



Resilient Environment Department

**URBAN PLANNING DIVISION**

1 N. University Drive, Box 102 | Plantation, FL 33324 | 954-357-6634 | Fax 954-357-6521

**DEVELOPMENT REVIEW REPORT FOR MODIFICATION OF PREVIOUSLY APPROVED CONDITIONS**

Project Description			
Plat Name:	BF Pompano Plat	Application Number:	013-MP-10
Application Type:	Modifications of previously approved conditions	Legistar Number:	25-032
Owner/Applicant:	1380 Ocean Associates, LLC	Commission District:	4
Authorized Agent:	Stephanie J. Toothaker, Esq., P.A.	Section/Twn./Range:	06/49/43
Location:	Both east and west sides of SR A1A South Ocean Drive between Terra Mar Drive and southeast 13 <sup>th</sup> Street	Folio Number (s):	4943-06-58-0010 & 0020
Municipality:	Pompano Beach	Platted Area:	4.4 Acres
Previous Plat:	N/A	Replat:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Recommendation:	<b>APPROVAL</b>		
Meeting Date:	February 11, 2025		

A location map of the plat is attached as **Exhibit 2**.

The Application is attached (**Exhibit 3**). The Urban Planning Division (UPD) distributed the application to agencies for review as required by Section 5-181 of the Land Development Code. A copy of the comments has been distributed to the applicant/agent for their review and records.

Existing and Future Land Use			
Existing Use:	March 29, 2011	Plat Book and Page Number:	180-1
Proposed Use:	October 11, 2011	Current Instrument Number:	117113776
Existing Conditions:	2. NEW TRAFFICWAY IMPROVEMENTS (Additional Security and Agreement) 3. SIDEWALK REQUIREMENTS (Additional Security and Agreement) 4. NEW PAVEMENT MARKING AND SIGNING REQUIREMENTS (Additional Security and Agreement) 5. NEW COMMUNICATION CONDUIT/INTERCONNECT (Additional Security and Agreement)		
Request:	To Modify the conditions approved by the Board on December 4, 2018, by deleting conditions 2, 3, 4 and 5 and releasing any funds associated with the construction of those conditions.		

**1. Request to Modify Conditions**

In 2018, the Board approved an amendment to the Nonvehicular Access Line with conditions that were related to future development. The property owner entered into a Security/Lien Agreement for Required Improvements that was recorded in Instrument #117180379; and posted security in the amount of \$65,200 for construction of certain improvements. The property was not developed as anticipated under the previous Nonvehicular Access Line (NVAL) requirements (Instrument #117180470) and the improvements have not been completed. A revised NVAL was recorded in Instrument #119596773 and requires no improvements as noted within the Development Review Report and previously approved by the Board on December 12, 2023. Therefore, the applicant is requesting to delete the four (4) conditions of county plat approval, as shown below, because the improvements that they were associated with are no longer applicable.

- **Condition 2**

NEW TRAFFICWAY IMPROVEMENTS (Additional Security and Agreement)

- a. A two-way driveway centered in each 50-foot opening with a minimum pavement width of 24 feet and a minimum entrance radii of 30 feet.

- **Condition 3**

SIDEWALK REQUIREMENTS (Additional Security and Agreement)

- a. The removal of all existing driveways in locations not consistent with approved openings in the non-vehicular access line and the construction of curb, gutter, and sidewalk in these openings when necessary to complete the required improvement.
- b. Along A1A adjacent to this plat.
- c. If required by the Florida Department of Transportation, relocate the cross-walk and associated signalization.

- **Condition 4**

NEW PAVEMENT MARKING AND SIGNING REQUIREMENTS (Additional Security and Agreement)

- a. Construction of the required improvements shall include installation of signs and thermoplastic pavement markings. Pavement markings and signs shall be designed, fabricated, and installed in accordance with Traffic Engineering Division standards. The security amount for pavement markings and signs will be based on the approved construction plans or the approved engineer's cost estimate as outlined below. Design and installation of the required markers and/or signs are subject to approval by Florida Department of Transportation for projects located on a FDOT jurisdictional roadway.

- **Condition 5**

NEW COMMUNICATION CONDUIT/INTERCONNECT (Additional Security and Agreement)

- a. The developer shall be responsible for replacement of communication conduit/interconnect

that is damaged by construction of the required improvements. The security amount for communication conduit/interconnect along A1A shall be determined by the Traffic Engineering Division

**2. Access**

Staff from the Highway Construction and Engineering Division and the Transit Division have reviewed this request and recommend **APPROVAL** subject to the conditions contained in the attached memorandum, **(Exhibit 4)**. This request shall meet the standards of the Broward County Land Development Code at the time of permit.

**3. Municipal Review**

The City of Pompano Beach has submitted a Letter of No Objection dated November 19, 2024, supporting the application **(Exhibit 5)**.

**4. Adjacent Municipal Review**

The Town of Lauderdale by the Sea was notified of the application and has responded by email on December 5, 2024, with no comments for the proposed change.

**RECOMMENDATIONS**

In addition, staff recommends that the Board authorize the Mayor to sign an order approving this agenda item.

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.

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