



City Attorney's Communication #2016-362

January 8, 2016

TO: Maggie Barszewski, AICP, Planner
FROM: Mark E. Berman, City Attorney
RE: Resolution – Croatian American Social Club Plat Note Amendment

As requested in your memorandum of December 29, 2015, Department of Development Services Memorandum #15-673, 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 CROATIAN AMERICAN SOCIAL CLUB PLAT; PROVIDING AN EFFECTIVE DATE.

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



MARK E. BERMAN

MEB/jrm
l:cor/dev-srv/2016-362

Attachment

RESOLUTION NO. 2016-_____

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 CROATIAN AMERICAN SOCIAL CLUB 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 Croatian American Social Club 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 _____, 2016.

LAMAR FISHER, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

/jrm
1/8/16
l:reso/2016-87



December 29, 2015

Martin Berger
Broward County Planning & Redevelopment Division
1 N. University Drive, Ste 102A
Plantation, Florida 33324

RE: City of Pompano Beach Letter of no objection to amending the Croatian American Social Club Plat recorded in PB 175, PG 196

Dear Mr. Berger:

The City of Pompano Beach has no objection to amending the restrictive note pertaining to the above noted plat. The change to the note is, as follows:

From: This plat is restricted to 5,000 square feet of Commercial use.

To: This plat is restricted to 6,510 square feet of Commercial use.

Also, the Finding of Adequacy needs to be amended to January 26, 2021.

We have no objection to amending the Plat as stated above.

If we may be of further assistance, please contact us at 954-786-7921.

Very truly yours,

Maggie Barszewski, AICP,
Planner

872 COMPLEX
AMENDMENT OF RESTRICTIVE PLAT NOTE
CROATIAN-AMERICAN SOCIAL CLUB PLAT
Jan 18, 2016

This is a request for amendment of the plat note recorded in Plat Book 175, Page 196 of the Broward County Public Records.

Recorded Plat Note:

"This plat is restricted to 5,000 square feet of commercial use. Banks are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts."

Requested Amended Plat Note:

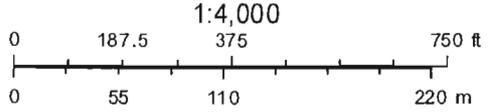
"This plat is restricted to 6,500 square feet of commercial use. Banks are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts."



January 11, 2016

Parcels

- Override 1
- Parcels



#10



CFN # 106142564, Page 1 of 2 Recorded 06/07/2006 at 01:57 PM

DEDICATION

STATE OF FLORIDA COUNTY OF BROWARD SS KNOW ALL MEN BY THESE PRESENTS: That CROATIAN-AMERICAN SOCIAL CLUB, INC., a Florida corporation, owner of the lands described in and shown as included in this plat, has caused said lands to be subdivided and platted as shown hereon, said plat to be known as "CROATIAN-AMERICAN SOCIAL CLUB". The additional thoroughfare is hereby dedicated to the public for roads and road related purposes. All easements as shown hereon are hereby dedicated to the public for proper purposes.

IN WITNESS WHEREOF: We hereunto set our hands in the City of Fort Lauderdale, County of Broward, State of Florida, this 23 day of August, 2005. CROATIAN-AMERICAN SOCIAL CLUB, INC., a Florida corporation

Witness: Christine Macchione Name of witness printed NED PAVICH Ned Pavich: Ned Pavich President
Witness: Christine Macchione Name of witness printed MICHAEL A. SHEGOTA Michael Shegota Michael Shegota Secretary

ACKNOWLEDGMENT

STATE OF FLORIDA COUNTY OF BROWARD SS The foregoing instrument was acknowledged before me this 23rd day of August, 2005, by NED PAVICH and MICHAEL SHEGOTA, being the PRESIDENT and SECRETARY, respectively of CROATIAN-AMERICAN SOCIAL CLUB, INC., a Florida Corporation, on behalf of said corporation.

They are: [X] personally known to me or who have produced as identification, and who did (did not) take an oath.

NOTARY PUBLIC Linda J. Humphreys STATE OF FLORIDA

Name of Notary printed: Linda J. Humphreys



CITY PLANNING AND ZONING BOARD

THIS IS TO CERTIFY: That the City Planning and Zoning Board of Pompano Beach, Florida, has approved this plat this 28 day of SEPTEMBER, 2005.

By: Jerry P. Jank Chairman, this 21 day of DECEMBER, 2005.

