CITY OF FORT LAUDERDALE

DEVELOPMENT REVIEW COMMITTEE

CASE COMMENT REPORT

CASE NO. UDP-V24002

DEVELOPMENT SERVICES DEPARTMENT
700 NW 19TH AVENUE
FORT LAUDERDALE, FLORIDA 33311

URBAN DESIGN AND PLANNING DIVISION
954-828-6520
www.fortlauderdale.gov

CITY OF FORT LAUDERDALE

CASE INFORMATION

CASE:	UDP-V24002
MEETING DATE:	November 12, 2024
REQUEST:	Vacation of Right-of-Way Review: 40-Foot Wide by 140-Foot Long Portion of SE 2nd Court Between S. Victoria Park Road and Rio Navarro Waterway
APPLICANT:	John Terrill and Agnes Howard (Owners)
AGENT:	Andrew Schein, Lochrie & Chakas, P.A.
PROJECT NAME:	Terrill ROW Vacation
GENERAL LOCATION:	SE 2nd Court
ZONING DISTRICT:	Residential Single Family/Low Medium Density (RS-8)
LAND USE:	Low-Medium Residential
COMMISSION DISTRICT:	4 - Warren Sturman
NEIGHBORHOOD ASSOCIATION:	Colee Hammock Homeowners Association
CASE PLANNER:	Yvonne Redding

RESUBMITTAL INFORMATION

- Applicant must provide written responses to all DRC comments contained herein.
- Written responses must specify revisions made to the plans and indicate the sheet.
- Resubmitted plan sets must be accompanied by responses to be accepted.
- Any additional documentation must be provided at time of resubmittal.
- Resubmittals must be conducted through the City's online citizen's portal LauderBuild.
- Questions can be directed to the Case Planner assigned to the case.

DRC Comment Report: ENGINEERING
Member: Taylor Phillips
tphillips@fortlauderdale.gov
954-828-5868

Case Number: UDP-V24002 – (Terrill ROW Vacation – 212 S Victoria Park Road)

CASE COMMENTS:

Please provide a written response to each of the following comments:

1. The survey provided shall be based on 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.

RESPONSE: An updated survey is included in this resubmission. Pursuant to discussions with T. Phillips, the survey does not need to be based on a standard title commitment since the applicable part of the survey is for city property.

2. Provide letters from all franchise utility providers, including Public Works as appropriate, demonstrating their interest in maintaining or no objection to the vacation of this right-of-way. The letters should specifically state whether the utility owners have existing facilities within the right-of-way vacation area that will need to be relocated or abandoned. A survey of the location of the utilities shall be provided for staff review. Should relocation be necessary, the full cost of relocation shall be borne by the Applicant, and the utility relocation plan shall be reviewed and approved prior to implementation.

RESPONSE: Letters from the utility companies are included in this resubmission.

3. Please be advised that the vacating ordinance shall not be in full force and effect until an Engineer's Certificate is executed by the City Engineer or designee. This Engineer's Certificate shall be executed by the proper authorities and recorded in the public records of Broward County. A copy of the recorded certificate is to be provided to the City upon recordation. The City Engineer's certificate shall also state that all existing facilities located within the vacated right-of-way have been relocated or abandoned to the satisfaction of the respective utility owners.

RESPONSE: Acknowledged.

4. Please be advised that additional Easements may need to be dedicated to the City resulting from the Vacation of Rights-of-Way approval process, including Utility Easement(s) that allow the City perpetual maintenance access to existing public sewer, storm drain, and water infrastructure, and Access Easement(s) that mitigate an otherwise dead-end Alley condition.

RESPONSE: N/A, pursuant to meetings with O. Arrom and D. Rey, no additional easements are needed.

5. Be advised documents such as easement and/or right-of-way deed, joinders, consents and Attorney's Opinion of Title may be necessary at time of approval.

RESPONSE: Acknowledged.

Additional comments may be forthcoming at the meeting.

