



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

#22-0430

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

FROM: Chris Lagerbloom, ICMA-CM, City Manager

DATE: July 5, 2022

TITLE: Quasi-Judicial Resolution Approving Vacation of a Utility Easement Located
at 1627 E. Lake Drive - 1627 E Lake Drive LLC - Case Number UDP-
EV21007 - **(Commission District 4)**

Recommendation

Staff recommends the City Commission consider a resolution vacating a utility easement that runs north and south through the subject property located at 1627 E Lake Drive. The request satisfies the provisions of the City's Unified Land Development Regulations (ULDR), Section 47-24.7, Vacation of Easement.

Background

The applicants, 1627 E Lake Drive, LLC., requests to vacate a 10-foot-wide utility easement. A location map is attached as Exhibit 1.

The City's Development Review Committee reviewed the easement vacation application on December 14, 2021. All comments have been addressed and are available on file with the Development Services Department. The Development Review Committee comment report is attached as Exhibit 2.

The property located at 1627 E Lake Drive is bisected by a 10-foot-wide platted utility easement, as shown on the Harbor Beach Unit 2 Plat, recorded in Plat Book 21, Page 18 of the Public Records of Broward County, Florida. The applicant is proposing to vacate the platted utility easement, as the easement is no longer needed for public purposes and there are no known utilities within the easement area.

The applicant's application, narratives, and the recorded plat are attached as Exhibit 3. The sketch and legal description of the proposed vacation is attached as Exhibit 4.

The City Commission shall consider the application, the record, staff recommendation, and public comment on the application when determining whether the application meets the criteria for vacation.

Pursuant to the City's Unified Land Development Regulations (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;*

As noted above, the easement is no longer needed for public purpose. There are no known utilities within the easement area and no known plans for future utilities within the easement area. The applicant has obtained letters of no objection from TECO Peoples Gas, Florida Power and Light, AT&T, Comcast, and the City's Public Works Department. The utility letters of no objection are found attached as Exhibit 5.

- 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 known utilities in the proposed easement to be vacated and no known plans for future utilities within the easement area. As noted above, letters of no objection have been obtained by the utility providers and are found as part of Exhibit 5.

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; and,
2. The vacating resolution shall be in full force and effect on the date a certificate, executed by the City Engineer, is recorded in the public records of Broward County, Florida. This certificate shall state that all conditions of the vacation have been met. A copy of the recorded certificate must be provided to the City.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item supports the Press Play Fort Lauderdale 2024 Strategic Plan, 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.

Attachments

Exhibit 1 – Location Map

Exhibit 2 – Development Review Committee Comment Report

Exhibit 3 – Applicant’s Application, Narrative, and Recorded Plat

Exhibit 4 – Sketch and Legal Description

Exhibit 5 – Utility Letters of No Objection

Exhibit 6 – Resolution

Prepared by: Nicholas Kalargyros, Urban Planner, Development Services Department

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