



SM

CITY OF

POMPANO BEACH

FLORIDA

**CITY HALL OFFICES:**

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PLANNING AND ZONING BOARD/LOCAL  
PLANNING AGENCY

May 27, 2009  
Wednesday

City Commission Chambers

7:00 P.M.

**AGENDA**

A. Call to order by the Vice Chairman of the Board, Mr. Jim Beeson.

**B. ROLL CALL:**

Jim Beeson  
Ben Miller  
Dean Bowman  
Fred Stacer  
Jerry Mills

Alternate Members: Joan Kovac  
Jeff Torrey

**C. APPROVAL OF THE MINUTES:**

Regular Meeting of April 22, 2009

**D. INDIVIDUALS TESTIFYING PLACED UNDER OATH**

**E. ZONING CODE REVIEW**

**1. ZONING CODE - DIAGNOSIS/ANNOTATED OUTLINE**

Consideration of the above referenced document dated April of 2009.  
(NOTE: Copies were previously provided to Board members and alternates)

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**F. PUBLIC HEARINGS**

**2. PUBLIC HEARING #09-16**

Consideration of the request by **MILTON VERGARA**, for *SPECIAL EXCEPTION* approval per Section 155.080 (Special Exception Uses, Authorization) of the Code of Ordinances. This petitioner is requesting *SPECIAL EXCEPTION* use in accordance with the provisions of Section 155.180 (C) (3) in order to utilize the subject property in a B-1 (Limited Business District) for a church.

The property in this Public Hearing is as follows:

Lots 1 through 5, less the North 20 feet thereof, and all of Lots 6 and 7 less the South 10.00 feet thereof, Block 2, OCEAN DRIVE ESTATES,

according to the map or plat thereof as recorded in Plat Book 8, Page 2, of the public records of Broward County, Florida.

AKA: 1000 East Atlantic Boulevard

ZONED: B-1

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3. **PUBLIC HEARING #09-20-A**

Consideration of the request by **INTERNATIONAL CHURCH OF THE GRACE OF GOD**, for *SPECIAL EXCEPTION* approval as required by Section 155.183 (D) (5) and Section 155.162 (C) (3) in accordance with Section 155.080 (Special Exception Uses) of Chapter 155 of the Code of Ordinances in order to utilize the subject property for a church within a B-3 (General Business) district and RS-4 (Single Family Residence) district.

The property in this Public Hearing is as follows:

Lots 1 through 9 inclusive and Lot 48 in Block 12, NORTH POMPANO BEACH SECTION "B", according to the plat thereof as recorded in Plat Book 29, Page 16, of the public records of Broward County, Florida, and the South 16 feet of that part of the alley lying East of the West line of said Block 12 and West of the East line of said Block 12; less and except from this Parcel II all of the following described lands:

Parcel A: The South 16 feet of Lots 9 and 48, Block 12, NORTH POMPANO BEACH SECTION "B", according to the plat thereof as recorded in Plat Book 29, Page 16, of the public records of Broward County, Florida.

Parcel B: The South 30 feet of Lots 1 through 8 inclusive, Block 12, of said NORTH POMPANO BEACH SECTION "B".

Parcel C: That part of Lot 1, Block 12 of said NORTH POMPANO BEACH SECTION "B" which is included in the external area formed by a 25 foot radius arc which is tangent to the West line of said Lot 1, and tangent to a line 30 feet North of and parallel to the South line of said Lot 1.

Parcel D: That part of Lot 8, Block 12 of said NORTH POMPANO BEACH SECTION "B" which is included in the external area formed by a 25 foot radius arc which is tangent to the East line of said Lot 8, and tangent to a line 30 feet North of and parallel to the South line of said Lot 8.

AKA: 1261 East Sample Road

ZONED: B-3

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4. **PUBLIC HEARING #09-21**

Consideration of the request by **ROYAL PALM BUSINESS CENTER, LLC.** for *SPECIAL EXCEPTION* approval as required by Section 155.205 (C) (4) in accordance with Section 155.080 (Special Exception Uses) of Chapter 155 of the Code of Ordinances in order to utilize the subject property for outdoor storage.

The property in this Public Hearing is as follows:

A portion of the South one-half of Section 34, Township 48 South, Range 42 East, more fully described as follows:

Beginning at the Southwest corner of the Northeast one-quarter of the Northeast one-quarter of the Southeast one-quarter of the Southwest one-quarter of Section 34, Township 48 South,