CITY COMMISSION

STATE OF FLORIDA COUNTY OF BROWARD SS THIS IS TO CERTIFY: That this plat has been accepted and approved for record by the CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA in and by RESOLUTION NO. 2005-145, adopted by the said City Commission, this 13th day of December, 2005.

No building permits shall be issued for the construction, expansion, and/or conversion of a building within this plat until such time as the developer provides this municipality with written confirmation from Broward County that all applicable impact fees have been paid or are not due.

By: Mary L. Chubb City Clerk, this 22nd day of December, 2005.

CITY ENGINEER'S APPROVAL

This plat is approved and accepted for record this 9th day of JANUARY, 2006.

By: Helen Gray City Engineer, Florida P.E. Registration # 57837

BROWARD COUNTY DEPARTMENT OF URBAN PLANNING AND REDEVELOPMENT

This plat is approved and accepted for record this 1st day of June, 2006. By: Patricia Gull Director / Designee

BROWARD COUNTY HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION

This plat has been approved and accepted for record.

By: Robert F. Legg, Jr. 5/30/06 Robert F. Legg, Jr. Professional Surveyor and Mapper Florida Registration Number: LS4030
By: Henry P. Cook 5-31-06 Henry P. Cook Broward County Director of Engineering Florida Professional Engineer Registration number: 12506

BROWARD COUNTY PLANNING COUNCIL

THIS IS TO CERTIFY: That the Broward County Planning Council approved this plat subject to its compliance with dedication of right-of-way for trafficways this 22nd day of September, 2005. By: Rick J. King Chairman
This plat complies with the approval of the Broward County Planning Council of the above date and is approved and accepted for record this 1st day of JUNE, 2006. By: Ruth Orsini Executive Director or Designee

BROWARD COUNTY FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT - COUNTY RECORDS DIVISION - MINUTES SECTION

THIS IS TO CERTIFY: That this plat complies with the provisions of Chapter 177, FLORIDA STATUTES, and was accepted for record by the Board of County Commissioners of Broward County, Florida, this 21st day of February, 2006. ATTEST: BERTHA HENRY - INTERIM, COUNTY ADMINISTRATOR
By: Sharon Hester Deputy County Administrator By: Joseph E. Egglefinger Mayor - Broward County, Florida

BROWARD COUNTY FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT - COUNTY RECORDS DIVISION - RECORDING SECTION

This plat filed for record this 7th day of June, 2006, in BOOK 175 of PLATS, at Page 195. ATTEST: BERTHA HENRY - INTERIM COUNTY ADMINISTRATOR By: Debra Lawrence Deputy

SURVEYOR'S CERTIFICATE

STATE OF FLORIDA COUNTY OF BROWARD SS I HEREBY CERTIFY: That the attached plat is a true and correct representation of the lands recently surveyed, subdivided and platted under my responsible direction and supervision, that the survey data shown complies with the applicable requirements of Chapter 177, Part 1, FLORIDA STATUTES, and further that the PERMANENT REFERENCE MONUMENTS (P.R.M.'S) were set in accordance with Section 177.091 of said Chapter 177, on this 6 day of April, 2006. The BENCH MARKS shown are referenced to NATIONAL GEODETIC VERTICAL DATUM OF 1929 and were established in conformity with the standards adopted by the National Ocean Survey for third order vertical control. This plat conforms to all applicable sections of Chapter 61G17-6, FLORIDA ADMINISTRATIVE CODE.

This plat dated at Fort Lauderdale, Florida, this 18 day of July, 2005.

By: Gerald A. McLaughlin Registered Land Surveyor No. 5269 State of Florida for McLAUGHLIN ENGINEERING COMPANY Certificate of Authorization Number: LB 285 400 Northeast 3rd Avenue Fort Lauderdale, Florida 33301

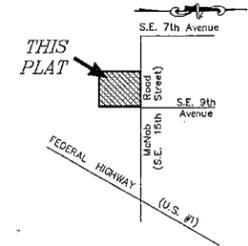
CROATIAN AMERICAN SOCIAL CLUB

A PORTION OF THE NORTHEAST ONE-QUARTER (N.E. 1/4) SECTION 12, TOWNSHIP 49, SOUTH, RANGE 42 EAST CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA July, 2005

