

June 24, 2015

City of Fort Lauderdale
Department of Sustainable Development
Urban Design & Planning Division
700 NW 19th Avenue
Fort Lauderdale, Florida 33311

RE: Hormel – Vacation of Platted Drainage Easement

Dear Sir or Madam:

This firm represents Thomas Hormel, Trustee, the owner of Lots 11 and 12, less the North 5 feet thereof, Block 12, THE LANDINGS FIRST SECTION, according to the plat thereof, as recorded in Plat Book 56, Page 4 of the Public Records of Broward County, Florida. Mr. Hormel intends to construct his home on this property. There is a platted, twelve foot drainage easement that runs along the common boundary line of Lots 11 and 12. We are requesting that this easement be vacated, with a new easement to be dedicated along the North boundary of the Property.

Please note the following pursuant to the DRC Comment Report issued on May 26, 2015:

- 1) The applicant is strongly encouraged to contact neighbors adjacent to, as well as condominium and neighborhood associations located within three hundred feet (300') of the development site, to advise of this proposal (a map and listing of officially-recognized neighborhood associations is provided on the City's website: (<http://www.fortlauderdale.gov/neighborhoods/index.htm>). Please provide acknowledgement and/or documentation of any public outreach.

RESPONSE: While the Applicant appreciates the opportunity the City affords for neighborhood input, the nature of this application is technical in nature and his minimal or no impact on the neighborhood at large. The relocation of the drainage easement is contained completely within the Applicant's property. The drainage catch basin within the adjacent street will remain in place and unaffected.

- 2) The proposed project requires review approval by the City Commission. A separate application and fee is required for City Commission review.

RESPONSE: The Application and fee checks are enclosed.

- 3) Indicate the project's compliance with the following ULDR sections by providing a point-by-point narrative response, on letterhead, with date and author indicated.

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- a. Sec. 47-25.2, Adequacy Requirements

RESPONSE: See Exhibit A attached hereto.

- b. Sec. 47-24.7.A.4, Criteria for Vacation of Easement

Sec. 47-24.7.A.4 *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 Applicant is granting an easement on site to replace the easement being vacated.

- 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: The only utility located within the easement, namely a 18" drainage line, will be relocated pursuant to the enclosed relocation plan and an easement in a different location will be provided in conjunction with this request.

- 4) Signoffs from the City Surveyor and the Urban Design Engineer will be required prior to City Commission submittal. The signoff for the City Surveyor will be routed by Planning Staff.

RESPONSE: Signoffs have been obtained.

- 5) Letters must be provided from Florida Power & Light, Bellsouth, Comcast Cable, TECO Gas and the City of Fort Lauderdale Public Works Department indicating no objections to the vacation. If any easements are required, legal and easement documents must be provided prior to item being scheduled for City Commission. If any facilities need to be relocated, plans satisfactory to that agency must be approved prior to City Commission submittal.

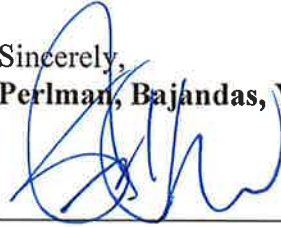
RESPONSE: Letters of no objection are attached.

- 6) The resolution approving the vacation of easement shall be recorded in the public records of Broward County within (30) days after adoption.

RESPONSE: Acknowledged.

Should you have any questions or need additional information, feel free to call me.

Sincerely,
Perlman, Bajandas, Yevoli & Albright, P.L.



Stephen V. Hoffman
For the Firm

EXHIBIT A

Point by Point Narrative for Relocation of Drainage Easement

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: acknowledged.

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: The relocation of this drainage easement will have no impact on the City's communications network.

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 (2½) inches of runoff from the impervious surface whichever is greater.

RESPONSE: The relocation of this drainage easement will not affect the requirement for stormwater retention.

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.

RESPONSE: There are no wellfields nor environmentally sensitive lands within the site.

2. The applicant must demonstrate that impacts of the proposed development to environmentally sensitive lands will be mitigated.

RESPONSE: There are no wellfields nor environmentally sensitive lands within the site.

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: There are no buildings associated with this application and no fire lines will be affected. The improvements consist of an underground pipe.

F. *Parks and open space.*

1. The manner and amount of providing park and open space is as provided in Section 47-38A, Park Impact Fees, of the ULDR.

RESPONSE: There are no buildings associated with this application and no park or open spaces are affected.

2. 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: No Park Impact Fees are due with this application.

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: The improvements associated with this application consist of an underground pipe. CPTED is not applicable.

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.

RESPONSE: No new buildings are associated with this Application and potable water is not affected.

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: No new buildings are associated with this Application and potable water is not affected.

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 applicant 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: No new buildings are associated with this Application and sanitary sewer is not affected.

J. *Schools.* For all development including residential units, the applicant shall be required to mitigate the impact of such development on public school facilities in accordance with the Broward County Land Development Code or section 47-38C. Educational Mitigation, as applicable and shall provide documentation to the city that such education mitigation requirement has been satisfied.

RESPONSE: No new buildings are associated with this Application and schools are not affected.

K. *Solid waste.*

1. Adequate solid waste collection facilities and service shall be obtained by the applicant 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: No new buildings are associated with this Application and no solid waste will be generated as a result of this application.

