



# 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

<input checked="" type="checkbox"/>	<b>Easement Vacation</b>	<b>\$ 1,600.00</b>
<input type="checkbox"/>	<b>Right-of-Way Vacation</b>	<b>\$ 1,600.00</b>
<input type="checkbox"/>	<b>Development Agreements with the City *</b>	<b>\$ 150.00 / Hour</b>
<input type="checkbox"/>		
_____	<b>Other Property &amp; Right-of-Way related items for discussion</b>	<b>\$ 150.00/Hour</b>

\* 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

<b>Case Number</b>	EV21008
<b>Date of complete submittal</b>	10/28/2022

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

<b>Property Owner's Name</b>	United States of America
<b>Property Owner's Signature</b>	If a signed agent letter is provided, no signature is required on the application by the owner.
<b>Address, City, State, Zip</b>	1600 Pennsylvania Avenue, Washington, DC 20500
<b>E-mail Address</b>	
<b>Phone Number</b>	202-456-1111
<b>Proof of Ownership</b>	<input type="checkbox"/> Warranty Deed or <input type="checkbox"/> Tax Record

**NOTE:** If **AGENT** is to represent **OWNER**, notarized letter of consent is required

<b>Applicant / Agent's Name</b>	City of Fort Lauderdale, Urban Design and Planning, Michael Ferrera, Urban Planner II
<b>Applicant / Agent's Signature</b>	
<b>Address, City, State, Zip</b>	700 NW 19th Avenue, Fort Lauderdale, FL 33311
<b>E-mail Address</b>	mferrera@fortlauderdale.gov
<b>Phone Number</b>	954-828-5265
<b>Letter of Consent Submitted</b>	Yes

<b>Development / Project Name</b>	U.S Federal Building and Courthouse
<b>Development / Project Address</b>	<b>Existing:</b> 1080 SE 3 Avenue, 320 SE 10 Ct, 315 SE 11 St, 301 SE 10 Ct, 311 SE 10 Ct, 321 SE 10 Ct, 1010 SE 4 Avenue
<b>Legal Description</b>	See attached survey
<b>Tax ID Folio Numbers</b> (For all parcels in development)	504215010260, 504215010211, 504215010200, 504215010230, 504215010240, 504215010250, 504210760020, 504215018080
<b>Request / Description of Project</b>	Vacation of a sidewalk easement
<b>Applicable ULDR Sections</b>	ULDR Sec. 47-24.6, ULDR 47-25.2
<b>Total Estimated Cost of Project</b>	\$ (Including land costs)

<b>Current Land Use Designation</b>	SRAC
<b>Current Zoning Designation</b>	ROA, ROC, RMM-25
<b>Current Use of Property</b>	Office, retail

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 21<sup>st</sup> 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., 2<sup>nd</sup> 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 ½" 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><b>Applicant's Affidavit</b> I acknowledge that the Required Documentation and Technical Specifications of the application are met:</p>	<p><b>Staff Intake Review</b> For Urban Design &amp; Planning Division use only:</p>
<p>Print Name <u>Michael Ferrera</u></p>	<p>Date <u>10/28/2022</u></p>
<p>Signature <u>Michael P. Ferrera</u></p>	<p>Received By _____</p>
<p>Date <u>10/28/2022</u></p>	<p>Tech. Specs Reviewed By _____</p>
	<p>Case No. <u>EV21008</u></p>

**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**

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**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, size 11”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, Urban Design and Planning, Michael Ferrera, Urban Planner II

**PROJECT NAME:** U.S Federal Building and Courthouse

**REQUEST:** Vacation of 2 easements

**CASE:** UDP-EV21008: Level IV: Vacation of Easement

**GENERAL LOCATION:** Between Tarpon River and SE 11<sup>th</sup> Street, east of SE 3<sup>rd</sup> Ave

**NEIGHBORHOOD ASSN:** Downtown Fort Lauderdale Civic Association

**ZONING DISTRICT:** ROC, ROA, RMM-25

**LAND USE:** SRAC

**AUTHOR:** Michael Ferrera

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 3<sup>rd</sup> Ave, and north of SE 11<sup>th</sup> street, extending into the two parcels west of SE 4<sup>th</sup> Ave. In order to accomplish this development, the vacation of two 5-foot sidewalk easements north of SE 10<sup>th</sup> court running west and east and one south of SE 10<sup>th</sup> court also running west and east will be required.

