hwy (US 1)</u>	<u>SR A1A</u>	<u>100</u>
<u>NE 23rd Ave</u>	<u>NE 14th St</u>	<u>NE 24th St</u>	<u>Existing Widths or 60 feet, whichever is greater</u>
<u>NE 26th Ave (Harbor Dr)</u>	<u>Atlantic Blvd.</u>	<u>NE 14th St</u>	<u>Existing Widths or 70 feet, whichever is greater</u>
<u>NE 48th and NE 49th St</u>	<u>Dixie Hwy</u>	<u>Federal Hwy (US 1)</u>	<u>106</u>
<u>NW 6th Ave (Blanche Ely Ave)</u>	<u>Atlantic Blvd</u>	<u>NW 15th St</u>	<u>60</u>
<u>NW 15th St</u>	<u>I-95</u>	<u>Dixie Hwy (SR 811)</u>	<u>60</u>
<u>NW 15th St</u>	<u>Powerline Rd</u>	<u>I-95</u>	<u>80</u>
<u>NW 27th St</u>	<u>Dr. Martin Luther King, Jr. Blvd (Hammondville Rd)</u>	<u>Atlantic Blvd.</u>	<u>Existing Widths or 50 feet, whichever is greater</u>
<u>Powerline Rd</u>	<u>Sample Rd</u>	<u>McNab Rd</u>	<u>144</u>
<u>Sample Rd</u>	<u>I-95</u>	<u>Federal Hwy (US 1)</u>	<u>120</u>
<u>Sample Rd</u>	<u>Florida's Turnpike</u>	<u>I-95</u>	<u>200</u>

<u>SE 11th Ave</u>	<u>Pompano Canal</u>	<u>Atlantic Blvd.</u>	<u>70</u>
<u>State Road A1A (Ocean Blvd.)</u>	<u>Terra Mar Dr</u>	<u>North City Limits</u>	<u>80</u>
<u>State Road A1A (Ocean Blvd.)</u>	<u>Terra Mar Dr</u>	<u>South City Limits</u>	<u>106</u>
<u>SW 3rd St (Racetrack Rd / John Knox Blvd)</u>	<u>I-95</u>	<u>Cypress Rd</u>	<u>110</u>
<u>SW 3rd St (Racetrack Rd / Pompano Park Place)</u>	<u>Powerline Rd (Pompano Parkway)</u>	<u>I-95</u>	<u>106</u>
<u>SW 46th Ave</u>	<u>McNab Rd</u>	<u>Florida's Turnpike</u>	<u>106</u>

(C) Property owners required to dedicate required right-of-way in accordance with Zoning Code §155.5704 shall only be required to dedicate half of the applicable right-of-way width to the center line of the street.

CHAPTER 155: ZONING

ARTICLE 5: DEVELOPMENT STANDARDS

PART 7: LOTS

§ 155.5704. FRONTAGE AND ACCESS

~~C. All local, collector, minor arterial and principal arterial streets which are within or abutting a residential base zoning district, including Residential Planned Unit Development, shall have a minimum width of 50 feet per § 100.01(A) or (B), as applicable.~~

- ~~1. All property with a residential zoning district including Residential Planned Unit Development, which abuts a local, collector, minor arterial and principal arterial street(s) shall not erect a building or structure closer than 25 feet half of the applicable right-of-way width to the center line of the street(s).~~
- ~~2. All lots subject to a Plat, Rezoning, or Major Site Plan approval, as well as lots not subject to Major Site Plan approval but are developing a new structure or increasing an existing structure by 50% of the existing gross floor area, shall dedicate the required right-of-way.~~

~~D. All local, collector, minor arterial and principal arterial streets which are within or abutting a non-residential base zoning district shall have a minimum width of 60 feet.~~

- ~~1. All property with a nonresidential zoning district which abuts a local, collector, minor arterial and principal arterial street(s) shall not erect a building or structure closer than 30 feet to the center line of the street(s).~~
- ~~2. All lots subject to a Plat, Rezoning, or Major Site Plan approval, as well as lots not subject to Major Site Plan approval but are developing a new structure or increasing an existing structure by 50% of the existing gross floor area, shall dedicate the required right-of-way.~~

ARTICLE 9: DEFINITIONS AND INTERPRETATION

PART 4: MEASUREMENT, EXCEPTIONS, AND VARIATIONS OF INTENSITY AND DIMENSIONAL STANDARDS

155.9401. MEASUREMENT

H. Yard Setback

3. Measured from Future Street Right-of-Way

Where city-adopted plans, including § 100.01 of the Code of Ordinances, call for the future widening of the street right-of-way abutting a lot and identify the future right-of-way boundary (e.g., by delineating the boundary or establishing its distance from the street's centerline), the minimum front yard setback on the lot shall be measured from the future right-of-way boundary (See Figure 155.9401.H.3, Front Yard Abutting Future Right-of-Way.).

5. Cul-De-Sac Setback.

Where a cul-de-sac occurs at the end of a street, buildings fronting thereon shall be set back from the extended center line a distance equal to half the amount of the width of the ultimate right-of-way plus the distance of the minimum required front yard.

or outer courts, or other open spaces, than or in any other manner to contravene the provisions specified herein for the district in which the building is located. No part of a yard or other open space required about any building for the purpose of complying with the provisions of this chapter shall be included as a part of a yard or other open space similarly required for another building.

(B) Lands annexed into the city shall be given a zoning designation equivalent to the zoning designation that the land carried with Broward County prior to annexation. The county zoning designation shall be set forth in the ordinance annexing any such property with the finding of fact by the City Commission of the similar city zoning classification. If lands are annexed into the city by action of the state legislature, the lands so annexed shall retain their county zoning designation until the city zoning designations are assigned to the lands by specific action of the City Commission by ordinance.

('58 Code, § 50.08) (Ord. 664, passed - - ; Am. Ord. 664-AG, passed 9-8-59; Am. Ord. 64-78, passed 5-19-64; Am. Ord. 76-13, passed 12-2-75; Am. Ord. 2010-32, passed 6-22-10) Penalty, see § 10.99

§ 155.009 SPECIAL SETBACK REGULATIONS.

Cul-De-Sac. Where a cul-de-sac occurs at the end of a street, buildings fronting thereon shall be set back from the extended center line a distance equal to half the amount of the width of the ultimate right-of-way plus the distance of the minimum required front yard.

(Ord. 91-63, passed 6-25-91)

§ 155.010 MODIFICATION OF DEVELOPMENT STANDARDS.

(A) **Purpose.** This section is established to provide standards and procedures for the granting of administrative modifications of development standards. The Modification of Standards is specifically intended to promote high standards of site design; provide flexibility in the administration of standards in recognition of site specific conditions, and to establish conditions to insure compatibility where standards are modified.

(B) **Relationship to Comprehensive Plan.** This section furthers objective 01.05.00: Encourage the use of innovative land development regulations.

(C) **Application.** Modification of standards shall apply to the below enumerated structures and design elements. However, buildings or structures erected without a building permit or design elements installed without proper city approval shall not be eligible for Modification of Standards.

(1) **Principal Building Setbacks.** Deviations up to 20% of the setback requirement may be allowed. In no case shall a required side yard be less than five feet. No modification of the required setback to a canal, waterway or permanent line of vegetation shall be permitted.

(2) **Residential Accessory Structure Setbacks.** Deviations up to 20% of the setback requirement may be allowed; however, no modification of the required setback to a canal, waterway or permanent line of vegetation shall be permitted.

