



DEVELOPMENT APPLICATION FORM

Application Form: All Applications | Rev. 06/14/2024

INSTRUCTIONS: The following information is required pursuant to the City's Unified Land Development Regulations (ULDR), Section 47-24, Development Permits and Procedures, and must be filled out accurately with all applicable sections completed. Only complete the sections indicated for application type with N/A for those items not applicable. Refer to "Specifications for Plan Submittal" by application type for submittal requirements, which can be found on the City's website.

Select the application type and approval level in **SECTION A** and complete the sections specified under each type.

A APPLICATION TYPE AND APPROVAL LEVEL			
Select the application type from the list below and check the applicable type.			
LEVEL I ADMINISTRATIVE REVIEW COMMITTEE (ADMIN) <ul style="list-style-type: none"><input type="checkbox"/> New nonresidential less than 5,000 square feet<input type="checkbox"/> Change of use <i>(if same impact or less than existing use)</i><input type="checkbox"/> Plat note or Nonvehicular access line (NVAL) amendment<input type="checkbox"/> Administrative site plan<input type="checkbox"/> Amendment to site plan*<input type="checkbox"/> Affordable Housing per §166.04151(7) Fla. Stat. <i>(Live Local Act)</i><input type="checkbox"/> Property and right-of-way applications <i>(MOTs, construction staging)</i><input type="checkbox"/> Parking Agreements <i>(separate from site plans)</i> COMPLETE SECTIONS B, C, D, G	LEVEL II DEVELOPMENT REVIEW COMMITTEE (DRC) <ul style="list-style-type: none"><input type="checkbox"/> New Nonresidential 5,000 square feet or greater<input type="checkbox"/> Residential 5 units or more<input type="checkbox"/> Nonresidential use within 100 feet of residential property<input type="checkbox"/> Redevelopment proposals<input type="checkbox"/> Change in use <i>(if greater impact than existing use)</i><input type="checkbox"/> Development in Regional Activity Centers (RAC)*<input type="checkbox"/> Development in Uptown Project Area*<input type="checkbox"/> Regional Activity Center Signage<input type="checkbox"/> Affordable Housing (≥10%) COMPLETE SECTIONS B, C, D, E, F	LEVEL III PLANNING AND ZONING BOARD (PZB) <ul style="list-style-type: none"><input type="checkbox"/> Conditional Use<input type="checkbox"/> Parking Reduction<input type="checkbox"/> Flex Allocation<input type="checkbox"/> Cluster / Zero Lot Line<input type="checkbox"/> Modification of Yards*<input type="checkbox"/> Waterway Use<input type="checkbox"/> Mixed Use Development<input type="checkbox"/> Community Residences*<input type="checkbox"/> Social Service Residential Facility (SSRF)<input type="checkbox"/> Medical Cannabis Dispensing Facility*<input type="checkbox"/> Community Business District for uses greater than 10,000 square feet COMPLETE SECTIONS B, C, D, E, F	<input checked="" type="checkbox"/> LEVEL IV CITY COMMISSION (CC) <ul style="list-style-type: none"><input type="checkbox"/> Land Use Amendment<input type="checkbox"/> Rezoning<input type="checkbox"/> Plat<input type="checkbox"/> Public Purpose Use<input type="checkbox"/> Central Beach Development of Significant Impact*<input type="checkbox"/> Vacation of Right-of-Way<input type="checkbox"/> City Commission Review No PZB Review<input checked="" type="checkbox"/> Vacation of Easement* COMPLETE SECTIONS B, C, D, E, F
MISCELLANEOUS <ul style="list-style-type: none"><input type="checkbox"/> Affordable Workforce Housing Tax Reimbursement<input type="checkbox"/> Community Residence<input type="checkbox"/> Construction Noise Waiver<input type="checkbox"/> Design Review Team (DRT) COMPLETE SECTIONS B, C, D, I	EXTENSION OR DEFERRAL <ul style="list-style-type: none"><input type="checkbox"/> Request to defer after an application is scheduled for public hearing<input type="checkbox"/> Request extension to previously approved application <i>(request must be within original approval date timeframe)</i> COMPLETE SECTIONS B, C, H	APPEAL <ul style="list-style-type: none"><input type="checkbox"/> Appeal decision by approving body and De Novo hearing items COMPLETE SECTIONS B, C, H	PROPERTY AND RIGHT-OF-WAY <ul style="list-style-type: none"><input type="checkbox"/> Road Closures<input type="checkbox"/> Construction Staging Plan<input type="checkbox"/> Revocable licenses COMPLETE SECTIONS B, C, H

