



**REQUEST:** Vacation of Right-of-Way

<b>CASE</b>	UDP-V25007	
<b>PROJECT NAME</b>	Dajani Plaza ROW Vacation	
<b>APPLICATION TYPE</b>	Right-of-Way Vacation	
<b>APPROVAL LEVEL</b>	City Commission Approval	
<b>REQUEST</b>	Vacation of a Five-Foot-Wide by 50-Foot-Long Right-of-Way, Utilities and Public Purpose Easement	
<b>APPLICANT</b>	Dajani Family Holding, LLC.	
<b>AGENT</b>	Arianna Roman, Becker & Poliakoff, P.A.	
<b>PROPERTY ADDRESS</b>	1512 NW 19 <sup>th</sup> Street	
<b>ABBREVIATED LEGAL DESCRIPTION</b>	Bryan Sub Blk 8 Ft Laud 1-18 D Lot 7	
<b>ZONING DISTRICT</b>	Residential Multifamily High Rise/ High Density (RMH-60)	
<b>LAND USE</b>	High Residential	
<b>COMMISSION DISTRICT</b>	2 - Steven Glassman	
<b>NEIGHBORHOOD ASSOCIATION</b>	Progresso Village Civic Association	
<b>APPLICABLE ULDR SECTIONS</b>	Section 47-24.6, Vacation of Right-of-Way Section 47-25.2, Adequacy Requirements	
<b>NOTIFICATION REQUIREMENTS</b>	ULDR, Section 47-27.6, Sign Notice 15 days prior to meeting ULDR Section 47-27.6 Mail Notice 10 days prior to meeting ULDR, Section 47-27.4, Public Participation	
<b>STATE STATUTE 166.033 EXPIRATION DATE</b>	<b>180-DAY EXPIRATION DATE</b>	<b>EXTENSION DATE</b>
	December 09, 2025	Waived
<b>ACTION REQUIRED</b>	Approve, Approve with Conditions, or Deny	
<b>CASE PLANNER</b>	Yvonne Redding, Urban Planner III	VMR KD

**PROJECT DESCRIPTION:**

The applicant, Dajani Family Holding, LLC., requests to vacate a five-foot-wide portion of an existing right-of-way, utilities and public purposes easement. The easement was originally recorded on NW 16<sup>th</sup> Avenue, which was vacated in 1985 and was subsequently retained as an easement for right-of way, utilities and public purposes. A location Map is attached as Exhibit 1. The vacating ordinance C-85-43 that references the required easements is attached as Exhibit 2. The existing five-foot right-of-way easement is being vacated as Broward County requires a five-foot right-of-way dedication to comply with Broward County's Trafficways Plan. The application, narratives, sketch and legal description are attached as Exhibit 3.

**PRIOR REVIEWS:**

The project was reviewed by the Development Review Committee (DRC) on October 22, 2024. All comments have been addressed, subject to conditions identified herein. The DRC Comments with applicant's responses and No Objection letters are attached as Exhibit 4.

**REVIEW CRITERIA:**

The following criteria apply to the proposed request:

- ULDR Section 47-24.6, Vacation of Right-of-Way
- ULDR Section 47-25.2, Adequacy Requirements

**Vacation of Right-of-Way:**

As per ULDR Section 47-24.6.A.4., Vacation of Right-of-Way, the request is subject to the following criteria:

- a. The right-of-way or other public place is no longer needed for public purposes;*

The portion of the right-of-way, utilities, and public purpose easement to be vacated is not needed for public purposes. The owner proposes to dedicate the five feet to Broward County to complete the Trafficways Plan for NW 19<sup>th</sup> Street.

- b. *Alternate routes if needed are available which do not cause adverse impacts to surrounding areas;*

Alternate routes are not necessary. This portion of the right-of-way is not used by surrounding property owners so no impacts to the surrounding area are anticipated.

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

The right-of-way proposed to be vacated is not needed and is not used by the surrounding property owners for access.

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

The closure of the right-of-way will not adversely impact pedestrian traffic.

- e. *All utilities located within 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 utilities maintenance shall not be disrupted;*

There are no utilities in the portion of the right-of way to be vacated. The applicant has obtained letters of no objection from franchise utilities and the City's Public Works Department.

#### **Adequacy Requirements:**

The adequacy requirement criteria of ULDR Section 47-25.2 are used to evaluate the demand created on public services and facilities by a proposed vacation. The proposed right-of-way vacation will not affect the adequacy of the public services and facilities. Criteria specific to any associated development plan will be applied at the time of site plan review.

#### **PUBLIC PARTICIPATION**

This application is subject to notice requirements established in ULDR Section 47-27.6. The applicant has conducted the required public meeting outreach. The applicant's mail notice, sign notice, and affidavit are provided as Exhibit 5.

#### **PLANNING & ZONING BOARD REVIEW OPTIONS:**

Pursuant to ULDR Section 47-24.6.3, the Planning and Zoning Board shall consider the application for vacation of right-of-way and the record and recommendations forwarded by DRC and shall hear public comment on the application.

If the Planning and Zoning Board determines that the application meets the criteria for vacation, the recommendation shall be forwarded to the City Commission for consideration. If the Planning and Zoning Board determines that the criteria for vacation have not been met, the Board shall deny the application and the procedures for appeal to the City Commission as provided in Section 47-26B, Appeals, shall apply.

#### **EXHIBITS:**

1. Location Map

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2. Vacating Ordinance C-85-43
3. Application, Narratives, and Sketch and Legal Description
4. DRC Comment with Applicant's Responses and No Objection Letters
5. Mail Notice, Sign Notice and Affidavit