(3) **Fence Height.** Deviations up to one foot may be allowed; however, obstructions to the

ARTERIAL STREETS

§ 155.140 MASTER ARTERIAL STREET PLAN MAP.

The master arterial street plan map of the city, approved by resolution of the City Commission on August 13, 1957, is by reference made a part of this section. For the purpose of promoting the health, safety, and general welfare of the community, and to lessen congestion in the streets; secure safety from fire, panic, storm, hurricane, or other causes; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to provide adequate facilities for transportation, parking, water, and sewage; and to conserve the value of buildings and encourage the most appropriate use of lands, the new street lines so established and indicated on the master arterial street plan and also additional streets, avenues, and thoroughfares, are hereby considered and determined to be the existing street lines of the streets, and the use of the lands is zoned accordingly.

('58 Code, § 50.54) (Ord. 664, passed - -)

§ 155.141 SETBACK REQUIREMENTS; STREET WIDTHS.

(A) Certain arterial thoroughfares of the city are hereby designated and determined to have a greater width than 50 feet, and no building or structure shall be erected or located upon any property abutting these streets and avenues closer to the center line of these streets than one-half of the indicated and designated width of these streets. The dedicated portion and use portion of the following streets, avenues, and public ways, if any, shall constitute a portion of the street right-of-way. The City Engineer shall determine and fix the exact locations of the streets, avenues, and public ways.

<i>Arterial Street Description</i>	Width in Feet
(1) State Road A1A (Ocean Boulevard) from the south city limits to the north city limits.	80
(2) N.E. 26th Avenue (also known as Harbor Drive) from Atlantic Boulevard to N.E. 14th Street	Existing widths 70 min.
(3) N.E. 23rd Avenue from N.E. 14th Street to N.E. 24th Street	Existing widths 60 min.
(4) Federal Highway (U.S. 1) from the south city limits to the north city limits	Existing widths 120 min.
(5) S.E. 11th Avenue from the Pompano Canal to Atlantic Boulevard (State Road 814)	70
(6) N.E. 11th Avenue from Atlantic Boulevard (State Road 814) to N. E. 10th Street	Existing widths 60
(7) N.E. 2nd Avenue from Atlantic Boulevard (State Road 814) to N.E. 3rd Street	Existing widths 60

(8) Old Dixie Highway (State Road 811) from south city limits to north city limits	80
(9) N.W. 6th Avenue (also known as Blanche Ely Avenue) from Atlantic Boulevard to N.W. 15th Street	60
(10A) Andrews Avenue from S.W. 3rd Street (also known as Racetrack Road) to Sample Road	110
(10B) Andrews Avenue from S.W. 3rd Street to south city limits	106
(11A) Copans Road from Federal Highway (U.S. 1) to I-95	106
(11B) Copans Road from I-95 to Florida's Turnpike	110
(12) N.E. 14th Street from Federal Highway (U.S. 1) to S.R. A1A	100
(13A) N.W. 15th Street from Powerline Road to I-95	80
(13B) N.W. 15th Street from I-95 to North I-95 to North Dixie Highway (State Road 811)	60
(14) N. E. 10th Street from the Old Dixie Highway (State Road 811) eastward to Federal Highway (U.S. 1)	106
(15A) 15A) Dr. Martin Luther King, Jr. Boulevard, also known as Hammondville Road from Dixie Highway (State Road 811), to N.W. 27th Avenue	80
(15B) Dr. Martin Luther King, Jr. Boulevard, also known as Hammondville Road from N.W. 27th Avenue to Florida's Turnpike	106
(16) Atlantic Boulevard extension (N.W. 31st Avenue) from Atlantic Boulevard to Dr. Martin Luther King, Jr. Boulevard/Hammondville Road	106
(17A) Atlantic Boulevard (State Road 814) from Florida's Turnpike to to Federal Highway (U.S. 1)	120
(17B) Atlantic Boulevard State Road 814) from Federal Highway (U.S. 1) to S.R. A1A	110
(18A) S.W. 3rd Street (also known as Racetrack Road and also known as Pompano Park Place) from Pompano Parkway (also known as Powerline Road) to I-95	106
(18B) S.W. 3rd Street (also known as Racetrack Road and also known as Pompano Park Place and also known as John Knox Boulevard) from I-95 to Cypress Road	110
(19) Cypress Road from Atlantic Boulevard (State Road 814) to south city limits	80
(20A) That portion of S.E.15th Street and S.W. 15th Street (also known as McNab Road) from South Federal Highway (U.S. 1) to S.W. 7th Avenue	80

(20B) S.W. 15th Street (also known as McNab Road) from Dixie Highway to S.W. 46th Avenue	106
(21A) Sample Road from Florida's Turnpike to I-95	200
(21B) Sample Road from I-95 to Federal Highway (U.S. 1)	120
(22) Powerline Road from Sample Road to McNab Road	144
(23) N.W. 27th Avenue from Dr. Martin Luther King, Jr. Boulevard/Hammondville Road to Atlantic Boulevard	Existing widths 50
(24) S.W. 46th Avenue from McNab Road to Florida's Turnpike	106
(25A) Blount Road from Copans Road to Sample Road	84
(25B) Blount Road from Copans Road to Dr. Martin Luther King, Jr. Boulevard	80
(26) N.E. 3rd Avenue from Copans Road to Sample Road	80
(27) N.E. 48th/N.E. 49th Streets from North Dixie Highway to Federal Highway (U.S. 1)	106

(B) All street, avenues or other public ways, but not alleys, which have a residential zoning shall have a minimum width of 50 feet. All residentially zoned property abutting the street, avenue or other public way shall not erect a building or structure closer than 25 feet to the center line of these streets.

(C) All streets, avenues or other public ways, but not alleys, which have a commercial or industrial zoning shall have a minimum width of 60 feet. All commercially or industrially zoned property abutting the street, avenue or other public way shall not erect a building or structure closer than 30 feet to the center line of these streets.

('58 Code, § 50.55) (Ord. 664, passed - - ; Am. Ord. 72-46, passed 6-20-72; Am. Ord. 73-68, passed 8-21-73; Am. Ord. 75-1, passed 10-15-74; Am. Ord. 91-63, passed 6-25-91; Am. Ord. 94-28, passed 3-22-94; Am. Ord. 95-78, passed 7-11-95; Am. Ord. 2005-44, passed 4-12-05) Penalty, see § 10.99

Cross-reference:

Minimum street widths, minimum street right-of-way and paving width, see §§ 100.01 and 100.24

§ 155.142 (RESERVED).

§ 155.143 (RESERVED).

ADMINISTRATIVE MEMORANDUM NO. 15-078

DATE: February 19, 2015

TO: Dennis Beach, City Manager

VIA: Robin M. Bird, Director of Development Services *RB*

FROM: Karen Friedman, AICP, Planner *KBF*

RE: NE 48th/ 49th Street

In conjunction with the proposed §100.01.B, Staff was contacted by the Highland Civic Association to regarding NE 48th/ 49th Street. This memo includes Staff's analysis, as well as Staff's recommendation.

BACKGROUND

Proposed §100.01.B

Staff drafted text amendments to Ch 100, Streets and Sidewalks, which seeks to create §100.01.B. This new code section will include a list of thoroughfares with a greater right-of-way width. Since 1957, the Zoning Code has included a list of thoroughfares with greater right-of-way width required. The majority of the listed roadways are also Broward County Trafficways. The Broward County Trafficways Plan shows the location of thoroughfare and lists the required right-of-way width (**Attachment #1**). Since the Zoning Code regulates private property, Staff is proposing to insert the list in Ch. 100, and more specifically into § 100.01, Minimum Right-Of-Way. The proposed list contains the same streets / avenues and widths as previously found in old zoning code §155.141 (**Attachment #2**).