*Application is subject to specific review and approval process. Levels III and IV are reviewed by Development Review Committee unless otherwise noted.

B APPLICANT INFORMATION	
If applicant is the business operator, complete the agent column and provide property owner authorization.	
Applicant/Property Owner	Oserco USA LLC and Parasobay 36 LLC
Address	4611 S. University Drive #302
City, State, Zip	Davie, FL 33328
Phone	954-675-0336
Email	hectorhidalgo@hotmail.com
Proof of Ownership	
Applicant Signature:	Signature
Authorized Agent	Andrew J. Schein, Esq. / Lochrie & Chakas, P.A.
Address	699 N. Federal Highway, Suite 400
City, State, Zip	Fort Lauderdale, FL 33304
Phone	954-617-8919
Email	ASchein@Lochriellaw.com
Authorization Letter	Provided
Agent Signature:	Signature

C PARCEL INFORMATION	
Address/General Location	3201 NE 58th Street
Folio Number(s)	49430707080
Legal Description (Brief)	THE LANDINGS SECOND SEC 56-37 B LOT 47 BLK 10
City Commission District	1 - John Herbst
Civic Association	Landings Residential Association

D LAND USE INFORMATION	
Existing Use	Single family
Land Use	Low-medium residential
Zoning District	RS-8
Proposed Applications requesting land use amendments and rezonings.	
Proposed Land Use	
Proposed Zoning District	



E PROJECT INFORMATION *Provide project information. Circle yes or no where noted. If item is not applicable, indicate N/A.*

Project Name	3201 NE 58th Street Easement Vacation		
Project Description <i>(Describe in detail)</i>	Vacation of a 1' portion of a drainage easement		
Estimated Project Cost	\$	<i>(Estimated total project cost including land costs for all new development applications only)</i>	
Waterway Use	No		
Flex Units		Redevelopment Units	
Flex Acreage			
Residential Uses			
Single Family			
Townhouses			
Multifamily			
Cluster/Zero Lot Line			
Other			
Total <i>(dwelling units)</i>		N/A (Easement Vacation)	
Residential Unit Mix	Efficiency / Studio	1 - Bedroom	
Affordable Housing Units		% of AMI	
Affordable Unit Mix	Efficiency / Studio	1 - Bedroom	
		2 - Bedroom	3 - Bedroom or More
		2 - Bedroom	3 - Bedroom or More

F PROJECT DIMENSIONAL STANDARDS *Indicate all required and proposed standards for the project. Circle yes or no where indicated.*

	Required Per ULDR	Proposed
Lot Size <i>(Square feet/ acres)</i>	N/A (Easement Vacation)	N/A (Easement Vacation)
Lot Density <i>(Units/ acres)</i>	N/A (Easement Vacation)	N/A (Easement Vacation)
Lot Width	N/A (Easement Vacation)	N/A (Easement Vacation)
Building Height <i>(feet)</i>	N/A (Easement Vacation)	N/A (Easement Vacation)
Structure Length	N/A (Easement Vacation)	N/A (Easement Vacation)
Floor Area Ratio <i>(F.A.R.)</i>	N/A (Easement Vacation)	N/A (Easement Vacation)
Lot Coverage	N/A (Easement Vacation)	N/A (Easement Vacation)
Open Space	N/A (Easement Vacation)	N/A (Easement Vacation)
Landscape Area	N/A (Easement Vacation)	N/A (Easement Vacation)
Parking Spaces	N/A (Easement Vacation)	N/A (Easement Vacation)
SETBACKS <i>(Indicate direction N, S, E, W)</i>	Required Per ULDR	Proposed
Front	N/A (Easement Vacation)	N/A (Easement Vacation)
Side	N/A (Easement Vacation)	N/A (Easement Vacation)
Corner / Side	N/A (Easement Vacation)	N/A (Easement Vacation)
Rear	N/A (Easement Vacation)	N/A (Easement Vacation)

