

STAFF REPORT
Eastland Village
050-MP-04

A request to modify conditions of plat approval has been filed with the Planning and Development Management Division. This plat was approved by the County Commission on January 18, 2005, for 13 townhouse units on 0.74 acres. The property is located on the south side of East Atlantic Boulevard between Southeast 6 Avenue and Southeast 7 Way, in the City of Pompano Beach.

The plat was approved with a condition the applicant must provide security and perform work to close an existing median opening on East Atlantic Boulevard, as required by Florida Department of Transportation. As such, the applicant entered into a Security/Lien Agreement for Installation of Required Improvements; however, the applicant has since abandoned development of the property. In addition, the plat's Findings of Adequacy expired on January 18, 2010, therefore, no development shall occur until a new application is submitted to the County for review. To be released from the aforementioned security agreement, the applicant is requesting to modify the conditions of approval to eliminate the required closure of the median opening.

The attached letter from the City of Pompano Beach indicates no objection to this request.

Staff from the Highway Construction and Engineering Division have reviewed this request and recommend **APPROVAL**, including authorization for Highway Construction and Engineering Division staff to process a release of the previous Agreement and security.

The attached comments from the Florida Department of Transportation (FDOT) indicate approval with conditions with this request.

In addition, this approval is subject to the Board authorizing the Mayor to sign an order approving this agenda item subject to staff findings, comments, and recommendations.

Finally, the applicant is advised that, in accordance with Section 125.022, Florida Statutes, the issuance of a development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

JWP



Commission District No. 4
Municipality: Pompano Beach
S/T/R: 01/49/42



050-MP-04
Eastland Village



0 125 250 500 Feet

Prepared by: Planning and Development Management Division
Date Flown: January 2017



Public Works Department
Robert A. McCaughan, Public Works Director

City of Pompano Beach, Florida

1201 N.E. 5th Avenue, Pompano Beach, Florida 33060 | P: 954.786.4507 | F: 954.786.4028

November 8, 2017

Broward County Planning and Development Management Division
Josie Sesodia, AICP, Director
1 N. University Drive, Suite 102A
Plantation, FL 33324

RE: Pompano Beach Eastland Village Site plan #050-MP-04
Request to Modify Conditions of the Plat

Dear Ms. Sesodia:

The City has been asked to assist a Pompano Beach property owner in a bond release related to conditions of subject project located at 614 East Atlantic Blvd. In a transfer agreement with Florida Department of Transportation dated April 19, 2016, the City of Pompano Beach assumed maintenance responsibilities for the adjacent segment of East Atlantic Blvd (SR 814) to subject project.

The Security/Lien Agreement Installation of Required Improvements required closure of median opening on SR 814. The Lien on subject property was released May 25, 2017 as the development is now no longer proceeding. I can confirm at this time that the City of Pompano Beach has no plans to remove the left turn lane or close off the existing roadway median adjacent to property at 614 East Atlantic Blvd. The City has no objection to the modification of conditions of the plat approval requested.

Therefore the cash bond in the amount of \$18,048.00 submitted by Mr. Wynne Casteel is no longer required and should be returned to him.

Regards,

Robert A. McCaughan
Public Works Director



Public Works Department
HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION
1 N. University Drive, Box B300, Plantation, Florida 33324-2038 • 954-577-4555 • FAX 954-357-5715

MEMORANDUM

DATE: January 4, 2018

TO: Josie Sesodia, Director
Planning and Development Management Division

FROM: David (D.G.) McGuire, Project Manager
Plat Section, Highway Construction and Engineering Division

Noemi Hew, Planner
Transportation Department, Service Development

SUBJECT: Delegation Request: Modify Conditions of Plat Approval
(Amendment Access Requirments)
Eastland Village Plat (050-MP-04)

The Highway Construction and Engineering Division and the Transportation Department, Transit Division have reviewed the application for modifications to the conditions of plat approval for the subject plat. In part, the application is a request to amend the access requirments along East Atlantic Road (SR 814) adjacent to the plat. Our review included the information contained in the application, the property survey, the site plan (or conceptual access plan), the recorded plat, and the Development Review Report approved by the County Commission, if available or submitted. Our review also included changes to the adjacent roadways and changes on the adjoining properties.