Request from Highlands Civic Improvement Association

While not required to be reviewed by the Planning and Zoning Board, the proposed text amendments to §100.01.B are related to text amendments to the Zoning Code, and therefore were reviewed by the Planning and Zoning Board at their January 28, 2015 hearing as a courtesy. On the morning of the January 28, 2015 Planning and Zoning Board hearing, Staff received an email from Walter Syrek, on behalf of the Pompano Beach Highlands Civic Improvement Association. In his emails Mr Syrek expressed his concern over the inclusion of NE 48th/49th Street in the list of streets for proposed §100.01.B. He advised that NE 48th/49th Street has an existing right-of-way of 70 feet. He was concerned that the table in §100.01.B states the required right-of-way for NE 48th/49th Street is 106 ft. He advised he had reached out to the County to have this roadway removed form the Trafficway Plan. He expressed a concern that by including this roadway in the proposed list in §100.01.B was counterproductive to his request. Staff advised that since the Broward County Trafficway Plan requires NE 48th/49th Street to have a 106 ft right-of-way, it would be misleading and inaccurate for the roadway to not be in the proposed list. (**emails are Attachment #3**)

Broward County Trafficway Plan

The Broward County Trafficway Plan is a plan to preserve future right-of-way. As previously mentioned, the Plan sets the minimum right-of-way for each listed roadway. NE 48th/49th Street is designated an Arterial Roadway with a 106 ft right-of-way. The County allows cities to apply to have roadways

removed from the Trafficway Plan. Cities may also request to keep a roadway on the Trafficway Plan, but to amend the roadways classification.

ANALYSIS

Visual Analysis

In order to analyze the Highlands Civic Improvement Association's concern regarding the 106 ft right-of-way requirement, staff has reviewed existing and proposed conditions.

Staff reviewed the city's plat maps of the NE 48th/49th Street. Plat map #227 includes the majority of the residential portion of the roadway. The platted right-of-way is 70 feet (**Attachment #4**). This portion of the street is a two lane roadway, with 12 foot lanes. With only 24 feet paved, the remainder of the right-of-way is swale and sidewalk.

Plat Map #228 is the nonresidential portion of the roadway and has a platted right-of-way which varies from 70 ft to 93 ft. (**Attachment #5**).

Additionally, the city engineer's office overlaid a 106 ft right-of-way onto an aerial of NE 48th/49th Street. The aerial shows that the resulting right-of-way would significantly encroach into abutting property's including into some existing structures (**Attachment #6**).

Regional Roadway

While a significant portion of NE 48th/49th Street within the city limits is residential street in an existing residential neighborhood, it is a regional roadway. As can be seen in attachment #1, NE 48th/49th Street becomes Wiles Road and extends all the way to the Sawgrass Expressway. Regional roadways are almost always maintained on the Trafficways Plan.

Planned Roadway Improvements

An additional consideration for Staff's analysis is planned roadway improvements for NE 48th / 49th Street. As part of a larger bike lane project, which would extend from Powerline Road to Federal Highway, the Broward MPO has a bike lane planned for NE 48th / 49th Street. This project was identified in the Broward MPO's Long Range Transportation Plan (LRTP) as a priority bicycle facility. The Florida Department of Transportation conducted an initial assessment of this project based on the addition of a bike lane and found no "fatal flaws." Should the city support this project, the project would be programmed for design in FY 2016/2017 and for Construction in FY 2018/2019 (which means construction could begin as early as October 2018). In order to build a five foot wide bike lane on both sides of the street, the project includes narrowing the existing lanes from 12 feet wide to 10 feet wide, and increasing the paved right of way three to four feet on both sides.

Planning and Zoning Board Recommendation

At their January 28, 2015 hearing, the Planning and Zoning Board received a copy of the previously mentioned emails. The Planning and Zoning Board discussed the issue and made a formal recommendation for the City Commission to initiate a Broward County Trafficways Plan Amendment to remove NE 48th / NE 49th Street from the plan due to the residential nature of the street (**Attachment #7**).

RECOMMENDATION

Staff's Recommendation

Based on Staff's visual analysis of existing and proposed conditions, Staff supports the Highlands Civic Association's assertion that the prescribed 106ft right-of-way is not appropriate for NE 48th/49th Street. However, due to the regional nature of the roadway and planned improvements, Staff does not believe an application to remove NE 48th/49th Street from the Trafficways Plan would be approved. Therefore Staff recommends the City, on behalf of the Highlands Civic Association, file an application to amend the designation for NE 48th/49th Street from 106 foot Arterial to 70 foot Collector.

Further, until such time that NE 48th/49th Street's designation is amended (or NE 48th/49th Street is removed from the Trafficways Plan), Staff recommends the 106ft right-of-way is accurately listed in the proposed §100.01.B.

Application Fees and Additional Costs

In 2008, in conjunction with the Voluntary Declaration of Restrictive Covenants for the Shoal Creek (aka Vintage Park) Project, the Highlands Civic Association received \$55,000.00 to "help foster neighborhood improvements including \$10,000.00 to fund a traffic study and \$10,000.00 to help establish the proposed neighborhood dog park". (**Attachment #8**) Staff believes that the costs associated with the application fee (\$6,798.00) and well as the fees for the required traffic studies, are consistent with the intent of the monies received by the civic association.

L#

BROWARD COUNTY TRAFFICWAYS PLAN

LEGEND

Classification	Symbol	R/W
Limited Access/Controlled		325'
Arterial		200'
		144'
		120'
		110'
		106'
Collector		100'
		94'
		80'
		70'
One-Way-Pair		54'
		42'
Irregular Designation		0.0'
Context Sensitive Corridor		Subject to Specific Plans