The portions of the sidewalk easements proposed for vacation run parallel to each other. The site has been assembled under one ownership. None of the easements proposed for vacation serve properties outside the proposed redevelopment site. The proposed vacation will not impact vehicular or pedestrian travel along SE 3<sup>rd</sup> Avenue or SE 11<sup>th</sup> Street which abut the development site.

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, Urban Design and Planning, Michael Ferrera, Urban Planner II

**PROJECT NAME:** U.S Federal Building and Courthouse

**REQUEST:** Vacation of 2 easements

**CASE:** UDP-EV21009: Level IV: Vacation of Easement

**GENERAL LOCATION:** Between Tarpon River and SE 11<sup>th</sup> Street, east of SE 3<sup>rd</sup> Ave

**NEIGHBORHOOD ASSN:** Downtown Fort Lauderdale Civic Association

**ZONING DISTRICT:** ROC, ROA, RMM-25

**LAND USE:** SRAC

**AUTHOR:** Michael Ferrera

## ULDR Sec. 47-24.7. Vacation of Easement

*Criteria. An application for a vacation of an easement shall also be reviewed in accordance with the following criteria:*

**A. The easement is no longer needed for public purposes.**

Response: The easement will no longer be needed for public use, as a Federal Courthouse is being proposed on this site. Should any municipal or franchise utilities existing in the subject easement require relocation, the applicant will bear the expense and grant easements as needed.

**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 currently no franchise and public utilities within the subject easement.

## **ULDR 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.**

Response: The proposed easement vacations will not affect the adequacy of the public services and facilities. This narrative relates only to those adequacy requirements which may apply to the proposed easement vacations.

### ***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 wellfield 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 applicant must demonstrate that impacts of the proposed development to environmentally sensitive lands will be mitigated.**

Response: There are no environmentally sensitive lands on this site.

**M (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: Acknowledged.

February 18, 2022

Michael P. Ferrera  
Urban Planner II  
City of Fort Lauderdale - Urban Design and Planning Division  
700 NW 19th Avenue | Fort Lauderdale FL 33311

Subject:

***Letter of No Objection - U.S Federal Building and Courthouse - North Easement Vacation – Sidewalk Easements - AT&T***

ATT does not object to your request for the vacation of:

A PORTION OF LOTS 9, 10, 15 AND 16, BLOCK 2, "LAUDERDALE" ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 9 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA. SAID PORTION DESCRIBED AS A PERPETUAL EASEMENT IN DEED BOOK 565, PAGE 273 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED BELOW: THE NORTH 5.00 FEET OF THE SOUTH 33.00 FEET OF SAID LOTS 9 AND 16 AND THE NORTH 5.00 FEET OF SAID LOTS 10 AND 15 ALL OF SAID BLOCK 2.

ALL SAID LANDS SITUATE LYING AND BEING WITHIN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, CONTAINING 3,005 SQUARE FEET MORE OR LESS.

AT&T does not have any utilities or infrastructure within the easement.