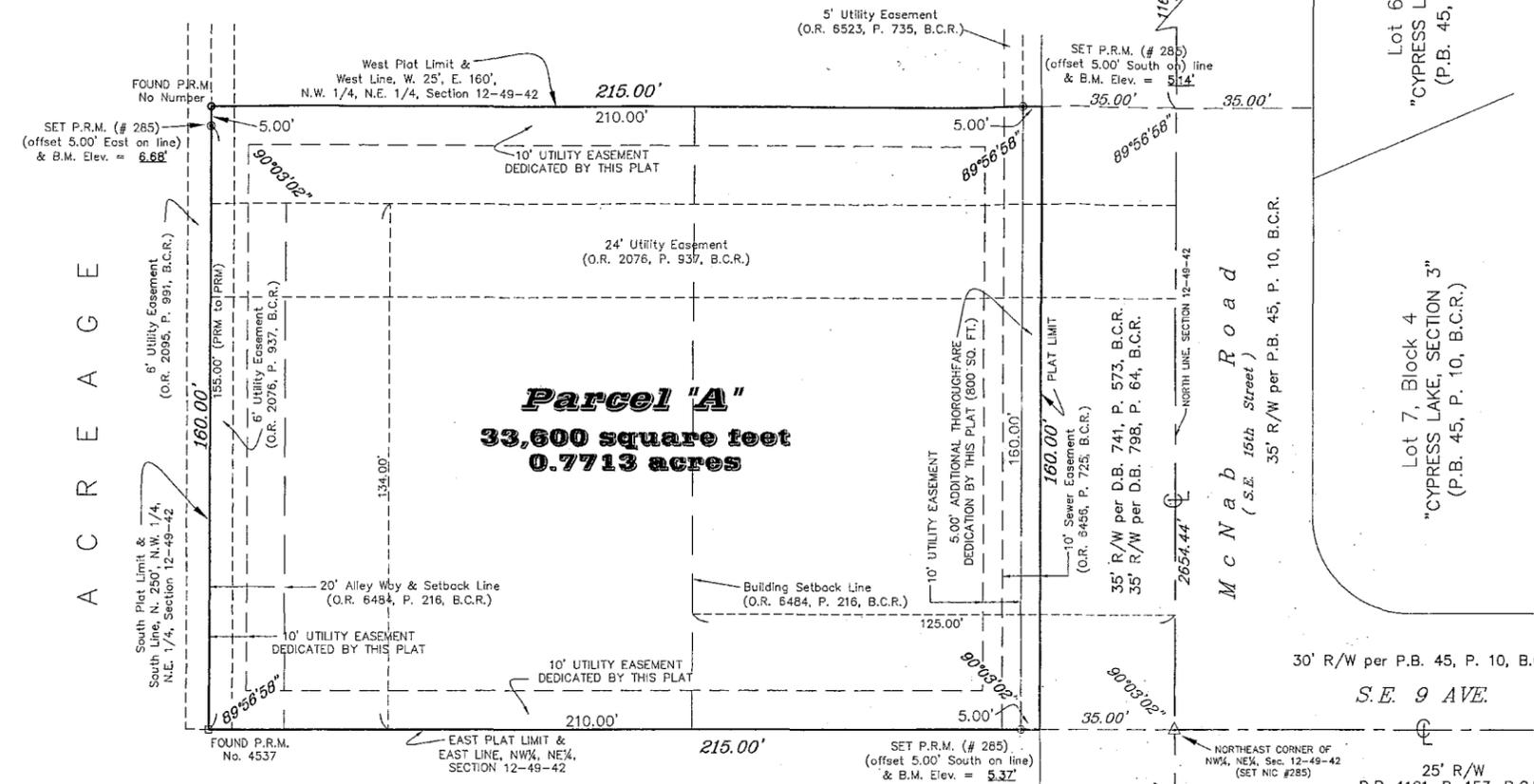


A C R E A G E

CFN #106142564
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Location Map
Not To Scale



Legal Description

The West 25.00 feet of the East 160.00 feet of the North 250.00 feet of the Northwest one-quarter (NW¼) of the Northeast one-quarter (NE¼) of Section 12, Township 49 South, Range 42 East, LESS: the North 35.00 feet thereof for Road.

TOGETHER WITH:

The East 135.00 feet of the North 250.00 feet of the Northwest one-quarter (NW¼) of the Northeast one-quarter (NE¼) of Section 12, Township 49 South, Range 42 East, LESS: the North 35.00 feet for Road.

Said lands situate, lying and being in the City of Pompano Beach, Broward County, Florida and containing 34,400 square feet or 0.7897 acres, more or less.