AREA PLANNING BOARD Adoption Dates

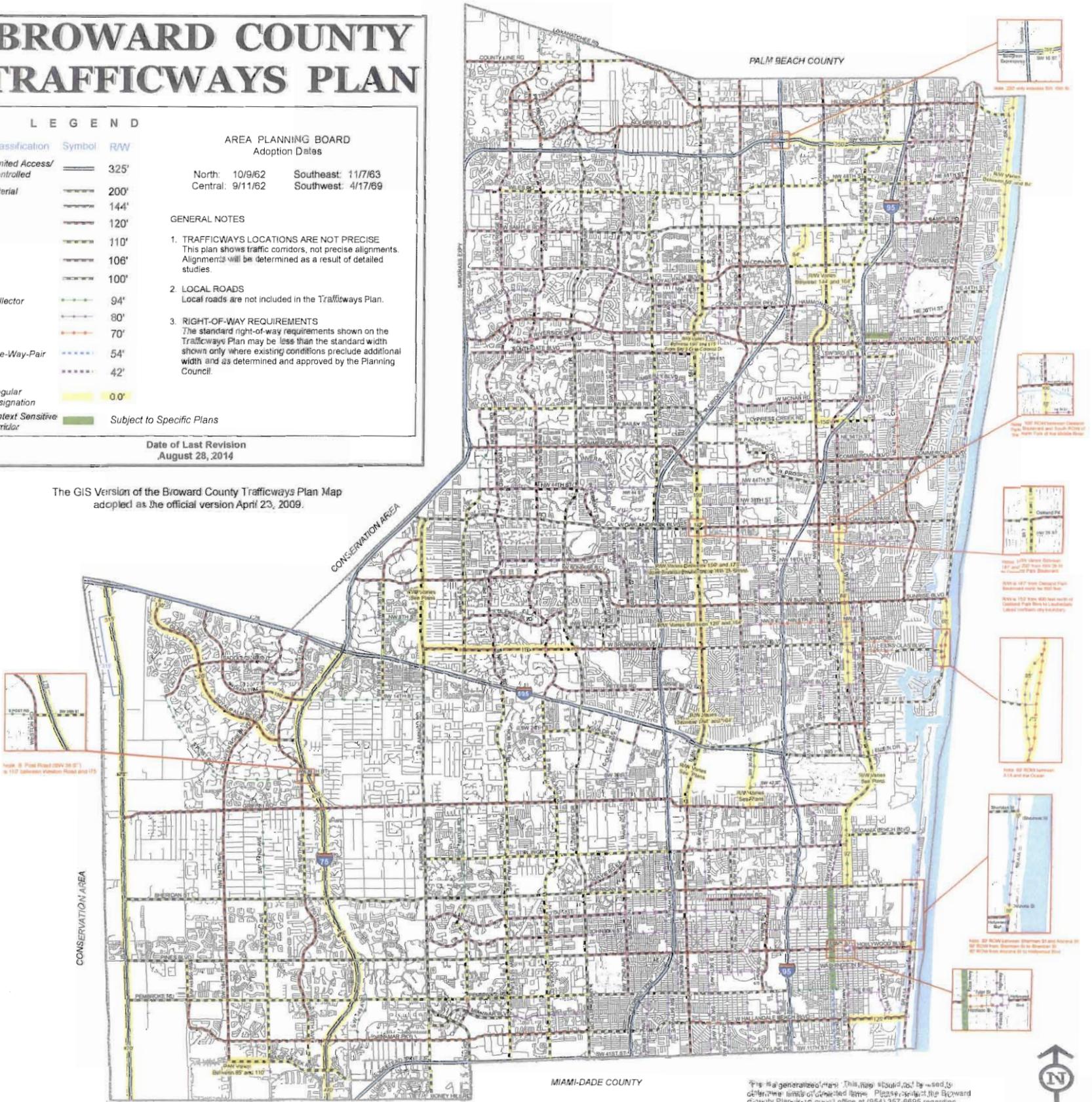
North: 10/9/62	Southeast: 11/7/63
Central: 9/11/62	Southwest: 4/17/69

GENERAL NOTES

- TRAFFICWAYS LOCATIONS ARE NOT PRECISE**
This plan shows traffic corridors, not precise alignments. Alignments will be determined as a result of detailed studies.
- LOCAL ROADS**
Local roads are not included in the Trafficways Plan.
- RIGHT-OF-WAY REQUIREMENTS**
The standard right-of-way requirements shown on the Trafficways Plan may be less than the standard width shown only where existing conditions preclude additional width and as determined and approved by the Planning Council.

Date of Last Revision
August 28, 2014

The GIS Version of the Broward County Trafficways Plan Map adopted as the official version April 23, 2009.



Callout 1: Note: 8' Right-of-Way (ROW) (20' x 20') is 110' between Weston Road and I-75.

Callout 2: Note: 100' Right-of-Way (ROW) (20' x 20') is 110' between Weston Road and I-75.

Callout 3: Note: 100' Right-of-Way (ROW) (20' x 20') is 110' between Weston Road and I-75.

Callout 4: Note: 100' Right-of-Way (ROW) (20' x 20') is 110' between Weston Road and I-75.

Callout 5: Note: 100' Right-of-Way (ROW) (20' x 20') is 110' between Weston Road and I-75.

Callout 6: Note: 100' Right-of-Way (ROW) (20' x 20') is 110' between Weston Road and I-75.

This is a generated map. This map should not be used to determine limits of affected items. Please contact the Broward County Planning Council office at (954) 357-6695 regarding questions pertaining to alignments or limits.



Not to Scale
For Informational
Purposes Only

#1



#7

#7

avenues, and thoroughfares, are hereby considered and determined to be the existing street lines of the streets, and the use of the lands is zoned accordingly.
 ('58 Code, § 50.54) (Ord. 664, passed - -)

§ 155.141 SETBACK REQUIREMENTS; STREET WIDTHS.

(A) Certain arterial thoroughfares of the city are hereby designated and determined to have a greater width than 50 feet, and no building or structure shall be erected or located upon any property abutting these streets and avenues closer to the center line of these streets than one-half of the indicated and designated width of these streets. The dedicated portion and use portion of the following streets, avenues, and public ways, if any, shall constitute a portion of the street right-of-way. The City Engineer shall determine and fix the exact locations of the streets, avenues, and public ways.

<i>Arterial Street Description</i>	<i>Width in Feet</i>
(1) State Road A1A (Ocean Boulevard) from the south city limits to the north city limits.	80
(2) N.E. 26th Avenue (also known as Harbor Drive) from Atlantic Boulevard to N.E. 14th Street	Existing widths 70 min.
(3) N.E. 23rd Avenue from N.E. 14th Street to N.E. 24th Street	Existing widths 60 min.
(4) Federal Highway (U.S. 1) from the south city limits to the north city limits	Existing widths 120 min.
(5) S.E. 11th Avenue from the Pompano Canal to Atlantic Boulevard (State Road 814)	70
(6) N.E. 11th Avenue from Atlantic Boulevard (State Road 814) to N. E. 10th Street	Existing widths 60

<i>Arterial Street Description</i>	<i>Width in Feet</i>
(7) N.E. 2nd Avenue from Atlantic Boulevard (State Road 814) to N.E. 3rd Street	Existing widths 60
(8) Old Dixie Highway (State Road 811) from south city limits to north city limits	80
(9) N.W. 6th Avenue (also known as Blanche Ely Avenue) from Atlantic Boulevard to N.W. 15th Street	60
(10A) Andrews Avenue from S.W. 3rd Street (also known as Racetrack Road) to Sample Road	110
(10B) Andrews Avenue from S.W. 3rd Street to south city limits	106
(11A) Copans Road from Federal Highway (U.S. 1) to I-95	106
(11B) Copans Road from I-95 to Florida's Turnpike	110
(12) N.E. 14th Street from Federal Highway (U.S. 1) to S.R. A1A	100
(13A) N.W. 15th Street from Powerline Road to I-95	80
(13B) N.W. 15th Street from I-95 to North I-95 to North Dixie Highway (State Road 811)	60
(14) N. E. 10th Street from the Old Dixie Highway (State Road 811) to Federal Highway (U.S. 1)	106