For projects in Downtown, Northwest, South Andrews, and Uptown Master Plans to be completed in conjunction with the applicable items above.

Tower Stepback	Required Per ULDR	Proposed	Deviation
Front / Primary Street			
Sides / Secondary Street			
Building Height			
Streetwall Length			
Podium Height			
Tower Separation			
Tower Floorplate <i>(square feet)</i>			
Residential Unit Size <i>(minimum)</i>			

G AMENDED PROJECT INFORMATION *Provide approved and proposed amendments for project. Circle yes or no where indicated.*

Project Name			
Proposed Amendment Description <i>(Describe in detail)</i>			
	Original Approval	Proposed Amendment	Amended
Residential Uses <i>(dwelling units)</i>			
Non-Residential Uses <i>(square feet)</i>			
Lot Size <i>(Square feet/ acres)</i>			
Lot Density <i>(Units/ acres)</i>			
Lot Width			
Building Height <i>(feet)</i>			
Structure Length			
Floor Area Ratio <i>(F.A.R.)</i>			
Lot Coverage			
Open Space			
Landscape Area			
Parking Spaces			
Tower Stepback			
Building Height			
Streetwall Length			
Podium Height			
Tower Separation			
Tower Floorplate <i>(square feet)</i>			
Residential Unit Size <i>(minimum)</i>			
Does this amendment require a revision to the traffic statement or traffic study completed for the project?			
Does this amendment require a revised water sewer capacity letter?			

**H EXTENSION, DEFERRAL, APPEAL INFORMATION** Provide information for specific request. Circle approving body and yes or no.

Project Name		
Request Description		
EXTENSION REQUEST	DEFERRAL REQUEST	APPEAL REQUEST / DE NOVO HEARING
Approving Body	Approving Body	Approving Body
Original Approval Date	Scheduled Meeting Date	30 Days from Meeting <small>(Provide Date)</small>
Expiration Date <small>(Permit Submittal Deadline)</small>	Requested Deferral Date	60 Days from Meeting <small>(Provide Date)</small>
Expiration Date <small>(Permit Issuance Deadline)</small>	Previous Deferrals Granted	Appeal Request
Requested Extension <small>(No more than 24 months)</small>	Justification Letter Provided	Indicate Approving Body Appealing
Code Enforcement <small>(Applicant Obtain by Code Compliance Division)</small>	De Novo Hearing Due to City Commission Call-Up	

*Note: Deferral requests are subject to a fee per deferral. See Fee Schedule for amount.

I MISCELLANEOUS Provide information on the specific request.

Project Name		
Request Description		
AFFORDABLE HOUSING TAX REIMBURSEMENT*	COMMUNITY RESIDENCE	NOISE WAIVER*
As Is Value \$	Residence Type	DRC Case Number
Date	Certification	Request Start Date
Completion Value \$	Length of Stay	Request End Date
Date	Number of Residents	Construction Start Time
Stabilized Value \$	Number of Live-In Staff	Construction End Time
Date	Habitable Rooms	Sunday Construction Times
Acquisition Value \$	Gross Floor Area	Noise Mitigation Plan
Date	DEVELOPMENT REVIEW TEAM (DRT)* <small>Complete Section F</small>	Date of Plan
		Previous Extension Resolution No. <small>(if applicable)</small>

*Application is subject to specific fees based on hourly rate with minimum amount of: DRT \$477, Affordable Housing Tax Reimbursement \$2,500, Noise Waiver \$954

CHECKLIST FOR SUBMITTAL AND COMPLETENESS: The following outlines the necessary items for submittal to ensure the application is deemed complete. Failure to provide this information will result in your application being deemed **incomplete**.