NOTES

Reference Bench Mark: Broward County Engineering Bench Mark NO. 772 Williams, Hatfield and Stoner Bench Mark; # 7 nail and cap, North side of Wood Power Pole # 87C4. 18.3' South of McNab Road and 200.7' East of Southeast 7th Avenue Bench Mark Elevation = 5.883' (Reference Bench Mark is referenced to the National Geodetic Vertical Datum of 1929)

NOTICE: This plat, as recorded in its graphic form, is the official depiction of the subdivided lands described herein and will in no circumstances be supplanted in authority by any other graphic or digital form of the plat. There may be additional restrictions that are not recorded on this plat that may be found in the public records of Broward County, Florida

If a building permit for a principal building (excluding dry models, sales and construction offices) and first inspection approval are not issued by February 21, 2011, which date is five (5) years from the date of approval of this plat by Broward County, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County makes a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code. The owner of the property shall be responsible for providing evidence to Broward County from the appropriate governmental entity, documenting compliance with this requirement within the above referenced time frame AND /OR

If project water lines, sewer lines, drainage and the rock base for internal roads are not installed by February 21, 2011, which date is five (5) years from the date of approval of this plat by Broward County, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County makes a subsequent finding that the application satisfies the adequacy requirements set forth in the Broward County Land Development Code. This requirement may be satisfied for a phase of this project, provided a phasing plan has been approved by Broward County. The owner of the property shall be responsible for providing evidence to Broward County from the appropriate governmental entity, documenting compliance with this requirement within the above referenced time frame.

LEGEND

- SET P.R.M.= Permanent Reference Monument (4"x4"x24" concrete post w/metal rod and Brass cap stamped L.B. 285)
- B.M. Elev.= Bench Mark Elevation
- SEC= Section
- ☉ = Centerline of Right-of-Way
- B.C.R.= Broward County Records
- D.B., P.= Deed Book and Page
- O.R., P.= Official Record Book and Page
- R/W= Right-of-Way
- Found P.R.M. No. 4537 = indicates Permanent Reference Monument (Concrete Post of undetermined size and shape, with Brass Cap Stamped # 4537)
- P.B., P.= Plat Book and Page

LEGEND - CONTINUED

- Found P.R.M. No Number = indicates Permanent Reference Monument (Concrete Post of undetermined size and shape, with Brass Cap - No Identifying Stamp)
- BCED - Broward County Engineering Department
- GPS - Global Positioning System
- △ - Northeast corner NW¼, NE¼, Sec. 12-49-42, Set nail in McLaughlin Engineering Cap, Stamped LB 285
- SQ. FT. - Square Feet

NORTHEAST CORNER, SEC. 12-49-42 CERTIFIED CORNER RECORD # 085594 (FOUND 1" IRON PIPE IN ASPHALT CUTOUT)

THIS NOTE ADDED PER BROWARD COUNTY'S SURVEYOR'S OFFICE PURSUANT TO CHAPTER 177.091, SUBSECTION (28), FLORIDA STATUTES

Platted utility easements are also easements for the construction, installation, maintenance and operation of cable television services; provided, however, no such construction, installation, maintenance, and operation of cable television services shall interfere with the facilities and services of an electric, telephone, gas or other public utility. In the event a cable television company damages the facilities of a public utility, it shall be solely responsible for the damages. This does not apply to private easements granted to or obtained by a particular electric, telephone, gas, or other public utility. Such construction, installation, maintenance and operation shall comply with the National Electric Safety code as adopted by the Florida Public Service Commission.

RESTRICTIVE NOTE

This plat is restricted to 5,000 square feet of commercial use. Banks are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts.

Any structure within this plat must comply with Section IV D.1.f., Development Review Requirements, of the Broward County Land Use Plan, regarding hazards to air navigation.

This note is required by chapter 5, Article IX, Broward County Code of Ordinances and may be amended by approval of the Broward County Board of County Commissioners. The notation and any amendments thereto are solely indicating the approved development level for the property located within this plat and do not operate as a restriction in favor of any property owner including an owner or owners of the property within this plat who took title to the property with reference to this plat.

CROATIAN AMERICAN SOCIAL CLUB

A PORTION OF THE NORTHEAST ONE-QUARTER (N.E. 1/4) SECTION 12, TOWNSHIP 49, SOUTH, RANGE 42 EAST CITY OF POMPAÑO BEACH, BROWARD COUNTY, FLORIDA

