



SUSTAINABLE DEVELOPMENT – URBAN DESIGN PLANNING RIGHT-OF-WAY/EASEMENT APPLICATION

Rev: 2 | Revision Date: 10/01/2020 | I.D. Number: ROWEA

DEVELOPMENT REVIEW COMMITTEE (DRC) Right-of-way / Easement Application

- Cover:** Deadline, Notes, and Fees
- Page 1:** Applicant Information Sheet
- Page 2:** Required Documentation / Submittal Checklist
- Page 3:** Other Property & Right-of-Way related items for discussion

DEADLINE: Submittals must be received by 4:00 PM each business day. Pursuant to Section 47-24.1(1), the Department will review all applications to determine completeness within five (5) business days. Applicants will be notified via email, if plans do not meet the submittal requirements and if changes are required.

NOTES: Prior to formal submittal of applications, applicants are encouraged to schedule an appointment with Urban Design & Planning Division staff to obtain feedback regarding subject proposals, especially right-of-way vacation requests, as well as any other considerable development projects. The meetings provide an opportunity for applicants to obtain feedback and general direction, prior to expending significant effort on design and preparation of submittal documents.

Optional 15-minute time slots are available during DRC meetings for scheduling to applicants, to obtain signatures on completed DRC plans (including Pre-Planning and Zoning Board, Pre- City Commission and Final DRC plans) from all representatives at one time, in preference to scheduling individual appointments. Appointments are subject to availability. To make an appointment, please call 954-828-6531 latest by Friday at 12:00 noon prior to the meeting date.

Other Property & Right-of-Way related items for discussion: the application and submittal requirements are attached on the last page of this application.

FEES: All applications for development permits are established by the City Commission, as set forth by resolution and amended from time to time. In addition to the application fee, any additional costs incurred by the City including review by a consultant on behalf of the City, or special advertising costs shall be paid by the applicant. Any additional costs, which are unknown at the time of application, but are later incurred by the City, shall be paid by the applicant prior to the issuance of a development permit.

Any agreement with the City of Fort Lauderdale and other parties, such as, but not limited to, license, encroachment, water and sanitary sewer agreements, shall be preceded by the execution and filing of the following application form and the payment with said application fee of \$100.00, (Ordinance No. C-84-65), which shall be nonrefundable. This application must be presented and the fee paid before agreement is prepared or considered. If publication is necessary, applicant agrees to pay the cost of such publication

- Easement Vacation** \$ 1,600.00
- Right-of-Way Vacation** \$ 1,600.00
- Development Agreements with the City *** \$ 150.00 / Hour
- Other Property & Right-of-Way related items for discussion** \$ 150.00/Hour

* Any agreement with the City of Fort Lauderdale and other parties, such as, but not limited to, revocable license, encroachment, water and sanitary sewer agreements)



Page 1: DRC Vacation / Agreements - Applicant Information Sheet

INSTRUCTIONS: The following information is requested pursuant to the City's Unified Land Development Regulations (ULDR). The application must be filled out accurately and completely. Please print or type and answer all questions. Indicate N/A if does not apply.

NOTE: To be filled out by Department

Case Number	
Date of complete submittal	

NOTE: For purpose of identification, the PROPERTY OWNER is the APPLICANT

Property Owner's Name	City of Fort Lauderdale - Chris Lagerbloom, ICMA-CM, City Manager
Property Owner's Signature	<i>[Signature]</i>
Address, City, State, Zip	100 N Andrews Ave, Fort Lauderdale, FL 33301
E-mail Address	
Phone Number	202-456-1111
Proof of Ownership:	<input checked="" type="checkbox"/> Warranty Deed or <input type="checkbox"/> Tax Record

NOTE: If AGENT is to represent OWNER, no authorization or consent is required

Applicant / Agent's Name	City of Fort Lauderdale
Applicant / Agent's Signature	<i>[Signature]</i>
Address, City, State, Zip	700 NW 19th Avenue, Fort Lauderdale, FL 33311
E-mail Address	tlaford@fortlauderdale.gov
Phone Number	954-828-5633
Letter of Consent Submitted	Yes

Development / Project Name	Federal Court House
Development / Project Address	Existing: multiple - see tax records New: 1000 & 1100 SE 3rd Ave
Legal Description	See attached survey
Tax ID Folio Numbers (For all parcels in development)	504215010260, 504215010211, 504215010200, 504215010230, 504215010240, 504215010250, 504210760020, 504215018080
Request / Description of Project	Vacation of a portion of SE 4th Avenue.
Applicable ULDR Sections	ULDR Sec. 47-24.6, ULDR 47-25.2
Total Estimated Cost of Project	\$ _____ (Including land costs)
Current Land Use Designation	SRAC
Current Zoning Designation	
Current Use of Property	

Additional property owners who wish to be included in the request, if applicable. Use additional sheets if necessary.

