# DEVELOPMENT SERVICES

Exhibit 5

David L. Recor, ICMA-CM, Development Services Director E: david.recor@copbfl.com | P: 954.786.4664 | F: 954.786.4504

August 26, 2024

Ms. Josie P. Sesodia, Director Planning and Development Management Division Environmental Protection and Growth Management Department 1 North University Drive, Box 102A Plantation, FL 33324

RE: Amendment to a Nonvehicular Access Line (NVAL) for the Pompano Park Racino Plat – Letter of No Objection

# Ms. Sesodia:

The City of Pompano Beach has no objection to amending the Pompano Park Racino Plat (Plat Book 181, Page 22 of the public records of Broward County) to change the NVAL.

The subject site is Live! Resorts Pompano Project. The owners are requesting the amendment to the Non-Vehicular Access Line (NVAL). The owner proposes to shift the existing Non-Vehicular Access Line 10 feet to the east to provide sufficient access to the adjacent parcel on the Arvida Pompano Park Plat, Tract A, Book 137, Page 33.

This is a site of future development as approved by the Live! Resorts Pompano Activity Center Land Use and the approved Planned Commercial Development (PCD) Zoning Master Plan.

The proposed non-vehicular access line is described as beginning at 59.59 feet south of SW 3rd Street along Lucky Lane on both sides east of the ingress/egress access easement and runs north to south. The proposed NVAL will be reduced from 300 feet to 100 feet on the east sides of the access easement to avoid interference with the existing opening on the adjacent Arvida parcel side and the proposed truck entrance on Lucky Lane.

The Current Legal Description is:

A LINE 10.00 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF TRACT A, ARVIDA POMPANO PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 137, PAGE 33, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID LINE BEING WITHIN PARCEL "A", "POMPANO PARK RACINO

Letter of No Objection
Development Services Department
Planning and Zoning
Page 2

PLAT", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 181, PAGES 22 THROUGH 27, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

SAID LINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERNMOST NORTHWEST CORNER OF SAID PARCEL "A", "POMPANO PARK RACINO PLAT", A POINT HEREINAFTER TO BE KNOWN AS REFERENCE POINT "A"; THENCE NORTH 89°40'35" EAST, ALONG THE SOUTH RIGHT OF WAY LINE OF POMPANO PARK PLACE (S.W. 3Ro STREET/RACE TRACK ROAD) AND THE NORTH LINE OF SAID PARCEL "A", 10.01 FEET; THENCE ALONG A LINE BEING 10.00 FEET EAST OF AND PARALLEL TO THE EAST LINE OF SAID TRACT A, ARVIDA POMPANO PARK, AND THE WESTERLY LINE OF SAID PARCEL "A", THE FOLLOWING THREE (3) COURSES; (1) SOUTH 02°27'09" EAST, 49.58 FEET: (2) NORTH 89°40'35" EAST, 50.25 FEET; (3) SOUTH 02°27'09" EAST.

# TOGETHER WITH:

THAT CERTAIN NON-VEHICULAR ACCESS LINE AS SHOWN ON ARVIDA POMPANO PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 137, PAGE 33, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE AFOREMENTIONED REFERENCE POINT "A" AND THE NORTHERNMOST NORTHWEST CORNER OF SAID PARCEL "A"; THENCE NORTH 89°40'35" EAST, ALONG THE SOUTH RIGHT OF WAY LINE OF POMPANO PARK PLACE (S.W. 3RD STREET/RACE TRACK ROAD) AND THE NORTH LINE OF SAID PARCEL "A", 220.20 FEET TO THE NORTHERNMOST NORTHEAST CORNER OF SAID PARCEL "A" AND THE POINT OF BEGINNING OF THE PLATTED NON-VEHICULAR ACCESS LINE; THENCE ALONG SAID NON-VEHICULAR ACCESS LINE, THE EASTERLY LINE OF SAID PARCEL "A", AND THE WESTERLY LINE OF TRACT B, OF SAID ARVIDA POMPANO PARK, THE FOLLOWING THREE (3) COURSES; (1) SOUTH 02°27'09" EAST, 59.59 FEET; (2) SOUTH 89°40'35" WEST, 49.86 FEET; (3) SOUTH 02°27'09" EAST. SAID LAND LYING AND SITUATED IN THE CITY POMPANO BEACH, BROWARD COUNTY, FLORIDA.

