



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

FROM: Susan Grant, Acting City Manager

DATE: February 4, 2025

TITLE: Quasi-Judicial Resolution – Approving the Vacation of Utility Easements –
Located at 2750 NW 19th Street – City of Fort Lauderdale – Case No. UDP-
EV24005 – **(Commission District 3)**

Recommendation

Staff recommends the City Commission consider the vacation of two (2) utility easements. One is 5-foot-wide by 112-foot-long and the other 5-foot wide by 55-foot-long. The utility easements are located at 2750 NW 19th Street, in Bass Park.

Background

The applicant, City of Fort Lauderdale, seeks to vacate two (2) utility easements. One is 5-foot-wide by 112-foot-long and the other is 5-foot wide by 55-foot-long. The proposed area to be vacated encompasses 1,401 square feet in area. The utility easements mainly run north to south and bisects the property with a small 5-foot-wide portion running east to west. The easements were dedicated to the City of Fort Lauderdale by plat for utility purposes and are no longer needed for the intended purpose. In addition, a new building along with other park improvements conflict with the easements. The property is located in the Park, Recreation and Open Space (P) zoning district and has a Parks, Recreation and Open Space land use designation. The City's Development Review Committee (DRC) reviewed the easement vacation application on September 10, 2024. All comments have been addressed.

The location map is attached as Exhibit 1. The application, applicant's narrative responses to criteria and letters of no objection are attached as Exhibit 2. The DRC comments and the applicant's responses to DRC comments are attached as Exhibits 3 and 4, respectively. The sketch and legal description of the proposed vacation can is attached as exhibit 5.

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.

Review Criteria

Pursuant to the City’s Unified Land Development Regulations (ULDR) Section 47-24.7.A.4, Vacation of Easement, the City Commission shall consider the application and the record, staff recommendations and shall hear public comment on the application to determine whether the application meets the following criteria for vacation of an easement:

- a. *The easement is no longer needed for public purposes:*

The applicant has obtained letters of no objection from all known utility providers in the area. Including Comcast, TECO, AT&T, FPL & Public Works. The only existing utility present within the easement is an aerial FPL service line which is used to provide power to light poles and terminates within the park itself. The easement will no longer be needed, and one light pole will be removed completely and the others serviced via the new community center.

- 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:*

All existing utilities will be removed. The easement will no longer be needed, and one light pole will be removed completely and the others serviced via the new community center.

Conditions of Approval

Should the Commission approve the proposed vacation, the following conditions apply:

1. Any other utility infrastructure known or unknown and found to be within the vacated area shall be relocated at the expense of the applicant, and the relocated facilities shall be required to be inspected and accepted by the applicable utility agency or service provider.
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 Strategic Plan 2029, included within the Business Development Cylinder of Excellence, specifically advancing:

- Guiding Principle: Innovation; The City continuously looks for opportunities to improve its services, pioneer new solutions to obstacles, and challenge the status quo.

This item advances the Fast Forward Fort Lauderdale 2035 Vision Plan: We Are Community.

This item also supports the Advance Fort Lauderdale 2040 Comprehensive Plan specifically advancing:

- The Neighborhood Enhancement Focus Area
- The Future Land Use Element
- Goal 2: The City shall encourage sustainable, smart growth which designates areas for future growth, promotes connectivity, social equity, preservation of neighborhood character and compatibility of uses.

Attachments

Exhibit 1 – Location Map

Exhibit 2 – Application, Applicant’s Narratives and Utility Letters

Exhibit 3 – September 10, 2024, DRC Comment Report

Exhibit 4 – DRC Comment Report with Applicant’s Response

Exhibit 5 – Sketch and Legal Description of the Proposed Vacation

Exhibit 6 – Resolution

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