Name and Signature	Folio Number	Subdivision	Block	Lot

- NOTE:** Applicant must indicate if/how the following provisions are met:
- All utilities (list below) located within the easement and/or right-of-way must be relocated pursuant to a relocation plan; and
 - The owner of the utility facilities must consent to the vacation; or
 - A utilities easement must be retained over the area or portion thereof; or
 - An easement in a different location must be provided for the utility facilities by the owner to the satisfaction of the City; or
 - Any combination of same and utilities maintenance are not disrupted.
 - Applicants shall satisfactorily support vacation requests by addressing each point listed in Sections 47-24.6 and 47-24.7 of the city's Unified Land Development Regulations (ULDR) as applicable.

TECO, Peoples Gas
 5101 NW 21st Avenue
 Fort Lauderdale, FL 33309
 (954) 453-0817, (954) 453-0804 fax

Florida Power and Light
 Service Planning
 3020 N.W. 19 St.
 Fort Lauderdale, FL 33311
 (954) 717-2057, (954) 717-2118 fax

BellSouth
 8601 W. Sunrise Blvd., 2nd Floor
 Plantation, FL 33322
 (954) 476-2909

Comcast, Inc.
 2501 SW 145 Ave, Suite 200
 Miramar, FL 33027
 (954) 534-7417, (954) 534-7083 fax



Page 2: Required Documentation

INSTRUCTIONS: An application for a vacation of an easement, a right-of-way or other public place shall be reviewed in accordance with all applicable provisions of ULDR Sec. 47-24.6 Vacation of Rights-of-Way and/or Sec. 47-24.7 Vacation of Easement.

One (1) copy of the following documents:

- Completed application (all pages filled out as applicable)
- Proof of ownership (warranty deed or tax record), including corporation documents if applicable. Proof of ownership by Title Co. or written Attorney's opinion within the last 30 days.
- Property owners signature and/or agent letter signed by the property owner.
- Traffic study for projects that meet the trip threshold (see Sec. 47-24 or contact DRC Engineering Rep.)
- Color photographs of the entire property and all surrounding properties, dated and labeled and identified as to orientation.

The following number of Plans:

- One (1) original set, signed and sealed at 24" x 36"
- Six (6) copies sets, with plans at 11" x 17"
- One (1) electronic version of complete application and plans in PDF format

NOTE: For initial submittal one signed and sealed set is required. Copied sets will be requested after completion review. If the development site is separated by a public right-of-way including alley or alley reservations, a separate application must be completed for each parcel.

Plan sets should include the following:

- Narrative** describing project specifics, to include: architectural style and important design elements, utilities affected and the plan to address them, trash disposal system, security/gating system, hours of operation, etc. Narrative response referencing all applicable sections of the ULDR, with point-by-point responses of how project complies with criteria. Narratives must be on letterhead, dated, and with author indicated.
- Cover sheet** including project name and table of contents.
- Land Use and Zoning maps** indicating all properties within 700 ft. of the subject property. These should be obtained from Urban Design & Planning Division. Site should be highlighted or clearly marked to identify the parcel(s) under consideration on all sets.
- Current survey(s)** of property, signed and sealed, showing existing conditions. The survey should consist of the proposed project site alone excluding adjacent properties or portions of lands not included in the proposal. A current certified boundary survey (within last 6 months) is required for "agreements with City of Fort Lauderdale applications".
- Most current recorded plat** including amendments, with site highlighted. This may be obtained from Broward County Public Records at 115 S. Andrews Ave.
- Aerial photo** indicating all properties within 700 ft. of the subject property. Must be clear and current with site highlighted.
- Sketch and legal description** of easement or ROW proposed to be vacated (must be prepared by Engineer or Surveyor).