At the time of plat recordation, the previous property owner entered into a Security/Lien Agreement for Required Improvements that was recorded in Instrument # 114405800; and posted security in the amount of \$18,048.00 for the closure of the median opening adjacent to the subject plat. The property was not developed as anticipated under the previous plat and the improvements have not been completed.

At that time this segment of East Atlantic Blvd (SR 814) was maintained by the Florida Department of Transportation(FDOT). Subsequently, the City of

Pompano Beach assumed maintenance responsibilities for that segment of roadway adjacent to the subject plat.

Via a letter dated November 8, 2017, the City Of Pompano indicates that they have no objection to the elimination of the requirement number four.

As a result of our review, Staff recommends APPROVAL of the proposed modification of the Conditions of Approval and the deletion of Staff Recommendation number four. Approval of this Delegation Request to Modify the Conditions of Approval includes authorization for Highway Construction and Engineering Division staff to process a release of the previous Agreement and security.

dgm



Environmental Protection and Growth Management Department
PLANNING AND DEVELOPMENT MANAGEMENT DIVISION
1 North University Drive, Suite 102-A • Plantation, Florida 33324 • 954-357-6666 • FAX 954-357-6521 • 954-519-1412

e-COMMENTS for
Delegation Request:
Modify Conditions of Plat Approval



TO: Review Agencies
PLAT NAME: Eastland Village PLAT NO.: 050-MP-04
COMMENT DUE DATE: **December 22, 2017**

Please find an application for the above plat which was submitted to you for verification of the *Standards of the Broward County Land Development Code*, as amended.

To comply with the review requirements mandated by the Code, your written comments must be submitted electronically to this office by the date indicated above. **If your comments are not received by the above date, we will understand that to mean you have no objection to the plat as submitted.**

Please note that all agency comments should now be e-mailed to the Planning and Development Management Division at: pdminfo@broward.org. For additional information, please contact Karina da Luz at 954-357-6617 (or kdaluz@broward.org). Your cooperation is greatly appreciated!

- NO OBJECTION TO THE PLAT AS SUBMITTED.
- THIS PLAT IS SUBJECT TO THE COMMENTS NOTED BELOW.
- THIS PLAT IS SUBJECT TO THE ATTACHED COMMENTS.

In the space provided below, please type/print your name, agency and phone number:

COMMENTS: _____
Print Name
FDOT-Access Management

Agency
954-777-4363

Phone Number

A pre-application approval letter would benefit applicant's future development plans for this plat.



Board of County Commissioners, Broward County, Florida
Environmental Protection and Growth Management Department
Planning and Development Management Division
**Application to Change or Waive Requirements
of the Broward County Land Development Code**

INSTRUCTIONS

This form is used to apply for changes or waivers to requirements of development permit applications processed under the Broward County Land Development Code. These include changes or waivers to the following:

ROADWAY RELATED

1. Non-Vehicular Access Lines
2. Roadway Improvements (such as turn lanes, busbays traffic signals, etc.)
3. Right-of-Way Dedications
4. Sidewalks and Paved Access
5. Design Criteria

NON-ROADWAY RELATED

6. Design Criteria
7. Waste Water Disposal/Source of Potable Water
8. Fire Protection
9. Parks and/or School Dedications
10. Impact/Concurrency Fee(s)
11. Environmental Impact Report
12. Other Changes

For your application to be officially accepted for processing and scheduled for a County Commission meeting, you must complete this application in full. The owner/agent certification (on the reverse side of this form) must be signed and notarized with the appropriate documentation attached. Please type this application or print legibly in **black ink**.

PROJECT INFORMATION

Karva Family LLC a Fla Limited Liability Company

Plat/Site Plan Name Eastland Village

Plat/Site Plan Number 050-MP-04 Plat Book - Page 175-76 (If recorded)

Owner/Applicant Karva Family LLC a Fla Limited Liability Company Phone _____

Address 621 S. Federal Highway Suite 4 N/A City Ft Lauderdale State FLA Zip Code 33301

Owner's E-mail Address _____ Fax # 954 462 1717

Agent Wynne M. Castor Sr. Phone 954 524 1547

Contact Person Wynne M. Castor Sr.

