



**CITY OF FORT LAUDERDALE  
City Commission Agenda Memo  
REGULAR MEETING**

**#22-0870**

---

**TO:** Honorable Mayor & Members of the  
Fort Lauderdale City Commission

**FROM:** Greg Chavarria, City Manager

**DATE:** October 18, 2022

**TITLE:** Quasi-Judicial Resolution Vacating a Five-Foot-Wide Public Purpose Easement – Case No. UDP-EV22002 – North of West Sunrise Boulevard, East of NW 23<sup>rd</sup> Avenue, South of NW 11<sup>th</sup> Street and West of Interstate-95 – (**Commission District 3**)

---

**Recommendation**

Staff recommends the City Commission consider a resolution vacating a five-foot wide right-of-way, utilities, and all other public purposes easement generally located north of West Sunrise Boulevard, east of NW 23<sup>rd</sup> Avenue, south of NW 11<sup>th</sup> Street and west of Interstate-95.

**Background**

The applicant, Public Storage Properties IV, LTD., requests to vacate a five-foot wide by 468-foot-long easement for right-of-way, utilities, and all other public purposes generally located north of West Sunrise Boulevard, east of NW 23<sup>rd</sup> Avenue, south of NW 11<sup>th</sup> Street and west of Interstate-95. There is a concurrent development application for plat approval, Case No. UDP-P21010, in which the easement area will be incorporated and dedicated as right-of-way through the plat process. The dedication would be the same width of five feet and will provide for right-of-way required by the Broward County Trafficways Plan for NW 23<sup>rd</sup> Avenue. There are currently no utilities located within the easement. A Location Map is attached as Exhibit 1. The Sketch and Legal Description of the Proposed Vacation is attached as Exhibit 2. The application, narrative responses to criteria and utility letters are provided as Exhibit 3.

The Development Review Committee (DRC) reviewed the vacation request on May 10, 2022. All comments have been addressed and the DRC Case Comment Report is attached as Exhibit 4.

The City Commission shall hold a public hearing to consider the application, the record, and recommendations forwarded by the DRC. Additionally, the City Commission shall hear public comment on the application and determine whether the request meets the criteria for the vacation.

**Review Criteria:**

The following Unified Land Development Regulations (ULDR) criteria apply:

- Section 47-24.7, Vacation of Easement
- Section 47-25.2, Adequacy Requirements

**Vacation of Easement:**

As per ULDR Section 47-24.7.A.4, Vacation of Easement, the request is subject to the following criteria:

- a. *The easement is no longer needed for public purposes;*

There are no utilities within the easement.

- b. *All utilities located within the easement 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 portion of the easement area is maintained; or an easement in a different location has been provided by the utility facilities by the owner to the satisfaction of the city; or any combination of same;*

There are no utilities within the easement. The easement area is proposed for dedication as a right-of-way in an associated plat to satisfy the right-of-way width required by the Broward County Trafficways Plan.

Should the Commission approve the proposed vacation, the following conditions apply:

1. Any utilities unknown found to be within the easement shall be relocated pursuant to a relocation plan at the expense of the applicant, and an easement in a different location shall be provided by the owner to the satisfaction of the city. The relocated facilities shall be required to be inspected and accepted by the applicable utility agency or service provider.

**Resource Impact**

There is no fiscal impact associated with this action.

**Strategic Connections**

This item is a *2022 Top Commission Priority*, advancing the Infrastructure and Resiliency initiative.

This item supports the Press Play Fort Lauderdale Strategic Plan 2024, included within the Business Development Cylinder of Excellence, specifically advancing:

- The Infrastructure Focus Area.
- Goal 1: Build a sustainable and resilient community.
- Objective: Proactively maintain our water, wastewater, stormwater, road, and bridge infrastructure.

This item advances the Fast Forward Fort Lauderdale 2035 Vision Plan: We Are Prosperous.

This item supports the Advance Fort Lauderdale 2040 Comprehensive Plan specifically advancing:

- The Infrastructure Enhancement Focus Area
- The Sanitary Sewer, Water, and Stormwater Element
- Goal 2: Ensure that all areas of the City are reasonably protected from flooding giving due consideration to the City's natural and built environment.
- Objective: Ensure that adequate stormwater management is provided.

**Related CAM**

#22-0871

**Attachments**

Exhibit 1 – Location Map

Exhibit 2 – Sketch and Legal Description for the Proposed Vacation

Exhibit 3 – Applicant's Application, Narrative Responses to Criteria, and Utility Letters

Exhibit 4 – May 10, 2022, DRC Case Comment Report

Exhibit 5 – Resolution

---

Prepared by: Michael P. Ferrera, Urban Planner II, Development Services Department

Department Director: Christopher Cooper, AICP, Development Services Department