NOTES:

- All plans and documents must be bound, stapled and folded to 8 1/2" x 11";
- All copy sets must be clear and legible and should include any graphic material in color;
- Civil Engineering plans are only required at Final-DRC sign-off. Contact DRC Engineering Representative for details;

<p>Applicant's Affidavit I acknowledge that the Required Documentation and Technical Specifications of the application are met:</p> <p>Print Name _____</p> <p>Signature _____</p> <p>Date _____</p>	<p>Staff Intake Review For Urban Design & Planning Division use only:</p> <p>Date _____</p> <p>Received By _____</p> <p>Tech. Specs Reviewed By _____</p> <p>Case No. _____</p>
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Page 3: Property & Right-of-Way related items for discussion

APPLICATION FORM

Legal name of applicant – (if corporation, names and titles of officers as well as exact name of corporation – if individuals doing business under a fictitious name, correct names of individuals (must be used). Not fictitious name:

NAME: _____ PHONE: _____

APPLICANTS ADDRESS: _____

IF UNAVAILABLE CONTACT: _____ RELATIONSHIP OR TITLE _____

ADDRESS: _____

ADDRESS AND LEGAL DESCRIPTION OF PREMISES OR AREA AFFECTED.

SITE ADDRESS: _____ ZONED: _____

LEGAL DESCRIPTION: _____

DISCUSSION ITEM: _____

APPLICANTS SIGNATURE & TITLE

NOTICE TO APPLICANT

1. Payment –\$100.00 application fee payable to the City of Fort Lauderdale.
2. Proof of ownership by Title Co. or written Attorney’s opinion within the last 30 days.
3. Project Description – Briefly describe the proposed project, any items to explain the request and related property and/or right-of-way items.
4. Six (6) copies, size11”x17” of Land Surveyor’s sketch of plan delineating the area including legal description, property and/or right-of-way lines. Current certified boundary survey (within last 6 months).
5. Ground photos of the area and other material to depict the project.



PROJECT NARRATIVE

DATE PREPARED: October 28, 2021

APPLICANT: City of Fort Lauderdale, Tyler Laforme, Urban Planner II

PROJECT NAME: Federal Court House

REQUEST: Vacation of a portion of SE 4th Avenue

CASE: UDP-V21004: Level IV: Vacation of Right-of-Way

GENERAL LOCATION: Between Tarpon River and SE 11th Street, east of SE 3rd Ave

NEIGHBORHOOD ASSN: Downtown Fort Lauderdale Civic Association

ZONING DISTRICT: ROC, ROA, RMM-25

LAND USE: SRAC

AUTHOR: Tyler Laforme

The United States of America Federal Government is proposing a new Federal Courthouse in the general location south of the New River , just east of SE 3rd Ave, and north of SE 11th street, extending into the two parcels east of SE 4th Ave. In order to accomplish this development, a partial vacation of SE 10th Court and SE 4th Ave must occur.

The portions of SE 10th Court and SE 4th Avenue proposed for vacation traverse the site longitudinally and latitudinally, respectively. The site has been assembled under one ownership. None of the right-of-way proposed for vacation serves properties outside the proposed redevelopment site. The proposed vacation will not impact vehicular or pedestrian travel along SE 3rd Avenue or SE 11th Street which abut the development site.

There are franchise and municipal utilities located within the subject portions of the right-of-way. Letters of no objection will be requested from all of the franchise utilities as well as the City's Public Works Department. Should any affected utilities require relocation, they will be relocated at the sole expense of the Applicant with easements granted as necessary.

ULDR NARRATIVE

DATE PREPARED: October 28, 2021

APPLICANT: City of Fort Lauderdale, Tyler Laforme, Urban Planner II
PROJECT NAME: Federal Court House
REQUEST: Vacation of a portion of SE 4th Avenue
CASE: UDP-V21004: Level IV: Vacation of Right-of-Way
GENERAL LOCATION: Between Tarpon River and SE 11th Street, east of SE 3rd Ave
NEIGHBORHOOD ASSN: Downtown Fort Lauderdale Civic Association
ZONING DISTRICT: ROC, ROA, RMM-25
LAND USE: SRAC
AUTHOR: Tyler Laforme

ULDR Sec. 47-24.6. Vacation of Rights-of-Way

A. Vacation of rights-of-way or other public place (City Commission).

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;

- i. Upon development of the proposed project, the right-of-way to be vacated will no longer be needed for public purposes. This right-of-way only serves the abutting properties, all of which are included in the proposed redevelopment. Should any municipal or franchise utilities existing in the subject right-of-way require relocation, the applicant will bear the expense and grant easements as needed. The development project will include improved sidewalks along SE 3rd Avenue and SE 11th Street which will facilitate pedestrian connectivity from SE 3rd Avenue to South Federal Highway.

