



# Broward County

## Legislation Details (With Text)

**File #:** 20-800      **Version:** 1

**Status:** Agenda Ready

**In control:** Public Works and Environmental Services - Housing and Urban Planning Division

**On agenda:** 5/19/2020      **Final action:** 5/19/2020

**Title:** MOTION TO APPROVE Agreement between Broward County, City of Pompano Beach and Southeastern Freight Lines, Inc. for the issuance of building permits prior to plat recordation for the SEFL Plat (024-MP-19). (Commission District 4)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit 1 - Application, 2. Exhibit 2 - Location Map, 3. Exhibit 3 - Agreement for Issuance of Building Permit Prior to Plat Recordation

Date	Ver.	Action By	Action	Result
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### **Broward County Commission Regular Meeting**

**Director's Name:** Henry A. Sniezek

**Department:** Environmental Protection

**Division:** Planning & Development Management

### Information

#### Requested Action

MOTION TO APPROVE Agreement between Broward County, City of Pompano Beach and Southeastern Freight Lines, Inc. for the issuance of building permits prior to plat recordation for the SEFL Plat (024-MP-19). **(Commission District 4)**

#### Why Action is Necessary

Section 5-187(c) of the Land Development Code requires Board approval of agreements authorizing the issuance of building permits prior to plat recordation.

#### What Action Accomplishes

Allows for construction of 12,000 square feet of industrial use prior to plat recordation.

#### Is this Action Goal Related

No

#### Previous Action Taken

None.

#### Summary Explanation/Background

THE ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT AND THE PLANNING AND DEVELOPMENT MANAGEMENT DIVISION RECOMMEND APPROVAL, subject to conditions below which will assure compliance with the standards and requirements of Chapter 5,

Article IX of the Broward County Code of Ordinances.

On April 7, 2020, the Board approved the SEFL Plat (024-MP-19) for 25,000 square feet of industrial use on approximately 7.4 acres located at the southeast corner of CSX Railroad and Southwest 9 Street in the City of Pompano Beach (Exhibit 2). The applicant is requesting building permits prior to plat recordation to allow the developer to begin development of the site in accordance with their construction timeline (Exhibit 1).

The attached tri-party agreement (Exhibit 3) would allow the developer to obtain building permits for 12,000 square feet of industrial use prior to the recordation of the plat. It has been executed by the City of Pompano Beach and approved as to form by the County Attorney's Office. The agreement stipulates that the concurrency/impact fees for the 12,000 square feet of industrial use will be paid prior to the issuance of a building permit, and no certificates of occupancy shall be issued until the plat is recorded. The Land Development Code requires the applicant to post a "demolition security" to guarantee the removal of any structures constructed on the property in the event the plat is not recorded within 18 months of approval. A letter of credit in the amount of \$32,500 was provided to secure the removal of the two townhouse buildings, clubhouse and amenities should the plat not be recorded by October 7, 2021.

Staff recommends APPROVAL of the attached agreement subject to the following conditions:

1. Applicant records the attached building permit agreement in the public records of Broward County prior to environmental review approval of construction plans by the Planning and Development Management Division.
2. Applicant pays transportation concurrency fees for the industrial use during the environmental review approval of construction plans by the Planning and Development Management Division.

Staff recommends that the Board authorize the Mayor to sign an order approving this agenda item subject to these conditions.

**Source of Additional Information**

Josie P. Sesodia, AICP, Director, Planning and Development Management Division, (954) 357-6602

**Fiscal Impact**

**Fiscal Impact/Cost Summary**

No fiscal impact.