- ☒ **Preliminary Development Meeting** completed on the following date: September 24, 2024
- ☒ **Development Application Form** completed with the applicable information including signatures.
- ☒ **Proof of Ownership** warranty deed or tax record including corporation documents and SunBiz verification name.
- ☐ **Address Verification Form** that includes all parcels within the proposed development.
- ☒ **Project and Unified Land Development Code Narratives** project narrative and the applicable ULDR sections and criteria as described in the specifications for submittal by application type.
- ☒ **Electronic Files, File Naming, and Documents** consistent with the applicable specifications for application type, consistent with the online submittal requirements including file naming convention, plan sets uploaded as single pdf.
- ☐ **Traffic Study or Statement** submittal of a traffic study or traffic statement.
- ☐ **Stormwater Calculations** signed and sealed by a Florida registered professional engineer consistent with calculations as described in the specifications for plan submittal for site plan applications.
- ☐ **Water and Wastewater Capacity Request** copy of email to Public Works requesting the capacity letter.

OVERVIEW FOR ONLINE SUBMITTAL REQUIREMENTS: Submittals must be conducted through [LauderBuild](#). No hardcopy application submittals are accepted. Below only highlights the important submittal requirements that applicants must follow to submit online and be deemed complete. View all the requirements at [LauderBuild Plan Room](#).

- **Uploading Entire Submittal** upload all documents at time the application is submitted to prevent delay in processing.
- **File Naming Convention** file names must adhere to the City's [File Naming Convention](#).
- **Reduce File Size** plan sets and other large files must be merged or flattened to reduce file size.
- **Plan Sets** plan sets like site plans, plats, etc. must be submitted as a single pdf file. Staff will instruct when otherwise.
- **Document Categories** choose the correct document category when uploading.

PARAISOBAY 36 LLC

By: Apollinar Marcano

Printed Name: Apollinar Marcano

Title: MANAGER

Date: 08/02/2024

STATE OF Florida)
) ss
COUNTY OF Miami Dade

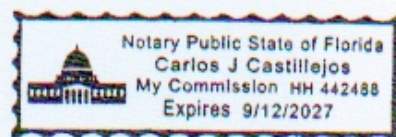
The foregoing instrument was acknowledged before me, by means of (check one): X
physical presence or online notarization, this 02 day of AUGUST, 2024 by
APOLLINAR MARCANO as MANAGER, of PARAISOBAY 36 LLC who is
personally known to me or who has produced M625-012-65-190-0 as identification.

WITNESS my hand and official seal in the County and State last aforesaid this 02 day
of AUGUST, 2024.

CARLOS CASTILLEJOS
Notary Public

Carlos Castillejos
Typed, printed or stamped name of Notary Public

My Commission Expires:



Applicant: Andrew J. Schein, Esq.
Property: 3201 NE 58th Street
Request: Partial Drainage Easement Vacation

ADEQUACY REQUIREMENTS
NARRATIVE

Sec. 47-25.2. Adequacy requirements.

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.

Response: N/A, this application is for a partial drainage easement vacation.

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 (2 1/2) inches of runoff from the impervious surface whichever is greater.

Response: N/A, this application is for a partial drainage easement vacation.

D. *Environmentally sensitive lands.*

1. In addition to a finding of adequacy, a development shall be reviewed pursuant to applicable federal, state, regional and local environmental regulations. Specifically, an application for development shall be reviewed in accordance with the following Broward County Ordinances which address environmentally sensitive lands and well field protection which ordinances are incorporated herein by reference:

- a. Broward County Ordinance No. 89-6.
 - b. Section 5-198(I), Chapter 5, Article IX of the Broward County Code of Ordinances.
 - c. Broward County Ordinance No. 84-60.
2. The Developer must demonstrate that impacts of the proposed development to environmentally sensitive lands will be mitigated.

