

REQUESTED COMMISSION ACTION:

QUASI-JUDICIAL

Consent

Ordinance

X Resolution

Consideration/  
Discussion

Presentation

SHORT TITLE: A RESOLUTION OF THE CITY COMMISSION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING CITY STAFF'S LETTER OF NO OBJECTION TO AMENDMENT OF NOTATION ON THE FLO EAST CO ADDITION PLAT; PROVIDING AN EFFECTIVE DATE.

Summary of Purpose and Why:

The property owner, Lone Oak – Broward, LLC, wishes to amend the plat note on the Flo East Co Addition plat for the purpose of accommodating an ancillary office space on the site at 1751 NW 12<sup>th</sup> Avenue. Currently the note restricts development to a "single story," thereby prohibiting a mezzanine area the applicant desires to construct within the existing structure (with no additional height necessary). The existing note currently reads "This plat is restricted to single story industrial use only. Commercial/retail uses are not permitted with(out) the approval of the Board of County Commissioners who shall review and address these uses for increased impacts. This note is required by Chapter 5, Article IX, Broward County Code of Ordinances, and may be amended by agreement with Broward County." The proposed note is to read, "This plat is restricted to 375,000 square feet of industrial use (333,716 square feet - Existing, 41,284 square feet - proposed). Commercial/retail uses and freestanding office buildings are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts. Industrial buildings may have no more than 30% ancillary office use per bay or single tenant building." Staff has no objections to the change.

- (1) Origin of request for this action: Joseph J. Verdone, AICP of Carlton, Fields, Jordan, Burt
- (2) Primary staff contact: Maggie Barszewski/ Robin M. Bird Ext. 7921
- (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. Serv. Dept.

7/16/2015

Approval

*[Signature]*

City Attorney

7/15/2015

7/17/15

CAC #2015-1281

*[Signature]*

Advisory Board

X City Manager

*[Signature]*

*[Signature]*

ACTION TAKEN BY COMMISSION:

Ordinance

Resolution

Consideration

Workshop

1<sup>st</sup> Reading

1<sup>st</sup> Reading

Results:

Results:

2<sup>nd</sup> Reading





**City Attorney's Communication #2015-1281**  
July 15, 2015

**TO:** Maggie Barszewski, AICP, Planner  
**FROM:** Gordon B. Linn, City Attorney  
**RE:** Resolution Approving Plat Note Amendment

As requested in your memorandum of July 16, 2015, Department of Development Services Memorandum #15-329, the following form of resolution, relative to the above-referenced matter, has been prepared and is attached:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING CITY STAFF'S LETTER OF NO OBJECTION TO AMENDMENT OF NOTATION ON THE FLO EAST CO ADDITION PLAT; PROVIDING AN EFFECTIVE DATE.**

Please feel free to contact me if I may be of further assistance.

GORDON B. LINN

GBL/jrm  
l:cor/dev-srv/2015-1281

RESOLUTION NO. 2015-\_\_\_\_\_

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

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING CITY STAFF'S LETTER OF NO OBJECTION TO AMENDMENT OF NOTATION ON THE FLO EAST CO ADDITION PLAT; PROVIDING AN EFFECTIVE DATE.**

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

**SECTION 1.** That city staff's letter of no objection to amendment of notation on the Flo East Co Addition Plat, a copy of which letter is attached hereto and incorporated herein by reference as if set forth in full, is hereby approved and authorized.