Address 621 S Federal Highway Suite 4 City Ft Lauderdale State FLA Zip Code 33301

Agent's E-mail Address None Fax # _____

PROPOSED CHANGES

The closure of an existing median opening on Atlantic Blvd as required by the Florida Dept of Transportation

Use this space below to provide the following information and clearly describe the proposed changes you are requesting. If you are requesting changes to a specific staff recommendation(s) listed in a Development Review Report, please specify the staff recommendation number(s). If you are requesting a waiver or variation of a provision of the Land Development Code, please cite the specific section(s).

Staff Recommendation No(s) _____

Land Development Code citation(s) _____

Have you contacted anyone in County Government regarding this request? Yes No

If yes, indicate name(s), department and date Mait. Assoc. - Oct 30 2017

Marvin G. Moore - Nov 14 2017 Thuy Turner - Nov 6 2017

Narrative explaining proposed changes in detail including the desired result and justification for the request (attach additional sheet if necessary):

See Exhibit A

Please see the reverse side of this form for Required Documentation and Owner/Agent Certification

REQUIRED DOCUMENTATION: Submit one (1) original of each document and electronic copy of each item listed below. Each document listed below must also be submitted electronically as a separate pdf on a CD, flash drive, etc.

All requests listed on this application must include the following documents:

- Letter from the applicable municipality, dated within six (6) months of this application, stating the city's position on this request.
- Approved or recorded plat (a survey and site plan may be accepted for single family and duplex applications. Please consult with Planning and Development Management Division staff).
- A check for the application fees (if applicable) made payable to: Broward County Board of County Commissioners. Please consult the Development Permit Application Fee Schedule.

For ROADWAY RELATED items (1 through 5) listed under INSTRUCTIONS on Page 1 of this form, the following additional documents are also required:

- The proposed site plan (2 original) which shows, at a minimum, the on-site traffic circulation system, adjacent roadway details, and the location of all existing and proposed driveway(s). The site plan must provide relevant dimensions and must be drawn to scale.
- Signed and sealed drawings (2 original) clearly illustrating the proposed change(s). The drawings must provide relevant dimensions and must be drawn to scale.
- A valid Pre-Application approval letter from the Florida Department of Transportation is required for all roadway and/or access related applications which about a Trafficway that is functionally classified as a State Road. This requirement includes the creation or amendment of vehicular access and/or any improvements requiring permits from the State.

For NON-ROADWAY RELATED items (6 through 12) listed under INSTRUCTIONS on Page 1 of this form, please consult with Planning and Development Management staff to determine any additional required documentation.

OWNER/AGENT CERTIFICATION

State of Florida
County of Broward

This is to certify that I am the owner/agent of the property described in this application and that all information supplied herein are true and correct to the best of my knowledge. By signing this application, owner/agent specifically agrees to allow access to the described property at reasonable times by County personnel for the purpose of verification of information provided by owner/agent.

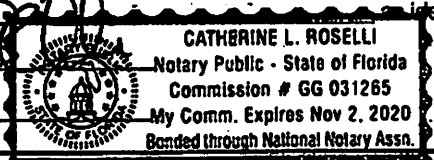
Signature of owner/agent Wymie M. Casteel Jr.

Sworn and subscribed to before me this 17th day of Nov. 2017
by Wymie M. Casteel Jr. He/she is personally known to me or

Has presented [Signature] identification.

Signature of Notary Public [Signature]

Type or Print Name _____



FOR PLANNING AND DEVELOPMENT MANAGEMENT DIVISION USE ONLY

Time _____ Application Date 11/22/17 Acceptance Date 12/01/17

Comments Due 12/22/17 C.C. Mtg. Date _____ Fee \$ 1,730

Report Due 01/03/17 Adjacent City _____

- Plats Site Plans/Drawings City Letter FDOT Letter
 Other (Describe) _____

Title of Request modify conditions

- Distribute to: Engineering Traffic Engineering Mass Transit
 Other _____ Other _____

Comments _____

Received by [Signature]