Response: N/A, this application is for a partial drainage easement vacation.

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.

Response: N/A, this application is for a partial drainage easement vacation

F. *Parks and open space.* 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.

Response: N/A, this application is for a partial drainage easement vacation.

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.

Response: N/A, this application is for a partial drainage easement vacation.

H. *Potable water.*

1. Adequate potable water service shall be provided for the needs of the proposed development. The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of potable water systems in accordance with city engineering standards, the Florida Building Code, and applicable health and environmental regulations. The existing water treatment facilities and systems shall have sufficient capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which potable water treatment capacity has been reserved. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended from time to time. Improvements to the potable water service and system shall be made in accordance with city engineering standards and other accepted applicable engineering standards.

2. *Potable water facilities.*

- a. If the system is tied into the city treatment facility, the available capacity shall be determined by subtracting committed capacity and present flow from design capacity. If there is available capacity, the city shall determine the impact of the proposed development utilizing Table 3, Water and Wastewater, on file with the department.
- b. If there is adequate capacity available in the city treatment plant to serve the proposed development, the city shall reserve the necessary capacity to serve the development.
- c. Where the county is the projected service provider, a similar written assurance will be required.

Response: N/A, this application is for a partial drainage easement vacation.

I. *Sanitary sewer.*

1. If the system is tied into the city treatment facility, the available capacity shall be determined by subtracting committed capacity and present flow from the design capacity. If there is available capacity, the city shall determine the impact of the proposed development utilizing Table 3, Water and Wastewater, on file with the department.
2. If there is adequate capacity available in the city treatment plant to serve the proposed development, the city shall reserve the necessary capacity to serve the proposed development.

3. Where the county is the projected service provider, a written assurance will be required.
4. Where septic tanks will be utilized, the Developer shall secure and submit to the city a certificate from the Broward County Health Unit that certifies that the site is or can be made suitable for an on-site sewage disposal system for the proposed use.

Response: N/A, this application is for a partial drainage easement vacation

J. *Schools.* For all residential plats, the Developer shall contribute to school facilities in accordance with the Broward County Land Development Code and shall provide documentation to the city that such contribution has been satisfied.

Response: N/A, this application is for a partial drainage easement vacation.

K. *Solid waste.*

1. Adequate solid waste collection facilities and service shall be obtained by the Developer 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.
2. *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.

Response: N/A, this application is for a partial drainage easement vacation.

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.

Response: N/A, this application is for a partial drainage easement vacation. No drainage infrastructure is located within the area proposed to be vacated.

M. *Transportation facilities.*

1. The capacity for transportation facilities shall be evaluated based on Table 1, Generalized Daily Level of Service Maximum Volumes, on file with the department. If a development is within a compact deferral area, the available traffic capacity shall be determined in accordance with Table 2, Flowchart, on file with the department.
2. *Regional transportation network.* The regional transportation network shall have the adequate capacity, and safe and efficient traffic circulation to serve the proposed development. Adequate capacity and safe and efficient traffic circulation shall be determined by using existing and site-specific traffic studies, the adopted traffic elements of the city and the county comprehensive plans, and accepted applicable traffic engineering standards. Site-specific traffic studies may be required to be made and paid for by the Developer when the city determines such a study is needed in order to evaluate the impacts of the proposed development on proposed or existing roadways as provided for in subsection M.4. An Developer may submit such a study to the city which will be considered

by the DRC in its review. Roadway improvements needed to upgrade the regional transportation network shall be made in accordance with the city, the county, and Florida Department of Transportation traffic engineering standards and plans as applicable.