#2

<i>Arterial Street Description</i>	<i>Width in Feet</i>	<i>Arterial Street Description</i>	<i>Width in Feet</i>
(15A) Dr. Martin Luther King, Jr. Boulevard, also known as Hammondville Road from Dixie Highway (State Road 811), to N.W. 27th Avenue	80	(20B) S.W. 15th Street (also known as McNab Road) from Dixie Highway to S.W. 46th Avenue	106
(15B) Dr. Martin Luther King, Jr. Boulevard, also known as Hammondville Road from N.W. 27th Avenue to Florida's Turnpike	106	(21A) Sample Road from Florida's Turnpike to I-95	200
(16) Atlantic Boulevard extension (N.W. 31st Avenue) from Atlantic Boulevard to Dr. Martin Luther King, Jr. Boulevard/Hammondville Road	106	(21B) Sample Road from I-95 to Federal Highway (U.S. 1)	120
(17A) Atlantic Boulevard (State Road 814) from Florida's Turnpike to Federal Highway (U.S. 1)	120	(22) Powerline Road from Sample Road to McNab Road	144
(17B) Atlantic Boulevard (State Road 814) from Federal Highway (U.S. 1) to S.R. A1A	110	(23) N.W. 27th Avenue from Dr. Martin Luther King, Jr. Boulevard/Hammondville Road to Atlantic Boulevard	Existing widths 50
(18A) S.W. 3rd Street (also known as Racetrack Road and also known as Pompano Park Place) from Pompano Parkway (also known as Powerline Road) to I-95	106	(24) S.W. 46th Avenue from McNab Road to Florida's Turnpike	106
(18B) S.W. 3rd Street (also known as Racetrack Road and also known as Pompano Park Place and also known as John Knox Boulevard) from I-95 to Cypress Road	110	(25A) Blount Road from Copans Road to Sample Road	84
(19) Cypress Road from Atlantic Boulevard (State Road 814) to south city limits	80	(25B) Blount Road from Copans Road to Dr. Martin Luther King, Jr. Boulevard	80
(20A) That portion of S.E. 15th Street and S.W. 15th Street (also known as McNab Road) from South Federal Highway (U.S. 1) to S.W. 7th Avenue	80	(26) N.E. 3rd Avenue from Copans Road to Sample Road	80
		(27) N.E. 48th/N.E. 49th Streets from North Dixie Highway to Federal Highway (U.S. 1)	106

(B) All street, avenues or other public ways, but not alleys, which have a residential zoning shall have a minimum width of 50 feet. All residentially zoned property abutting the street, avenue or other public way shall not erect a building or structure closer than 25 feet to the center line of these streets.

#2

(C) All streets, avenues or other public ways, but not alleys, which have a commercial or industrial zoning shall have a minimum width of 60 feet. All commercially or industrially zoned property abutting the street, avenue or other public way shall not erect a building or structure closer than 30 feet to the center line of these streets.

('58 Code, § 50.55) (Ord. 664, passed - - ; Am. Ord. 72-46, passed 6-20-72; Am. Ord. 73-68, passed 8-21-73; Am. Ord. 75-1, passed 10-15-74; Am. Ord. 91-63, passed 6-25-91; Am. Ord. 94-28, passed 3-22-94; Am. Ord. 95-78, passed 7-11-95; Am. Ord. 2005-44, passed 4-12-05) Penalty, see § 10.99

Cross-reference:

Minimum street widths, minimum street right-of-way and paving width, see §§ 100.01 and 100.24

§ 155.142 (RESERVED).

§ 155.143 (RESERVED).

§ 155.144 (RESERVED).

RESIDENTIAL DISTRICTS

§ 155.155 DISTANCE OF RESIDENCE FROM LOT LINE.

In any residential district, no part of any building or structure, principal or accessory (other than a fence, deck or wall, or a building projection such as eaves, as specifically provided for herein), shall be constructed within less than five feet of any lot line. No permitted building projection shall extend to any common lot line closer than four feet. ('58 Code, § 50.51) (Ord. 664, passed - - ; Am. Ord. 91-63, passed 6-25-91; Am. Ord. 99-10, passed 11-10-98) Penalty, see § 10.99

§ 155.156 SWIMMING POOLS.

In residential districts, the location of swimming pools shall be subject to the following regulations; these regulations shall also apply to spas and hot tubs.

(A) Unenclosed pools or pools enclosed only with an open mesh, shadow box, or basket weave fence may be located in a required side or rear yard, provided the following conditions are met. However, such pools shall not

be located in a required front yard or a required side yard abutting a street.

(1) The pool shall not be located less than five feet from any side or rear lot line.

(2) The pool shall not be placed within a utility or drainage easement.

(3) The measurements shall be taken from the inner edge or water line of the pool.

(B) Any part of a pool which is screened, enclosed, or covered by a roof or enclosed by side walls over six feet in height shall be subject to the limitations on location of a building or structure provided the following conditions are met. However, such pools shall not be placed in any required yard.

(1) Any pool located in a rear yard abutting a waterway shall be located a minimum of 15 feet from the waterway or rear lot line, whichever is the lesser dimension.

(2) The measurements shall be taken from the exterior of a screen enclosure, roof, or walls.

(C) Portable pools which are more than 24 inches in depth shall not be allowed in any required front or street side yard.

('58 Code, § 50.52.1) (Ord. 76-5, passed 12-2-75; Am. Ord. 81-20, passed 12-16-80; Am. Ord. 91-63, passed 6-25-91; Am. Ord. 95-55, passed 4-25-95) Penalty, see § 10.99

ONE-FAMILY RESIDENTIAL DISTRICTS

§ 155.157 RS-1 SINGLE-FAMILY RESIDENCE DISTRICT.

(A) Intent. This district is intended to accommodate single-family detached dwellings and compatible community facility uses.

(B) Permitted uses. Single-family detached dwelling.

(C) Special exception uses. Subject to the provisions of §§ 155.080 through 155.084, the following uses are permitted:

(1) Public or private park;

(2) Church and other house of worship;

Karen Friedman

From: Pompano Highlands <pbhighlands@gmail.com>
Sent: Wednesday, January 28, 2015 1:53 PM
To: Karen Friedman
Subject: Re: Planning and zoning meeting 1/28/2015, Item 6, Right-of-way adoption

ok, thanks

On Wed, Jan 28, 2015 at 12:51 PM, Karen Friedman <Karen.Friedman@copbfl.com> wrote:

Dear Mr. Syrek –

I understand your concern. While on the P&Z Agenda tonight as a courtesy review, the text amendments to CH 100 are subject to approval by the City Commission.

I anticipate the first reading of the Ordinance will be on the February 24, 2015 agenda.

Please note that since the roadway is currently a Broward County Trafficways, it is still my recommendation that the minimum right-of-way be accurately codified by the city. I believe it would be misleading for the city to infer the required ROW is less than that required by the County (who retains jurisdiction over this roadway). That being said, I will attach all of our correspondence to the agenda item so that your concern and opposition to the amendment is clear.

As to your question regarding the necessity of having minimum ROW standards versus setbacks...

The front setback relates to private property. It regulates how far back from the front property line that a principal structure can be placed. Compliance with setbacks regulations is required for any application.

The minimum ROW relates to public property. It dictates how far from the centerline of the roadway that property must be dedicated to the city. The city requires dedication for all applications for Plat, Rezoning, and Major Site Plan, as well as any application which includes developing a new structure or increasing an existing structure by 50% of the existing gross floor area.

Therefore these two restrictions are not the same.

Please let me know if there is any additional information I can provide,

Karen Friedman, AICP, Planner

From: Pompano Highlands [mailto:pbhighlands@gmail.com]

Sent: Wednesday, January 28, 2015 11:20 AM

To: Karen Friedman

Cc: Robin Bird; Charlotte Burrie; Alessandra Delfico; Jennifer Gomez; Paola West; Kerrie MacNeil; Dennis Beach

Subject: Re: Planning and zoning meeting 1/28/2015, Item 6, Right-of-way adoption

Hi, Karen, yes we understand the status of the 48/49 street corridor at the County level, and our association is considering undertaking the traffic ways plan revision as you describe. That goal was the reason of my consultation with County staff back in August. I can put you in touch with county staff so you can hear for yourself their position on this issue.

It appears to me that the practical effect of the city ordinance change proposed would be to prevent someone from erecting a building that encroaches on a right-of-way. If the current residential zoning contains a front set-back restriction, sufficient to achieve the same goal, would that render the RoW issue moot?