# Revised Legal Description:

A LINE 10.00 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF TRACT A, ARVIDA POMPANO PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 137, PAGE 33, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID LINE BEING WITHIN PARCEL "A", "POMPANO PARK RACINO PLAT", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 181,

Letter of No Objection Development Services Department Planning and Zoning Page 3

PAGES 22 THROUGH 27, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID LINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERNMOST NORTHWEST CORNER OF SAID PARCEL "A", "POMPANO PARK RACINO PLAT", A POINT HEREINAFTER TO BE KNOWN AS REFERENCE POINT "A"; THENCE NORTH 89°40'35" EAST, ALONG THE SOUTH RIGHT OF WAY LINE OF POMPANO PARK PLACE (S.W. 3RD STREET/RACE TRACK ROAD) AND THE NORTH LINE OF SAID PARCEL "A", 10.01 FEET; THENCE ALONG A LINE BEING 10.00 FEET EAST OF AND PARALLEL TO THE EAST LINE OF SAID TRACT A, ARVIDA POMPANO PARK, AND THE WESTERLY LINE OF SAID PARCEL "A", THE FOLLOWING THREE (3) COURSES; (1) SOUTH 02°27'09" EAST, 49.58 FEET: (2) NORTH 89°40'35" EAST, 50.25 FEET; (3) SOUTH 02°27'09" EAST, 50.42 FEET TO THE POINT OF TERMINUS.

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THAT CERTAIN NON-VEHICULAR ACCESS LINE AS SHOWN ON ARVIDA POMPANO PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 137, PAGE 33, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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SAID LAND LYING AND SITUATED IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA.

Pursuant to the City's Code of Ordinances (155.2410 G.1.e.), the Development Services Director is authorized to approve minor deviations to Plats administratively for:

e. Amendments to the approved Non-Vehicular Access Line subject to the inclusion in the application of a valid approval letter from the Florida Department of Transportation for Plats located on a State Road, and subject to subsequent approval by Broward Letter of No Objection Development Services Department Planning and Zoning Page 4

County.

If you have any questions, please contact Maggie Barszewski at 954-786-7921.

Yours truly,

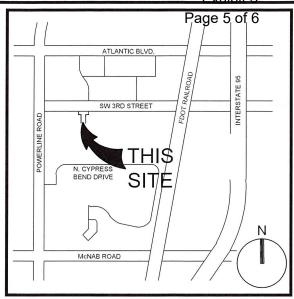
THE CITY OF POMPANO BEACH

Jun & Dolan for Danid Revor David L. Recor, ICMA-CM

**Development Services Director** 

#### SURVEY NOTES:

- THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY THE
- KEITH AND ASSOCIATES. INC. CERTIFICATE OF AUTHORIZATION NUMBER IS 2 L.B.#6860.
- NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OR AN ENCRYPTED 3. DIGITAL SIGNATURE OF A FLORIDA PROFESSIONAL SURVEYOR AND MAPPER.
- IT IS A VIOLATION OF THE STANDARDS OF PRACTICE RULE 5J-17 OF THE 4. FLORIDA ADMINISTRATIVE CODE, TO ALTER THIS SKETCH AND DESCRIPTION WITHOUT THE EXPRESSED PRIOR WRITTEN CONSENT OF THE SURVEYOR. ADDITIONS AND/OR DELETIONS MADE TO THE FACE OF THIS SKETCH AND DESCRIPTION WILL MAKE THIS DOCUMENT INVALID.
- THIS SKETCH AND DESCRIPTION DOES NOT CONSTITUTE A BOUNDARY 5. SURVEY
- 6 BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING OF NORTH 89°40'35" EAST ALONG THE NORTH LINE OF PARCEL "A", "POMPANO PARK RACINO PLAT", AS RECORDED IN PLAT BOOK 181, PAGES 22-27, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
- 7. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAY. EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
- 8 THE INTENDED DISPLAY SCALE FOR THIS SKETCH IS 1"= 200' OR SMALLER.
- ALL RECORD EASEMENTS ARE NOT SHOWN HEREON FOR CLARITY 9. PURPOSES.



