

June 18, 2014

To: City of Fort Lauderdale, Planning & Zoning Board

Re: V 14002 NARRATIVE

Gentlemen:

Your applicants own Lots 1 and 12 respectively of Block 2 GOLF ESTATES according to the plat as recorded in Plat Book 43 at Page 26, Public Records of Broward County, Florida. Your applicants' properties both face easterly to NE 26<sup>th</sup> Avenue and are respectively 5301 NE 26 Avenue and 5251 NE 26 Avenue. Separating your applicants' lots is a stub of road running east-west and designated as NE 54 Court.

At the westerly edge of your applicants' property on NE 54 Court is the Cross Fox Condominium which was erected in the early 1970's. At that time, 54 Court to the west of your applicants' property was appropriated by the Cross Fox Condominium. At this time the roadway is gone and in place of the roadway to the west is a waterworks serving the Cross Fox Condominium. A fence now separates the Cross Fox Condominium and there is no longer a road at that location thus the easterly portion separating your applicants' properties serves no purpose. The roadway is not maintained by the City and indeed were it not for your applicants, the westerly unpaved portion of your area would become a jungle. It is presently maintained by your applicants.

Over the years, this stub of land has become somewhat of a "dumping ground" for boats, campers, derelict vehicles and the like. On occasion, such vehicles are left on the abandoned roadway for months at a time. Occasionally, there appears to be persons residing in these vehicles and occasionally detritus such as plastic bags, garbage, quick food containers and condoms and the like litter the area to the detriment of the neighborhood.

If the roadway is vacated, your applicants (the adjacent property owners) intend to remove the deteriorated asphalt and landscape the area to beautify the neighborhood.

Very truly yours,



Thomas F. Luken

TFL/jeg

Sec. 47-24.6. Vacation of rights-of-way.

A. Vacation of rights-of-way or other public place (city commission).

4.Criteria. An application for a vacation of a right-of-way or other public place shall be reviewed in accordance with the following criteria:

- a. The right-of-way or other public place is no longer needed for public purposes; and

THIS STUB OF ROADWAY HAS BEEN ABANDONED AND NOT MAINTAINED SINCE THE 1970's

- b. Alternate routes if needed are available which do not cause adverse impacts to surrounding areas; and

THIS ABANDONED STUB OF ROADWAY LEADS NOWHERE, NO TRAFFIC FLOWS OVER THE STUB

- c. The closure of a right-of-way provides safe areas for vehicles to turn around and exit the area; and

THERE IS NO TURN AROUND AT PRESENT AND NO EXIT

- d. The closure of a right-of-way shall not adversely impact pedestrian traffic; and

THERE IS NO PEDESTRIAN MOVEMENT ON THE STUB OF ABANDONED ROADWAY

- e. All utilities located within the right-of-way or other public place have been or will be relocated pursuant to a relocation plan; and the owner of the utility facilities has consented to the vacation; or a utilities easement has been retained over the right-of-way area or portion thereof; or an easement in a different location has been provided for the utility facilities by the owner to the satisfaction of the city; or any combination of same and utilities maintenance shall not be disrupted.

A GRANT OF UTILITY EASEMENTS ARE MADE IN THE PLAN OF VACATION AND WILL BE GRANTED IN ACCORDANCE WITH CITY ORDINANCES

Sec. 47-25.2. Adequacy

A.

*Applicability.* The adequacy requirements set forth herein shall be used by the city to evaluate the demand created on public services and facilities created by a proposed development permit.

B.

*Communications network.* Buildings and structures shall not interfere with the city's communication network. Developments shall be modified to accommodate the needs of the city's communication network, to eliminate any interference a development would create or otherwise accommodate the needs of the city's communication network within the development proposal.

NOT APPLICABLE

C.

*Drainage facilities.* Adequacy of stormwater management facilities shall be evaluated based upon the adopted level of service requiring the retention of the first inch of runoff from the entire site or two and one-half (2½) inches of runoff from the impervious surface whichever is greater.

NO CHANGE TO EXISTING

D.

*Environmentally sensitive lands.*

NOT APPLICABLE

E.

*Fire protection.* Fire protection service shall be adequate to protect people and property in the proposed development. Adequate water supply, fire hydrants, fire apparatus and facilities shall be provided in accordance with the Florida Building Code, South Florida Fire Code and other accepted applicable fire and safety standards.

NO CHANGE FROM EXISTING

F.

*Parks and open space.*

NOT APPLICABLE

1.

The manner and amount of providing park and open space is as provided in Section 47-38A, Park Impact Fees, of the ULDR.

2.

No building permit shall be issued until the park impact fee required by Section 47-38A of the ULDR has been paid in full by the applicant.

NOT APPLICABLE

G.

*Police protection.* Police protection service shall be adequate to protect people and property in the proposed development. The development shall provide improvements which are consistent with Crime Prevention Through Environmental Design (CPTED) to minimize the risk to public safety and assure adequate police protection.

NO CHANGE FROM EXISTING

H.

*Potable water.*

NOT APPLICABLE

I.

*Sanitary sewer.*

NO CHANGE

J.

*Schools.* For all development including residential units, the applicant shall be required to mitigate the impact of such development on public school facilities in accordance with the Broward County Land Development Code or section 47-38C. Educational Mitigation, as applicable and shall provide documentation to the city that such education mitigation requirement has been satisfied.

NOT APPLICABLE

K.

*Solid waste.*

Adequate solid waste collection facilities and service shall be obtained by the applicant in connection with the proposed development and evidence shall be provided to the city demonstrating that all solid waste will be disposed of in a manner that complies with all governmental requirements.

NO CHANGE

*Solid waste facilities.* Where the city provides solid waste collection service and adequate service can be provided, an adequacy finding shall be issued. Where there is another service provider, a written assurance will be required. The impacts of the proposed development will be determined based on Table 4, Solid Waste, on file with the department.

NO CHANGE

L.

*Stormwater.* Adequate stormwater facilities and systems shall be provided so that the removal of stormwater will not adversely affect adjacent streets and properties or the public stormwater facilities and systems in accordance with the Florida Building Code, city engineering standards and other accepted applicable engineering standards.

NO CHANGE

M.

*Transportation facilities.*

NOT APPLICABLE

Section 47-21

N.

*Wastewater.*

NO CHANGE

O.

*Trash management requirements.* A trash management plan shall be required in connection with non-residential uses that provide prepackaged food or beverages for off-site consumption. Existing non-residential uses of this type shall adopt a trash management plan within six (6) months of the effective date of this provision.

NO CHANGE

P.

*Historic and archaeological resources.*

NOT APPLICABLE

Q.

*Hurricane evacuation.* If a structure or site is located east of the Intracoastal Waterway, the applicant shall submit documentation from Broward County or such agency with jurisdiction over hurricane evacuation analysis either indicating that acceptable level of service of hurricane evacuation routes and hurricane emergency shelter capacity shall be maintained without impairment resulting from a proposed development or describing actions or development modifications necessary to be implemented in order to maintain level of service and capacity.

NOT APPLICABLE

(Ord. No. C-97-19, § 1(47-25.2), 6-18-97; Ord. No. C-98-72, § 1, 12-15-98; Ord. No. C-99-14, § 14, 3-16-99; Ord. No. C-99-15, § 11, 3-16-99; Ord. No. C-00-26, § 6, 6-6-00; Ord. No. C-03-23,