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

Sincerely,



Carlos Lozano  
Manager - OSP Planning &  
Engineering Design



February 25, 2022

Michael P. Ferrera  
Urban Planner II  
City of Fort Lauderdale  
Department of Sustainable development  
700 NW 19<sup>th</sup> Avenue  
Fort Lauderdale, Florida 33311

Subject: **Easement Vacation  
North of SE 10th court, east of SE 3rd Avenue, west of SE 4th Avenue,  
north of SE 11th street  
Case No. UDP-EV21008**

Dear Mr. Ferrera,

This letter is in response to your request of a Letter of No Objection regarding vacation of a 5-foot wide by 215-foot-long sidewalk easement for a new federal courthouse generally located at 321 SE 10th Court, which is comprised of folio numbers 504215010260, 504215010250, 504215010211, 504215010230, 504215010240, 504215010200, and 504210760020.

The City of Fort Lauderdale (City) has determined that there are no City utilities located within the subject easement. The City has **no objection** to the vacation of a 5-foot wide by 215-foot-long sidewalk easement as shown on the survey.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Igor Vassiliev", written in a cursive style.

Igor Vassiliev, P.E.  
Project Manager II



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

April 14, 2022

**To: Michael P. Ferrera  
Address: 321 SE 10<sup>th</sup> Court FTL  
Case No. UDP- EV21008**

RE: Letter of No Objection Easement Encroachment. North of SE 10th court, east of SE 3rd Avenue, west of SE 4th Avenue, north of SE 11th street. Case No. UDP-EV21008

**(Legal Description: Sub-Division) As presented by owner or their Representative**

**Dear, Sir**

In reviewing your request as ref. above, Comcast has *no objections to the easement encroachment (as shown in the attached survey) The above-described property subject to the following conditions:*

located at: **321 SE 10<sup>th</sup> Court FTL**

However, please be advised, it is understood that Comcast will not be responsible in any way for repairs or replacement of any portion of the *easement encroachment* that has encroached into the easement, should it become necessary to access the easement for plant maintenance and or upgrade construction. Right of ingress and egress to maintain existing and/or install new Comcast facilities (overhead or underground) is still necessary, and release of these rights is not intended by this approval.

Should you have any further question, please feel free to call at 954-774-9781 or e-mail at [Richard\\_sees@comcast.com](mailto:Richard_sees@comcast.com)

Sincerely, Richard Sees

*Richard Sees*

Cc: Resi Group/ Comcast Area Construction Coordinator  
Dade File



**TECO**<sup>®</sup>  
**PEOPLES GAS**  
AN EMERA COMPANY

1/14/2022

Michael P. Ferrera-Urban Planner II  
City of Ft. Lauderdale-Urban Design and Planning Division  
700 NW 19<sup>th</sup> Ave.  
Ft. Lauderdale, FL 33311

RE: Easement Vacation – Letter of No Objection Request  
North of SE 10th court, east of SE 3rd Avenue, west of SE 4th Avenue, north of SE 11th street  
Ft. Lauderdale, FL 33316  
Case No. UDP-EV21008

To: Whom It May Concern,

Thank you for contacting TECO Peoples Gas Company regarding the vacation of the easement 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 A. Domning-Senior Administrative Assistant  
TECO-PGS Engineering Dept.  
8416 Palm River Rd.  
Tampa, FL 33619  
850-275-3783



Florida Power & Light Company

June 27, 2022

Michael P. Ferrera  
Urban Planner II  
City of Fort Lauderdale  
Department of Sustainable Development

Subject: Easement Vacation – Letter of No Objection Request  
North of SE 10<sup>th</sup> Court, east of SE 3<sup>rd</sup> Avenue, west of SE 4<sup>th</sup> Avenue, north of SE 11<sup>th</sup> street  
Case No. UDP-EV21008

Dear Mr. Ferrera,

Based on the legal sketch and description provided, FPL does not object to the proposed vacation of the 5-foot Wide by 215-foot in length sidewalk easement.

It is understood that existing FPL facilities located within the subject easement will be removed at the expense of the applicant. Additional future easements may be required to provide service to the proposed project.

Should you have any questions, please contact me at 954-717-2148.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Tim Doe', is written over the typed name.

Tim Doe

Project Manager

An FPL Group Company