3. *Local streets.* Local streets shall have adequate capacity, safe and efficient traffic circulation, and appropriate functional classification to serve the proposed development. Adequate capacity and safe and efficient traffic circulation shall be determined by using existing and site-specific traffic studies, the city's comprehensive plan and accepted applicable traffic engineering standards. Site-specific traffic studies may be required to be made and paid for by the Developer when the city determines such a study is required in order to evaluate the impact of the proposed development on proposed or existing roadways as provided for in subsection M.4. An Developer may submit to the city such a study to be considered as part of the DRC review. Street improvements needed to upgrade the capacity or comply with the functional classification of local streets shall be made in accordance with the city engineering standards and acceptable applicable traffic engineering standards. Local streets are those streets that are not classified as federal, state or county roadways on the functional classification map adopted by the State of Florida.

4. *Traffic impact studies.*

- a. When the proposed development may generate over one thousand (1,000) daily trips; or
- b. When the daily trip generation is less than one thousand (1,000) trips; and (1) when more than twenty percent (20%) of the total daily trips are anticipated to arrive or depart, or both, within one-half (1/2) hour; or (2) when the proposed use creates varying trip generation each day, but has the potential to place more than twenty percent (20%) of its maximum twenty-four (24) hour trip generation onto the adjacent transportation system within a one-half (1/2) hour period; the Developer shall submit to the city a traffic impact analysis prepared by the county or a registered Florida engineer experienced in traffic ways impact analysis which shall:
 - i. Provide an estimate of the number of average and peak hour trips per day generated and directions or routes of travel for all trips with an external end.
 - ii. Estimate how traffic from the proposed development will change traffic volumes, levels of service, and circulation on the existing and programmed traffic ways.
 - iii. If traffic generated by the proposed development requires any modification of existing or programmed components of the regional or local traffic ways, define what city, county or state agencies have programmed the necessary construction and how this programming relates to the proposed development.
 - iv. A further detailed analysis and any other information that the review committee considers relevant.
 - v. The traffic impact study may be reviewed by an independent licensed professional engineer contracted by the city to determine whether it adequately addresses the impact and the study supports its conclusions. The cost of review by city's consultant shall be reimbursed to the city by the Developer.
 - vi. When this subsection M.4.b. applies, the traffic study shall include an analysis of how the peak loading will affect the transportation system including, if necessary, an operational plan showing how the peak trips will be controlled and managed.

Response: N/A, this application is for a partial drainage easement vacation.

5. *Dedication of rights-of-way.* Property shall be conveyed to the public by plat, deed or grant of easement as needed in accordance with the Broward County Trafficways Plan, the city's

comprehensive plan, subdivision regulations and accepted applicable traffic engineering standards.

Response: N/A, this application is for a partial drainage easement vacation.

6. *Pedestrian facilities.* Sidewalks, pedestrian crossing and other pedestrian facilities shall be provided to encourage safe and adequate pedestrian movement on-site and along roadways to adjacent properties. Transit service facilities shall be provided for as required by the city and Broward County Transit. Pedestrian facilities shall be designed and installed in accordance with city engineering standards and accepted applicable engineering standards.

Response: N/A, this application is for a partial drainage easement vacation.

7. *Primary arterial street frontage.* Where a proposed development abuts a primary arterial street either existing or proposed in the traffic ways plan, the development review committee (DRC) may require marginal access street, reverse frontage with screen planting contained in a nonaccess reservation along the rear property line, deep lots with or without rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to assure separation of through and level traffic.

Response: N/A, this application is for a partial drainage easement vacation.

8. *Other roadway improvements.* Roadways adjustments, traffic control devices, mechanisms, and access restrictions may be required to control traffic flow or divert traffic, as needed to reduce or eliminate development generated traffic.

Response: N/A, this application is for a partial drainage easement vacation.

9. *Street trees.* In order to provide for adequate landscaping along streets within the city, street trees shall be required along the length of the property abutting a street. A minimum of fifty percent (50%) of the required street trees shall be shade trees, and the remaining street trees may be provided as flowering or palm trees. These percentages may be varied based on existing or proposed physical conditions which may prevent the ability to comply with the street tree requirements of this subsection. The street trees shall be planted at a minimum height and size in accordance with the requirements of Section 47-21, Landscape and Tree Preservation Requirements, except in the downtown RAC districts the requirements of Sec. 47-13.20.H.8 shall apply. The location and number of street trees shall be determined by the department based on the height, bulk, mass and design of the structures on the site and the proposed development's compatibility to surrounding properties. The requirements for street trees, as provided herein, may be located within the public right-of-way as approved by the entity with jurisdiction over the abutting right-of-way.