**SECTION 2.** That the proper city staff is hereby authorized to forward said letter to Broward County.

**SECTION 3.** This Resolution shall become effective upon passage.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
**LAMAR FISHER, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**ASCELETA HAMMOND, CITY CLERK**

GBL/jrm  
7/15/15  
l:reso/2015-422



Florida's Warmest Welcome

Development Services Department

Robin M. Bird, Director

Planning and Zoning Division

City of Pompano Beach, Florida

100 W. Atlantic Boulevard, Pompano Beach, Florida 33060 | p: 954.786.4629 | f: 954.786.4044

July 16, 2015

Ms. Peggy Knight  
Broward County Planning & Redevelopment Division  
1 N University Drive, Ste 102A  
Plantation, Florida 33324

Re: City of Pompano Beach Letter of No Objection to the amendment to the plat note Flo East Co Addition

Dear Ms. Knight:

The City of Pompano Beach has no objection to amendment of notation on the Flo East Co Addition. The change to the note is, as follows:

**From:**

“This plat is restricted to single story industrial use only. Commercial/retail uses are not permitted with(out) the approval of the Board of County Commissioners who shall review and address these uses for increased impacts. This note is required by Chapter 5, Article IX, Broward County Code of Ordinances, and may be amended by agreement with Broward County.”

**To:**

“This plat is restricted to 375,000 square feet of industrial use (333,716 square feet - Existing, 41,284 square feet - proposed). Commercial/retail uses and freestanding office buildings are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts. Industrial buildings may have no more than 30% ancillary office use per bay or single tenant building.”

Regards,

Maggie Barszewski, AICP  
Planner

**CARLTON FIELDS**  
**JORDEN BURT**

ATTORNEYS AT LAW

CityPlace Tower  
525 Okeechobee Boulevard | Suite 1200  
West Palm Beach, Florida 33401-6350  
P.O. Box 150 | West Palm Beach, Florida 33402-0150  
561.659.7070 | fax 561.659.7368  
www.CFJBLaw.com

Atlanta  
Hartford  
Los Angeles  
Miami  
New York  
Orlando  
Tallahassee  
Tampa  
Washington, DC  
West Palm Beach

July 1, 2015

City of Pompano Beach Planning & Zoning  
City Hall Main Building - Third Floor  
100 West Atlantic Boulevard  
Pompano Beach, Florida 33060

RE: Flo East Coast Addition PB 134 Page 42 Plat Note Amendment Request

Maggie-

On behalf of the property owner I am requesting an amendment to the existing plat note on the Flo East Coast Addition, PB 134 Page 42. As we have previously discussed the original plat note restricted development on site to a single story industrial use, however the property was developed with 337,716 square feet of industrial use that also includes 12,954 SF of ancillary office space located on a second floor within the existing industrial building (survey provided). Therefore we are proposing to amend the existing plat note to be consistent with the existing approved development constructed on site.

**Proposed Plat Amendment**

Replace the existing plat note language, which currently states:

*"This plat is restricted to single story industrial use only. Commercial/retail uses are not permitted with(out) the approval of the Board of County Commissioners who shall review and address these uses for increased impacts. This note is required by Chapter 5, Article IX, Broward County Code of Ordinances, and may be amended by agreement with Broward County."*

with the proposed plat note language, which will state:

*"This plat is restricted to 375,000 square feet of industrial use (333,716 square feet - Existing, 41,284 square feet - proposed). Commercial/retail uses and freestanding office buildings are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts. Industrial buildings may have no more than 30% ancillary office use per bay or single tenant building."*

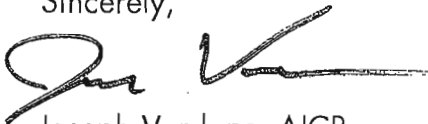
Both Pompano Beach and Broward County staff have reviewed the request and have agreed on the preliminary format and note language proposed. The proposed amended note will also provide for the ability to seek new permits for an additional 41,284 square feet of potential future growth. The site will continue to conform to the existing industrial property development regulations and all applicable zoning requirements.

A search of the public records of Broward County as performed on July 1, 2015, The results of that search found no evidence of any additional plat note amendment being recorded to date in the public record.

A plat amendment package including the required \$350.00 fee check, property survey, warranty deed as proof of ownership, notarized owners' consent, together with 15 copies of the existing recorded Flo East Coast Addition Plat is attached to the request.

Please contact me at (561) 650-8044 or [www.cfjblaw.com](http://www.cfjblaw.com), if you have any question or need additional information.

Sincerely,



Joseph Verdone, AICP