Range 42 East; thence due East along the South boundary of said

Northeast one-quarter of the Northeast one-quarter of the Southeast one-quarter of the Southwest one-quarter of Section 34, a distance of 258.12 feet to a point on the West right of way line of the Seaboard Railroad System, said point being 57 feet West of, as measured at right angles to the centerline of the main track of the Seaboard system Railroad; thence North 11° 40' 37" East along a line 57 feet West of and parallel with said centerline of main track, a distance of 346.02 feet to a point 10 feet more or less, East of the centerline of a spur track; thence North 05° 07' 17" East, along a line 10 feet more or less, East of and parallel with the centerline of said spur track, a distance of 200.71 feet; thence North 06° 28' 17" East, a distance of 93.87 feet to a point 10 feet more or less, East of said centerline of spur track; thence North 07° 52' 37" East, a distance of 280.31 feet to a point, said point being 107 feet West of, as measured at right angles, the centerline of main track of Seaboard System Railroad; thence North 11° 40' 37" East, along a line 107 feet West of and parallel with the said centerline of main track a distance of 482.97 feet to a point on the South right of way of Hammondville Road; thence North 54° 05' 53" West along said right of way line a distance of 211.22 feet to a point on the East line of Block 5, SEABOARD HIGHLANDS, according to the plat thereof as recorded in Plat Book 15, Page 30 of the public records of Broward County, Florida; thence South 0° 31' 53" East, along said East line of Block 5, a distance of 202.02 feet to a point on a line, said line being 257 feet West of, as measured at right angles, to the centerline of said main track; thence South 11° 40' 37" West along said line, a distance of 786.01 feet to a point; thence North 89° 54' 07" West, a distance of 169.12 feet to a point on the West line of the East one-half of the Southeast one-quarter of the Northeast one-quarter of the Southwest one-quarter of Section 34; thence South 0° 29' 34" East, along said West line and along the West line of the East one-half of the Northeast one-quarter of the Southeast one-quarter of the Southwest one-quarter of Section 34, a distance of 535.10 feet to the Point of Beginning, containing 7.1739 acres, more or less.

AKA: 1350 Dr. Martin Luther King, Jr. Boulevard

ZONED: I-1

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5. **PUBLIC HEARING #09-22**

Consideration of the request by **JONATHAN M. PLATTS**, for *SPECIAL EXCEPTION* approval as required by Section 155.205 (C) (4) in accordance with Section 155.080 (Special Exception Uses) of Chapter 155 of the Code of Ordinances in order to utilize the subject property for outdoor storage.

The property in this Public Hearing is as follows:

A portion of the Northeast one-quarter of Section 34, Township 48 South, Range 42 East, being more particularly described as follows:

Commence at the Southeast corner of said Northeast one-quarter thence along the South line of said Northeast one-quarter, South 89° 26' 59" West, 1336.68 feet to a point on the West line of the Southeast one-quarter of the Northeast one-quarter of said Section 34; thence along said West line, North 01° 25' 28" West, 200.02 feet to a point on a line 200 feet North of and parallel with said South line and the Point of Beginning; thence continue along said West line, North 01° 25' 28" West, 200.60 feet; thence North 89° 20' 09" East, 200.02 feet; thence along a line 200 feet East of and parallel with said West line, south 01° 25' 28" East, 201.00 feet; thence along a line 200 feet North of and parallel with said south line, south 89° 26' 59" West, 200.02 feet to the Point of Beginning.

AKA: 851 N.W. 12th Terrace

ZONED: I-1

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6. **PUBLIC HEARING #09-23**

Consideration of the request by **HOUSE OF GOD CHURCH**, for *SPECIAL EXCEPTION* approval as required by Section 155.160 (C) (2) in accordance with Section 155.080 (Special Exception Uses) of Chapter 155 of the Code of Ordinances in order to utilize the subject property for a church within an RS-3 Single-Family Residence District.

The property in this Public Hearing is as follows:

Lots 1 through 5 inclusive of Block 5, less the West 10 feet thereof, and less the North 20 feet of the West 230.24 feet thereof, and less the external for an arc with a 25 foot radius at the Northwest corner thereof of HUNTER'S MANOR as recorded in Plat Book 19, Page 27, of the public records of Broward County, Florida.

AKA: 600 N.W. 18th Avenue

ZONED: RS-3

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G. **ABANDONMENT REQUEST**

7. **PAUL N. GARDNER COMPANY, INC., MBPFF HOLDING COMPANY, INC. AND ELIZABETH KEITH**

Consideration of the request by **PAUL N. GARDNER COMPANY, INC., MBPFF HOLDING COMPANY, INC. AND ELIZABETH KEITH** to abandon that certain 14 foot alleyway lying between Lots 1 through 10 of Block 8, CAMPBELL AND SAXON ADDITION, according to the plat thereof as recorded in Plat Book 1, Page 125, of the public records of Palm Beach County, as described in full on the survey submitted with this application.

NOTE: This matter was tabled by the Board at the January, February and March meetings.

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H. **OTHER BUSINESS**

8. **PROPOSED EMINENT DOMAIN ORDINANCE**

Consideration of Department of Development Services Memorandum #09-174, setting forth a proposed EMINENT DOMAIN ORDINANCE prepared by Rhon Ernest Jones/IBI Group on behalf of the Florida Department of Transportation.

The purpose of the ordinance is to provide for regulation on property which is determined necessary for condemnation of right of way.

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I. **AUDIENCE TO BE HEARD**

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J. **BOARD MEMBERS DISCUSSION**

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K. **REPORTS BY STAFF**

L. **ADJOURNMENT**

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Linda R. Hora  
Advisory Board Secretary  
5.19.09

Any person who decides to appeal any decision of the **PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY** with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.