I'm sure you can see that incorporation of this minimum RoW by the City at this time would not be helpful to us in any application to change the county traffic ways plan. Our neighborhood association is interested in maintaining the residential character of 48th Street, and believes any road widening will deal a harmful blow to our efforts at improving the community. Please re-consider taking any official action at this time until we can sort out the related issues.

Thank you

Walter Syrek

On Wed, Jan 28, 2015 at 10:29 AM, Karen Friedman <Karen.Friedman@copbfl.com> wrote:

Dear Mr. Syrek –

Unfortunately NE 48th / NE 49th Street is a Broward County Trafficway. This distinction means that the roadway, including its minimum width, is under County jurisdiction. The 106 ft minimum ROW is set by the County. Therefore the text amendment is reinsert

Here is the link to the Trafficways Map. <http://gis.broward.org/maps/webPDFs/Pcouncil/trafficways24by24.pdf>

For your convenience I have also included a screen shot of the map and the legend. It is below.

All of this being said, there is a process to remove a roadway from the Trafficways. Here is the link. <http://www.broward.org/PlanningCouncil/Documents/TrafficwaysPlan/appendix2.pdf>

As you will see, the County requires the application to be initiated by the City Commission.

A copy of your email and my responses will be made part of the P&Z Board's record on tonight's item.

Please let me know if I can provide any further information.

BROWARD COUNTY TRAFFICWAYS PLAN

LEGEND

Classification	Symbol	R/W
Limited Access/ Controlled		325'
Arterial		200'
		144'
		120'
		110'
		106'
		100'

AREA PLANNING BOARD Adoption Dates

North: 10/9/62 Southeast: 11/7/63
Central: 9/11/62 Southwest: 4/17/69

GENERAL NOTES

1. TRAFFICWAYS LOCATIONS ARE NOT PRECISE
This plan shows traffic corridors, not precise alignments.
Alignments will be determined as a result of detailed studies.

2. LOCAL ROADS



From: Karen Friedman
Sent: Wednesday, January 28, 2015 9:34 AM
To: 'Pompano Highlands'
Cc: Robin Bird; Charlotte Burrie; Alessandra Delfico; Jennifer Gomez; Paola West
Subject: RE: Planning and zoning meeting 1/28/2015, Item 6, Right-of-way adoption
Importance: High

Dear Mr. Syrek –

Thank you for sending me your comments and concerns. While the intent of the text amendment was to readopt standards that were previously in the city's code, I am sending your comments to the City Engineer so that we may discuss your concerns promptly.

The text amendments include changes to both Chapter 155 (Zoning Code) as well as Ch 100. The Planning and Zoning Board will review and consider recommendation of the text amendments to CH 155 at their meeting tonight. While the Planning and Zoning Board is reviewing the changes to CH 100 only as a courtesy, I will make sure that the Board receives a copy of your email.

Thank you again for your valuable feedback on this issue,

Karen Friedman, AICP, Planner

From: Pompano Highlands [<mailto:pbhighlands@gmail.com>]
Sent: Wednesday, January 28, 2015 9:24 AM
To: Karen Friedman
Cc: Robin Bird; Charlotte Burrie
Subject: Planning and zoning meeting 1/28/2015, Item 6, Right-of-way adoption

Hello Karen,

In your staff memo 14-544, a recommendation is made for the City to adopt minimum right-of-way widths for designated thoroughfares. On page 2 of the memo, the minimum right-of-way width for the NE 48th-49th St corridor is listed as 106 feet.

This east west road bisects the Pompano Beach Highlands neighborhood, and is currently constructed as a two-lane road with a 70-foot right of way. Widening the ROW would require condemnation of about 18 feet of land from the front lawn of all the single-family residences along its length.

I had extensive conversations with Brad Terrier and Matthew Goldstein, both with Broward County, back in August regarding this issue. Both gentlemen confirmed that the County has no plans to widen the road. Mr. Goldstein told me that any such widening was not on the multi-year plan. He expressed surprise when I pointed out to him that the condemnation would bring the edge of the ROW to within feet of each dwelling's front door.

On behalf of the Pompano Beach Highlands Civic Improvement Association, I respectfully request that this designation for 48-49 St. be deleted from the list intended for adoption, until such time as the realities and ramifications of any road widening are thoroughly explored.

Thank you for your attention,

Walter Syrek, Secretary

Pompano Beach Highlands Civic Improvement Assn.

(954) 933-6393

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visit our **new** website: <http://www.pbhighlands.org>

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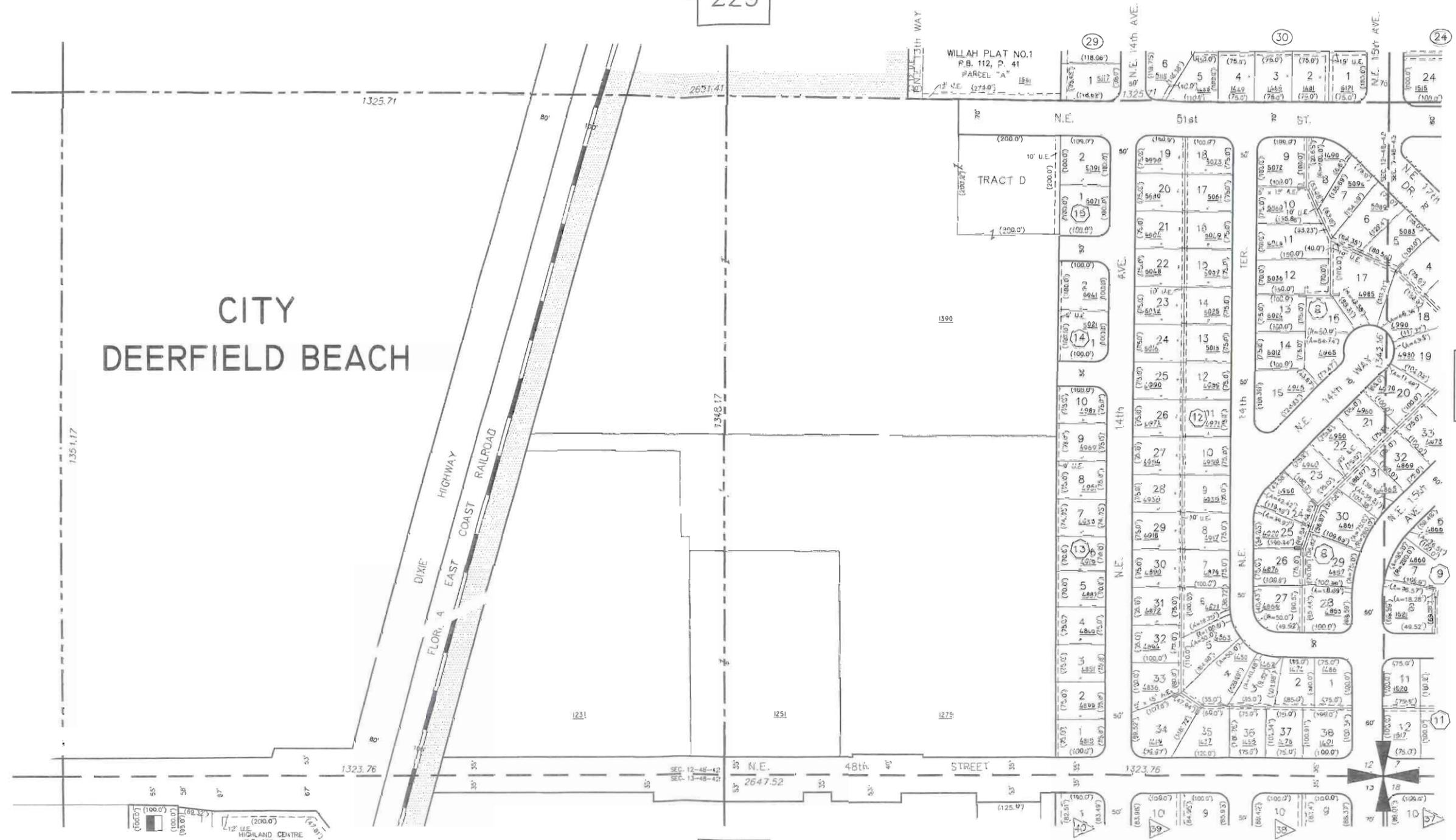
visit our **new** website: <http://www.pbhighlands.org>