# **LOCATION MAP:**

# LEGAL DESCRIPTION (PROPOSED NVAL LINE):

A LINE 10.00 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF TRACT A, ARVIDA POMPANO PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 137, PAGE 33, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID LINE BEING WITHIN PARCEL "A". "POMPANO PARK RACINO PLAT", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 181, PAGES 22 THROUGH 27, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID LINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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SAID LAND LYING AND SITUATED IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA.

HEREBY CERTIFY THAT THE ATTACHED SKETCH & DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS DEPICTED TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THE INFORMATION AS WRITTEN UNDER MY DIRECTION ON MARCH 2, 2023 MEETS THE STANDARDS OF PRACTICE RULE 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

KEITH & ASSOCIATES, INC. CONSULTING ENGINEERS

DONALD A. SPICER PROFESSIONAL SURVEYOR AND MAPPER FLORIDA REGISTRATION. PSM 4677 (FOR THE FIRM)



#### SKETCH & DESCRIPTION

A LINE IN PARCEL "A", "POMPANO PARK RACINO PLAT", P.B. 181, PGS. 22-27, B.C.R. AND THAT CERTAIN NON-VEHICULAR ACCESS LINE AROUND A PORTION OF TRACT B. ARVIDA POMPANO PARK, P.B. 137, PG. 33, B.C.R. (SOUTH OF S.W. 3RD STREET)

CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA

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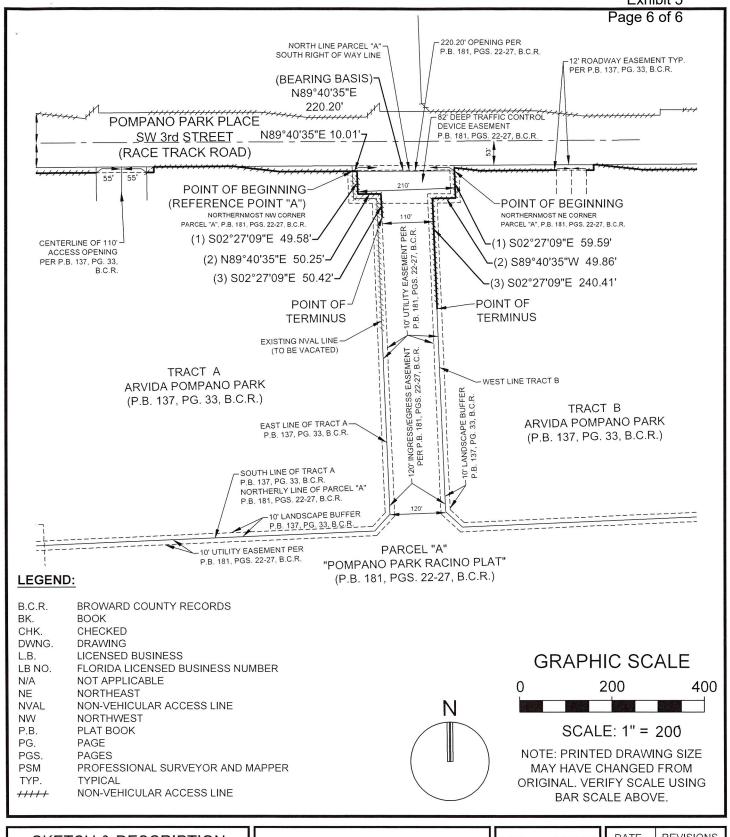
301 EAST ATLANTIC BOULEVARD POMPANO BEACH ELORIDA 33060-6643 (954) 788-3400 FAX (954) 788-3500 EMAIL: mail@KEITHteam.com LB NO. 6860

OF SHEET 10230.09 SKETCH & DESCRIPTION DRAWING NO (NVAL PROPOSED S OF 3RD ST)

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SCALE	N/A		
FIELD E	BK. <u>N/A</u>		
DWNG.	BY <u>DDB</u>		
CHK. B	y DAS		

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Exhibit 5



# SKETCH & DESCRIPTION

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CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA

SHEET 2 OF 2

10230.09 SKETCH & DESCRIPTION

DRAWING NO. (NVAL PROPOSED S OF 3RD ST)

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301 EAST ATLANTIC BOULEVARD POMPANO BEACH, FLORIDA 33060-6643 (954) 788-3400 FAX (954) 788-3500 EMAIL: mail@KEITHteam.com LB NO. 6860

DATE	03/02/23	DATE
		06/19/24
SCALE	1"=200'	
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