Response: N/A, this application is for a partial drainage easement vacation.

N. *Wastewater.*

1. *Wastewater.* Adequate wastewater services shall be provided for the needs of the proposed development. The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of a wastewater and disposal system in accordance with applicable health, environmental and engineering regulations and standards. The existing wastewater treatment facilities and systems shall have adequate capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which wastewater treatment or disposal capacity has been reserved. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended for time to time. Improvements to the wastewater facilities and system shall be made in accordance with the city engineering and accepted applicable engineering standards.

Response: N/A, this application is for a partial drainage easement vacation.

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.

Response: N/A, this application is for a partial drainage easement vacation.

P. *Historic and archaeological resources.*

1. If a structure or site has been identified as having archaeological or historical significance by any entity within the State of Florida authorized by law to do same, the Developer shall be responsible for requesting this information from the state, county, local governmental or other entity with jurisdiction over historic or archaeological matters and submitting this information to the city at the time of, and together with, a development permit application. The reviewing entity shall include this information in its comments.

Response: N/A, this application is for a partial drainage easement vacation.

Q. *Hurricane evacuation.* If a structure or site is located east of the Intracoastal Waterway, the Developer 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.

Response: N/A, this application is for a partial drainage easement vacation.



699 N. FEDERAL HIGHWAY, SUITE 400
FORT LAUDERDALE, FLORIDA 33304
DIRECT DIAL: 954.617.8919
EMAIL: ASCHIEIN@LOCHRIELAW.COM
MAIN PHONE: 954.779.1119
FAX: 954.779.1117

Applicant: Andrew J. Schein, Esq.
Property: 3201 NE 58th Street
Request: Partial Drainage Easement Vacation

EASEMENT VACATION NARRATIVE

I. General Description of Request.

This application is to “clean up” a recently-found issue on a newly-constructed single family home at 3201 NE 58th Street. In closing out permits for the Property, it was determined that the single-family home encroached 1’ into a 12’-wide platted drainage easement, shown on “The Landings Second Section” plat, recorded in Plat Book 56, Page 37 of the Public Records of Broward County.

Applicant met with representatives from the City’s Engineering Department and Public Works Department, and it was determined that the easternmost 1’ of the drainage easement is not needed for the effectiveness of the drainage easement.

II. ULDR 47-24.7.A.4 – Criteria for vacation of easement.

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

RESPONSE: Applicant met with Representatives of the City’s Engineering Department and Public Works Department. City representatives determined that the easternmost 1’ of the drainage easement is not required for public purposes.

- 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.

RESPONSE: There are no utilities located within the easternmost 1’ of the drainage easement.



**CITY OF
FORT LAUDERDALE**



December 3, 2024

Subject: **No Objection Letter for case number UDP-EV24007. -PARTIAL VACATION OF DRAINAGE EASEMENT LOCATED AT 3201 NE 58th Street, FORT LAUDERDALE, FL.**

Regarding Case UDP-EV24007,

The City of Fort Lauderdale's Public Works Department has reviewed the request for the partial vacation of the Drainage Easement (1-foot vacated of the existing 6-foot easement) located at 3201 NE 58th Street per the sketch provided by John Ibarra & Associates, Inc. The City has no objection to this request provided it adheres to the attached sketch and legal.

Should you have any questions or require any additional information, please contact me at (954) 828-6982.

Sincerely,

Roberto Betancourt, P.E.
Program Manager – Utility Modeling & Capacity Administration

PUBLIC WORKS DEPARTMENT

101 NE 3rd Ave, FORT LAUDERDALE, FLORIDA 33301
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