And,

b. Alternative routes if needed are available which do not cause adverse impacts to the surrounding areas;

- i. The right-of-way to be vacated is located entirely within the project site. Currently, the portion of SE 4th Avenue that is proposed to be vacated only serves the properties within the redevelopment project site. Access from Se 3rd Avenue to South Federal Highway via SE 11th Street will remain unchanged.

And,

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

- i. The proposed right-of-way vacation does not create any dead-end conditions. Vehicles will still be able to use SE 3rd Avenue and SE 11th Street.

And,

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

- i. The right-of-way to be vacated only serves the properties within the project site. The proposed development project includes sidewalks along all street frontages and will create a better pedestrian experience than currently exists.

And,

- e. ***All utilities located with 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 utilizes maintenance shall not be disrupted.***
 - i. There are currently franchise and public utilities within the subject right-of-way. The applicant will work with the franchise utilities to address their facilities existing within the vacation area. The Existing drainage system which serves the site will be modified to serve the project needs without impacting properties beyond the site.

Letters of no objection will be requested from the franchise utilities and the City's Public Works Department. Copies of these letters will be provided as soon as they come available. The applicant will relocate utilities within the portion of the right-of-way to be vacated at their sole expense, as needed. If required by the affected agencies, the applicant will grant utility easements.

ULDR Sec. 47-25.2. Adequacy Requirements.

**This narrative relates only to those adequacy requirements which may apply to the proposed right-of-way vacation.*

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.

- i. The proposed right-of-way vacation will not affect the adequacy of the public services and facilities. The development project for this site is the subject of a separate DRC application which will address each section of the Adequacy Requirements – SEC. 47-25.2. This narrative relates only to those adequacy requirements which may apply to the proposed right-of-way vacation.

H. 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.

- i. Public potable water facilities which exist within the public right-of-way to be vacated are currently proposed to be retained. The proposed project demand for potable water will be addressed by the ULDR narratives provided for the development site plan.

- 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.
- i. Drainage facilities within the subject right-of-way will be modified to serve the redevelopment project. Since the vacated right-of-way will become part of the proposed development project, drainage facilities will be constructed per the Civil plans, with all drainage addressed onsite.
- N. **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.
- i. There is existing public sanitary sewer in SE 4th Ave. These facilities are proposed to be retained. The projected project wastewater demand will be addressed by the ULDR narratives provided with the development site plan submittal.

April 19, 2022

Tyler Laforme
Urban Planner II – LEED Green Associate
City of Fort Lauderdale
Department of Sustainable development
700 NW 19th Avenue
Fort Lauderdale, Florida 33311

Subject: **Right-of-Way Vacation
Portion of SE 4th Avenue,
north of SE 11th street to the Tarpon River
Case No. UDP-V21005**

Letter of No Objection

Dear Mr. Laforme,

This letter is to supersede the Letter of Objection that was previously issued on April 12, 2022, in response to your request of a Letter of No Objection regarding vacation of a Right-of-Way for a new U.S. Federal Building and Courthouse that includes Portion of SE 4th Avenue north of SE 11th street to the Tarpon River.

The City of Fort Lauderdale (City) has a number of critical elements of the City's water and sewer infrastructure located within the subject Right-of-Way.

1. 6-inch water main,
2. 30-inch water transmission main.
3. 10-inch gravity sewer main,
4. 14-inch gravity sewer main,
5. Sewer Pump Station PS A-16,
6. 6-inch sewer force main.

Currently, the City is starting a design-built Water Main Relocation and Pump Station PS A-16 Upgrade Project (P12412) that will include relocation of the above listed water and sewer infrastructure. Therefore, **the City has no objections to the vacation of the subject Right-of-Way.**

Should you have any questions or require any additional information, please contact me at (954) 828-5862.