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visit our **new** website: <http://www.pbhighlands.org>

229

CITY DEERFIELD BEACH



227

222

- POMPANO BEACH HIGHLANDS 2nd SECTION P.B. 36, P. 21 (1955)
- ◡ POMPANO BEACH HIGHLANDS P.B. 34, P. 38 (1954)
- △ POMPANO BEACH HIGHLANDS 3rd SECTION P.B. 39, P. 31 (1956)
- FARM STORES PLAT NO. ONE P.B. 88, P. 10 (1976)

REVISED:

09/25/04 FS

02/21/12 S.S. (Addresses)

11/09/08 S.S. Rev. & Addresses

- NOTES:
- ALL ROUNDED STREET CORNER R/W RADII ARE 25' UNLESS OTHERWISE SPECIFIED.
 - DRAINAGE (D.E.) AND UTILITY (U.E.) EMBLEMENTS ARE SHOWN AS DASHED LINES, NUMBERS INDICATING TOTAL WIDTH IF ONLY ONE NUMBER SHOWN.
 - STREET ADDRESSES SHOWN THUS: 1224.
 - CITY LIMITS SHOWN THUS: (SHADING LIES ENTIRELY OUTSIDE)
 - DISTANCES SHOWN IN ITALICS ARE FROM CHARLTON SURVEY (BROWARD CO., 1927). DISTANCES AND ANGLES IN PARENTHESES ARE FROM REGISTERED ENGINEERS AND SURVEYORS.

CITY OF POMPANO BEACH, FLA.
OFFICE OF CITY ENGINEER

MAP NO. 226

PART OF S. 1/2 OF N.E. 1/4 OF
SEC. 12, TWP. 48 S., R. 42 E

DRAWN BY: RRM. DATE: 7/1/99

SCALE: 0 50 100 200

#5



Federal Highway

NORTH ↑

#60

NORTH ↑



#1,

の#



NORTH
↓

15TH

48TH

7#

Dixie
Highway
Just to
the west

48TH

AGCE St

14TH

NORTH
↑



**PLANNING AND ZONING BOARD/ LOCAL PLANNING AGENCY
MEMORANDUM #15-006**

DATE: February 17, 201~~4~~⁵
TO: City Commission
FROM: Planning and Zoning Board/ Local Planning Agency
SUBJECT: Proposed Text Amendments to Zoning Code,
Minimum Right-of-Way

At the meeting of the Planning and Zoning Board/ Local Planning Agency held on January 28, 2015, the Board considered proposed text amendments to the Zoning Code regarding revisions to the standards in the Minimum Right-of-Way as set forth in the Department of Development Services Administrative Report 14-544.

Staff recommends revisions to the Zoning Code §155.5704.C, §155.5704.D, and §155.9401.H.3 to cross-reference to §100.01.B.

Staff also recommends revision to §155.9401.H.5 to reinsert the measurement from the old Zoning Code's §155.009 which is used to determine setbacks for properties on a cul-de-sac.

The Planning and Zoning Board recommends that the City Commission initiate a Broward County Trafficways Plan Amendment to remove NE 48th/49th Street from the plan due to the residential nature of the street.

With a unanimous vote for the approval of the amendment, it is the recommendation of the Board that the text amendments be approved.



Jim Beeson
Chairman
Planning and Zoning Board/ Local Planning Agency

Return to:

Name: Keith M. Poliakoff, Esq.
Address: Becker & Poliakoff, P.A.
Emerald Lake Corporate Park
3111 Stirling Road
Ft. Lauderdale, FL 33312-6525

This Instrument Prepared by:
Keith M. Poliakoff, Esq.
Becker & Poliakoff, P.A.
Emerald Lake Corporate Park
3111 Stirling Road
Ft. Lauderdale, FL 33312-6525

THIS IS NOT AN OFFICIAL COPY

SPACE ABOVE THIS LINE FOR PROCESSING DATA SPACE ABOVE THIS LINE FOR PROCESSING DATA

DECLARATION OF RESTRICTIVE COVENANTS

THIS DECLARATION OF RESTRICTIVE COVENANTS ("Declaration") is made this th day of December, 2007, by SHOAL CREEK PROPERTIES -- POMPANO LLC, a Florida Limited Liability Company, hereinafter referred to as "Declarant", having an address of 555 South Federal Highway, Suite 330, Boca Raton, Florida 33432, shall be for the benefit of Broward County Florida, a political subdivision of the State of Florida, with a post office address of 115 South Andrews Avenue, Fort Lauderdale, Florida 33301 ("County").

WITNESSETH:

WHEREAS, Declarant is the fee simple owner of land generally located west of US1/Federal Highway and south of Northeast 48th Street, and more particularly described in Exhibit "A" attached hereto and made a part hereof (the "Property"); and

WHEREAS, Declarant has made an application to the County for approval of a land use plan amendment ("Amendment") to change the designation of the Property from Irregular (21) Residential designation to Irregular (36) Residential; and

WHEREAS, Declarant has offered to enter into this Declaration to restrict the utilization of the Property; and

WHEREAS, Declarant agrees to grant this Declaration to the County, and the County agrees to accept this Declaration in order to place certain restrictions on the development of the Property.

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NOW, THEREFORE, in consideration of the promises and covenants herein contained. Declarant hereby declares that the Property specifically referenced herein shall be owned, held, used, transferred, sold, conveyed, demised and occupied subject to the terms and conditions and restrictions set forth in this Declaration, all of which shall run with the Property and any part thereof and shall be binding upon all parties having any right, title or interest in such property or any part thereof, their heirs, successors and assigns.

1. Recitals. The foregoing recitations are true and correct and are incorporated into this Declaration by reference.

2. Tree Relocation and Additional Canopy. The Declarant shall relocate viable trees from the Property into the northern portion of the North Broward Park, and shall provide additional shade trees on the northern portion of the North Broward Park, as needed, and as approved by the City Commission of the City of Pompano Beach. Further, the Declarant shall work with the City of Pompano Beach and shall provide additional vegetation, as approved by the City Commission of the City of Pompano Beach, to create a littoral zone surrounding the North Broward Park Lake following the Broward County NatureScape guidelines.

3. Neighborhood Improvements. The Declarant agrees to contribute Fifty-Five Thousand Dollars (\$55,000.00) to the community to help foster neighborhood improvements, including contributing Ten Thousand Dollars (\$10,000.00) to help fund a traffic study and Ten Thousand Dollars (\$10,000.00) to help establish the proposed neighborhood dog park.

4. NatureScape Broward Certified. The Declarant agrees that the Property shall obtain a Broward NatureScape Certification.

5. Corridor Study. The Declarant agrees that its site plan will implement the principles of the Federal Highway Corridor Study prepared by The Mellgren Planning Group in 2006.