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: No new buildings are associated with this Application and the existing drainage facilities are merely being relocated. The stormwater systems located within the public right of way will not be affected except as shown on the relocation plans. No additional stormwater rainoff will be generated by this application.

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.

RESPONSE: No new buildings are associated with this Application and no traffic impacts will be generated.

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 applicant 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 applicant 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.

RESPONSE: No new buildings are associated with this Application and no traffic impacts will be generated.

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 applicant 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 applicant 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.

RESPONSE: No new buildings are associated with this Application and no traffic impacts will be generated.

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 (½) 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 (½) hour period; the applicant shall submit to the city a traffic impact analysis prepared by the county or a registered Florida engineer experienced in trafficways 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 trafficways.

iii. If traffic generated by the proposed development requires any modification of existing or programmed components of the regional or local trafficways, 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 applicant.

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: No new buildings are associated with this Application and no traffic impacts will be generated.

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: No additional road right of way will be dedicated in connection with this application.

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: No sidewalks or pedestrian facilities will be constructed in connection with this application.

7. *Primary arterial street frontage.* Where a proposed development abuts a primary arterial street either existing or proposed in the trafficways 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: The Property does not abut a primary arterial street.

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: No new buildings are associated with this Application and no traffic impacts will be generated.

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: No new buildings are associated with this Application and no street trees are required as a result of the relocation of the drainage easement.

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: No new buildings are associated with this Application and no wastewater impacts will be generated.

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: No non-residential buildings are associated with this Application and this criteria is not applicable.

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 applicant 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: There are no historic or archaeological resources affecting this site.

Q. *Hurricane evacuation.* If a structure or site is located east of the Intracoastal Waterway, the applicant 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: The site is not east of the Intracoastal Waterway.



CITY OF FORT LAUDERDALE
ENGINEERING PLANS EXAMINER: ALEX SCHEFFER, P.E.
(954) 435-6532

PLAN REVIEW

Project Name: Hormel Residence
Case Number: E15003
Review Date: 05/26/15
Engineer of Record: Robert J. Ross, P.E.

1. All proposed drainage pipes located within the Right-of-Way and perpetual easements shall be reinforced concrete pipe (RCP); all proposed catch basins shall be traffic-rated drainage structures.

Response: Pipe has been revised to RCP. All catch basins are traffic rated structures.

2. Coordinate with the City Public Works Department – Stormwater Operations Manager, Marie Pierce at MarieP@fortlauderdale.gov or (954) 828-7847, regarding storm drain infrastructure required for this relocation, including possible tidal valve installation (per Public Works standards) with the new catch basin.

Response: Public works was contacted and awaiting an answer on whether public works wants a tidal valve for the structure connecting to the intra coastal. If Tidal Valve is requested it will be proposed with the building permit plans for the residence.

3. Coordinate with the City Public Works Department - Utilities, Rick Johnson at RJohnson@fortlauderdale.gov or (954) 828-7809, to determine whether there are any public utilities present within the easement considered for vacation. In addition, full cost of relocation of any utility shall be borne by the Applicant, and the relocation plan shall be reviewed and approved by the City's engineering department prior to the relocation implementation.

Response: Coordination with Mr. Johnson has been initiated and awaiting an answer on whether there are any other utilities located within the drainage easement. Initial investigation of as-builts indicates that only a drainage pipe is located within the existing easement.

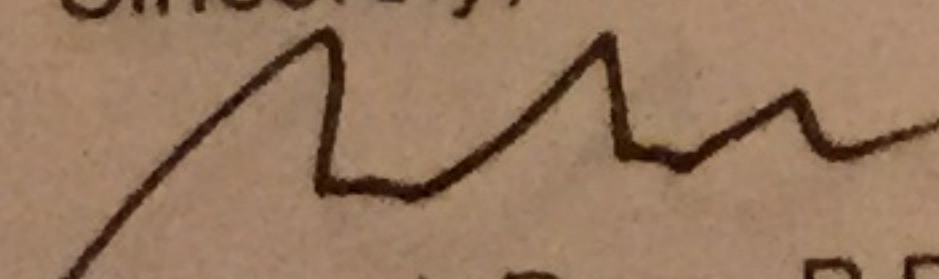
4. Provide letters from all franchise utility providers demonstrating their interests in maintaining or no objection to the vacation of this easement.

Response: Letters from the Utility agencies have been sent from the client's attorney and no objection letters are being received back from these agencies.

5. Submit a signed and sealed survey showing all above ground improvements, utilities, rights of way dimensions and all easements. This survey shall be based on an a Standard Title Commitment issued by a title insurer licensed to do business in Florida or an Opinion of Title issued by an attorney admitted to the Florida Bar. The title commitment or Opinion of Title must have an effective date no more than thirty days prior to the date of submittal of the survey and must be certified to the City of Fort Lauderdale. Additionally, an affidavit shall be provided by the property owner attesting that there were no additional recordings of easements or encroachments from survey date to the final DRC sign off date.

Response: A signed and sealed survey will be provided by the Client's Professional Surveyor.

Sincerely,


Robert J. Ross, P.E.
Ross Engineering, Inc.

Ross Engineering, Inc.
3325 S. University Drive Suite 111, Davie, FL 33328
Phone: 954-318-0624 Fax: 954-358-0190