Sincerely,



Igor Vassiliev, P.E.
Project Manager II



**Engineering – Design Department
6565 Nova Drive. Davie, FL 33317**

Friday, February 04, 2022

**Mr. Tyler J. Laforme
Urban Planner II – LEED Green Associate
City of Fort Lauderdale
Development Services Department**

Re: Proposed abandonment of Right- of -Way Portion of SE 4th Avenue lying North of SE of SE 11th Street.
FOLIO # 504215010260, 504215010250, 504215010211, 504215010230, 504215010240,
504215010200, 504210760020.

Dear Mr. Tyler J. Laforme:

On behalf of **COMAST** this letter shall serve as a notice of **"No-Objection"** to the for the proposed abandonment of Right- of -Way at Portion of SE 4th Avenue lying North of SE of SE 11th Street.

FOLIO # 504215010260, 504215010250, 504215010211, 504215010230, 504215010240,
504215010200, 504210760020.

Please advise that Comcast engineering staff has reviewed the survey's you provided and has no objection to the abandonment of the right-of -way as proposed.

Should you need any further information, please do not hesitate to contact me.

Sincerely,

COMCAST.

Ricardo Davidson

**Ricardo Davidson
Construction Supervisor**



Florida Power & Light Company

January 27, 2022

Tyler J. Laforme
Urban Planner II – LEED Green Associate
City of Fort Lauderdale
Department of Sustainable Development

Re: Right-of-Way Vacation – Letter of No Objection Request
Portion of SE 4th Avenue north of SE 11th Street to the Tarpon River
Case No. UDP-V21005 - the 50-foot wide by 310-foot-long ROW

Dear Tyler:

This is to advise you that FPL has no objection to the granting of the above mentioned the 50-foot wide by 310-foot-long ROW with the applicant knowledge and agreement of the following two stipulations:

- FPL reserves the right to maintain and/or place cable or conductor within the Utility Easement along the above-mentioned easement within this property.
- It is understood that if any damages are incurred to FPL facilities or damage is incurred to your facilities while maintaining FPL facilities, the applicant will be totally responsible for all charges incurred for repairing said damages.

We hope that this information will assist in granting this encroachment. Should you have any questions, please call me at (954) 717-2148.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tim Doe', is written over a large, light-colored scribble.

Tim Doe
Project Manager

An FPL Group Company



11/22/2021

To: Tyler J. Laforme
Urban Planner II-LEED Green Associate
City Of Ft. Lauderdale-Dept. of Sustainable Development
700 NW 19th Ave.
Ft. Lauderdale, FL 33311

RE: No Objection of Right-Of-Way Vacation
Federal Courthouse SE 4th Ave ROW Vacation
Portion of SE 4th Ave. North of SE 11th St to the Tarpon River
Folios- 504215010260, 504215010250, 50421510211, 504215010230, 502415010240,
504125010200, 504210760020

From: TECO Peoples Gas

To: Whom It May Concern,

Thank you for contacting TECO Peoples Gas Company regarding the vacation of Right-Of Way at the above referenced location. After reviewing the documents provided, TECO-PGS has NO objection to this request.

If you have further questions, please do not hesitate to call.

Sincerely,

Joan Domning
Administrative Specialist, Senior
Peoples Gas-Distribution Engineering
8416 Palm River Road
Tampa, FL 33619
Office: 813-275-3783



Carlos Lozano
Manager - OSP Planning
& Engineering Design

ATT Florida
5395 NE 14th Ave
Ft Lauderdale, FL 33334

T: 561-310-5185
CL448E@att.com

April 22, 2022

Tyler J. Laforme
Urban Planner II – LEED Green Associate
City of Fort Lauderdale
Department of Sustainable Development

RE: Right-of-Way Vacation – Letter of No Objection Request
Portion of SE 4th. Avenue north of SE 11th. Street to the Tarpon River
Case No. UDP-V21005

Tyler,

ATT does not object to your request of vacation of portion of SE 4th. Avenue north of SE 11th. Street to the Tarpon River
Case No. UDP-V21005

It is understood that any relocation of existing AT&T facilities associated with the proposed project and encroachments will be at the owner's expense. Additional future easements in another location may be required to provide service to the proposed project.

Should you have any questions, please contact me at 561-310-5185.

Sincerely,

A handwritten signature in black ink, appearing to read "Carlos Lozano".

Carlos Lozano
Manager - OSP Planning &
Engineering Design