6. North Broward Park Access. The Declarant agrees to provide gated access to the North Broward Park from the Property.

7. Emergency Access. The Declarant agrees that its west side access shall only be utilized for emergency vehicles.

8. Height. The Declarant agrees that the height immediately adjacent to Federal highway shall not exceed five (5) stories as defined in the City of Pompano Beach Land Development Code, and that the buildings shall be brought within one hundred (100) feet of Federal Highway. The height of the western most building shall not exceed three (3) stories in height as defined in the City of Pompano Beach Land Development Code.

9. Modification and Termination. An amendment, modification or termination of this Declaration requires the approval of the County and recordation of a release in the Public Records of Broward County, Florida.

3

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10. Covenant Running with the Land. This Declaration shall be recorded in the Public Records of Broward County, Florida, at Declarant's expense, and shall run with the Property described in Exhibit "A", and shall be binding on all heirs, successors and assigns.

11. Severability. If any court of competent jurisdiction shall declare any section, paragraph, or part thereof invalid or unenforceable, then such judgment or decree shall have no effect on the enforcement or validity of any other section, paragraph or part hereof, and the same shall remain in full force and effect.

12. Captions, Headings and Titles. Section and paragraph captions, headings and titles inserted throughout this Declaration are intended as a matter of convenience only and in no way shall such captions, headings or titles define, limit or in any way affect the subject matter of any of the terms and provisions thereunder.

13. Effective Date. This Declaration shall become effective upon its recordation.

THIS IS NOT AN
OFFICIAL COPY

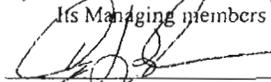
[Signature on Following Page]

IN WITNESS WHEREOF, has hereunto set its authorized hand this ___ day of December, 2007.

OWNER

**SHOAL CREEK PROPERTIES --
POMPANO LLC,**
Florida limited liability company

By: Urban Ventures At Pompano, LLC
Its Managing members



(Signature)

Print name: Andrew Burnham
Title: Manager
Address: 555 S. Federal Highway,
Suite 330
Boca Raton, Florida 33432

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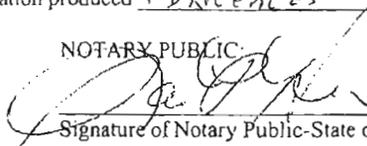
ACKNOWLEDGMENT - CORPORATION

STATE OF FLORIDA)
) ss.
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me this 1st day of December, 2007, by Andrew Burnham, as Manager of Urban Ventures at Pompano, LLC, Managing Member of SHOAL CREEK PROPERTIES - POMPANO, LLC, a Florida Limited Liability Company, on behalf of the corporation/partnership. He is:

[] personally known to me, or
[x] produced identification. Type of identification produced FD Licenses

NOTARY PUBLIC:



Signature of Notary Public-State of Florida

Print, type, or stamp Commissioned Name
My commission expires:

Affix Seal Bellow

NOTARY PUBLIC STATE OF FLORIDA
 Sandra P. Harris
Commission # DD525349
Expires: APR. 16, 2010
Bonded Thru Atlantic Bonding Co., Inc.

5

#8

EXHIBIT "A"

LEGAL DESCRIPTION

DESCRIPTION: HOLIDAY GARDENS

PARCEL 1

LOT 8, BLOCK 32, POMPANO BEACH HIGHLANDS 3RD SECTION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 39, PAGE 31, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

TOGETHER WITH:

PARCEL 2

ALL THAT PART OF THE NORTH ONE-HALF (N 1/2) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SECTION 18, TOWNSHIP 48 SOUTH, RANGE 43 EAST, LYING WEST OF THE WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 5, (FORMERLY STATE ROAD NO. 4, U.S. HIGHWAY NO. 1), COMMONLY KNOWN AS FEDERAL HIGHWAY, LYING SOUTH OF A LINE PARALLEL TO AND 526.67 FEET SOUTH OF THE NORTH LINE OF SAID NORTH ONE-HALF (N 1/2) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 18.

TOGETHER WITH:

PARCEL 3

THAT PORTION THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SECTION 18, TOWNSHIP 48 SOUTH, RANGE 43 EAST, LYING WEST OF THE WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 4, ALSO KNOWN AS FEDERAL HIGHWAY, AS NOW LOCATED AND ESTABLISHED, WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 18, THENCE RUNNING NORTH 89°07'30" EAST, A DISTANCE OF 446.8 FEET TO THE WEST BOUNDARY LINE OF SAID STATE ROAD NO. 4, ALSO KNOWN AS FEDERAL HIGHWAY, AS NOW LOCATED AND ESTABLISHED; THENCE SOUTH 07°15'30" WEST, ALONG THE WEST BOUNDARY OF SAID HIGHWAY, A DISTANCE OF 150 FEET TO A POINT; THENCE SOUTH 89°07'30" WEST, A DISTANCE OF 426.27 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 18; THENCE NORTH 00°36'30" WEST, ALONG THE

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WEST LINE OF THE SOUTHEAST ONE-QUARTER (SE ¼) OF THE NORTHEAST ONE-QUARTER (NE ¼) OF THE NORTHWEST ONE-QUARTER (NW ¼) OF SAID SECTION 18, A DISTANCE OF 148.5 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

PARCEL 4

A PORTION OF THE SOUTH 99.05 FEET OF THE NORTH 526.67 FEET OF THAT PART OF THE NORTH ONE-HALF (N ½) OF THE NORTHEAST ONE-QUARTER (NE ¼) OF THE NORTHWEST ONE-QUARTER (NW ¼) LYING WEST OF THE RIGHT-OF-WAY OF FEDERAL HIGHWAY IN SECTION 18, TOWNSHIP 48 SOUTH, RANGE 43 EAST, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY BOUNDARY OF THE ABOVE DESCRIBED PROPERTY 1135.65 FEET WEST OF THE SOUTHEAST CORNER THEREOF; THENCE NORTH ALONG THE WESTERLY BOUNDARY THEREOF 79.05 FEET TO A POINT; THENCE EAST PARALLEL WITH THE SOUTHERLY BOUNDARY THEREOF 80 FEET TO A POINT; THENCE SOUTH PARALLEL WITH THE WESTERLY BOUNDARY THEREOF 79.05 FEET TO THE SOUTHERLY BOUNDARY; THENCE WEST ALONG THE SAID SOUTHERLY BOUNDARY 80 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN BROWARD COUNTY, FLORIDA, CONTAINING 5.328 ACRES MORE OR LESS.

NOTES:

1. THE BEARINGS, DISTANCES, AND AREA SHOWN HEREON AND ON THE ATTACHED SKETCH ARE SUBJECT TO CHANGE BASED ON THE FIELD LOCATION OF EXISTING PROPERTY MONUMENTATION.
2. THE BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED MERIDIAN. THE WEST RIGHT-OF-WAY OF FEDERAL HIGHWAY BEARS NORTH 07°15'30" EAST ACCORDING TO FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 86020-2526, SHEET 8 OF 20, DATED DECEMBER 21, 1977, REVISED NOVEMBER 24, 1980.
3. THE ABOVE DESCRIPTION IS BASED ON THE FOLLOWING DEEDS:
 WARRANTY DEED OFFICIAL RECORDS BOOK 30962, PAGE 1628 (LOT 8 & PARCELS "2" & "3")
 WARRANTY DEED OFFICIAL RECORDS BOOK 31902, PAGE 1819 (PARCEL "4")

 THE ABOVE DEEDS ARE ALL RECORDED IN THE OFFICIAL RECORDS OF BROWARD COUNTY, FLORIDA.

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