Member: Yvonne Redding
yredding@fortlauderdale.gov
954-828-6495

UDP-V24002 CASE COMMENTS:
Please provide a response to the following:

1. Pursuant to the State Statute 166.033(1) applications must be deemed approved, approved with conditions, or denied within 180 days, April 13, 2025, for applications subject to a quasi-judicial hearing or a public hearing, unless a mutually agreed upon time extension is established between the City and the applicant. Failure to meet the applicable timeframe or request an extension will result in the application being denied by the City and the applicant will be required to refile a new application and fees to proceed. The applicant did not submit a waiver to the timeline requirements.

RESPONSE: Acknowledged.

2. The proposed vacation of right-of-way requires review and recommendation by the Planning and Zoning Board (PZB) and approval by the City Commission. Separate fees are required for both PZB review and City Commission review. The applicant is responsible for all public notice requirements pursuant to Section 47-27.

RESPONSE: Acknowledged.

3. Pursuant to Public Participation requirements of Unified Land Development Regulations (ULDR), Sections 47-24.1.F.14 and 47-27.4.A.2.c, the applicant must complete the following:
   a. Prior to submittal of an application to the Planning and Zoning Board (PZB), the applicant shall:
      i. Provide notice via e-mail and regular mail to the official city-recognized civic organization(s) within 300 feet of the proposed project, notifying of the date, time and place of applicant's project presentation meeting to take place prior to the PZB meeting (a listing of officially-recognized neighborhood associations is provided on the City of Fort Lauderdale website: http://www.fortlauderdale.gov/neighbors/civic-associations); and,
      ii. Provide notice via mailed letter to property owners whose real property is located within 300 feet of the proposed project, notifying of the date, time and place of applicant's project presentation meeting to take place prior to the PZB meeting.
   b. The applicant shall conduct the public participation meeting(s) a minimum of 30 days prior to the PZB. This date and location of the meeting are at the discretion of the applicant. Once the meeting(s) is conducted, the applicant shall provide a written report letter to the Department of Sustainable Development, with copy to subject association(s), documenting the date(s), time(s), location(s), number of participants, presentation material and general summary of the discussion after a public participation meeting(s). The report letter shall summarize the substance of comments expressed during the process and shall be made a part of the administrative case file record. A minimum of ten (10) days prior to the PZB meeting, the applicant shall execute and submit an affidavit of proof of public notice to the Department.

RESPONSE: Acknowledged. The public participation meeting was held on December 19, 2024, and the report will be provided to the City prior to PZB.

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 Engineering staff.

RESPONSE: Acknowledged.

5. Provide information regarding the existing pump station located with the "dirt" trail at this location.

RESPONSE: The pump station is located west of the dirt trail, which is completely unaffected by the application.

6. Pursuant to ULDR, Section 47-24.6, Vacation of rights-of-ways, there is infrastructure located in the right-of-way that serves the property located at 850 N. Federal Highway. Applicant has not provided how this will be addressed and where the lines will be relocated. Additional information is needed.

RESPONSE: This comment is not applicable to this application.

7. Letters must be provided from the following utility companies: AT&T, Comcast Cable, Florida Power & Light, TECO Gas as well as 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 Planning and Zoning Board. If any facilities need to be relocated, plans satisfactory to that agency must be approved prior to Planning and Zoning Board submittal. Contact Information for utility companies are below:

AT&T Carlos Lozano, Manager 561.310.5185 CL448E@att.com	**City of Fort Lauderdale, Department of Public Works** Roberto Betancourt, Program Manager 954.828.6982 rbetancourt@fortlauderdale.gov
Comcast Ricardo Davidson, Construction Supervisor RicardoA_Davidson@cable.comcast.com	**Comcast** Richard Sees, Construction Specialist 954.774.9781 Richard_Sees@comcast.com
Florida Power & Light (FP&L) Daniel Torres, Associate Engineer 954.717.2063 Daniel.Torres@fpl.com	**TECO-Peoples Gas** Joan Domning, Specialist Distribution Engineering 813.275.3783 JDomning@tecoenergy.com

RESPONSE: Letters are included in this resubmission.

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

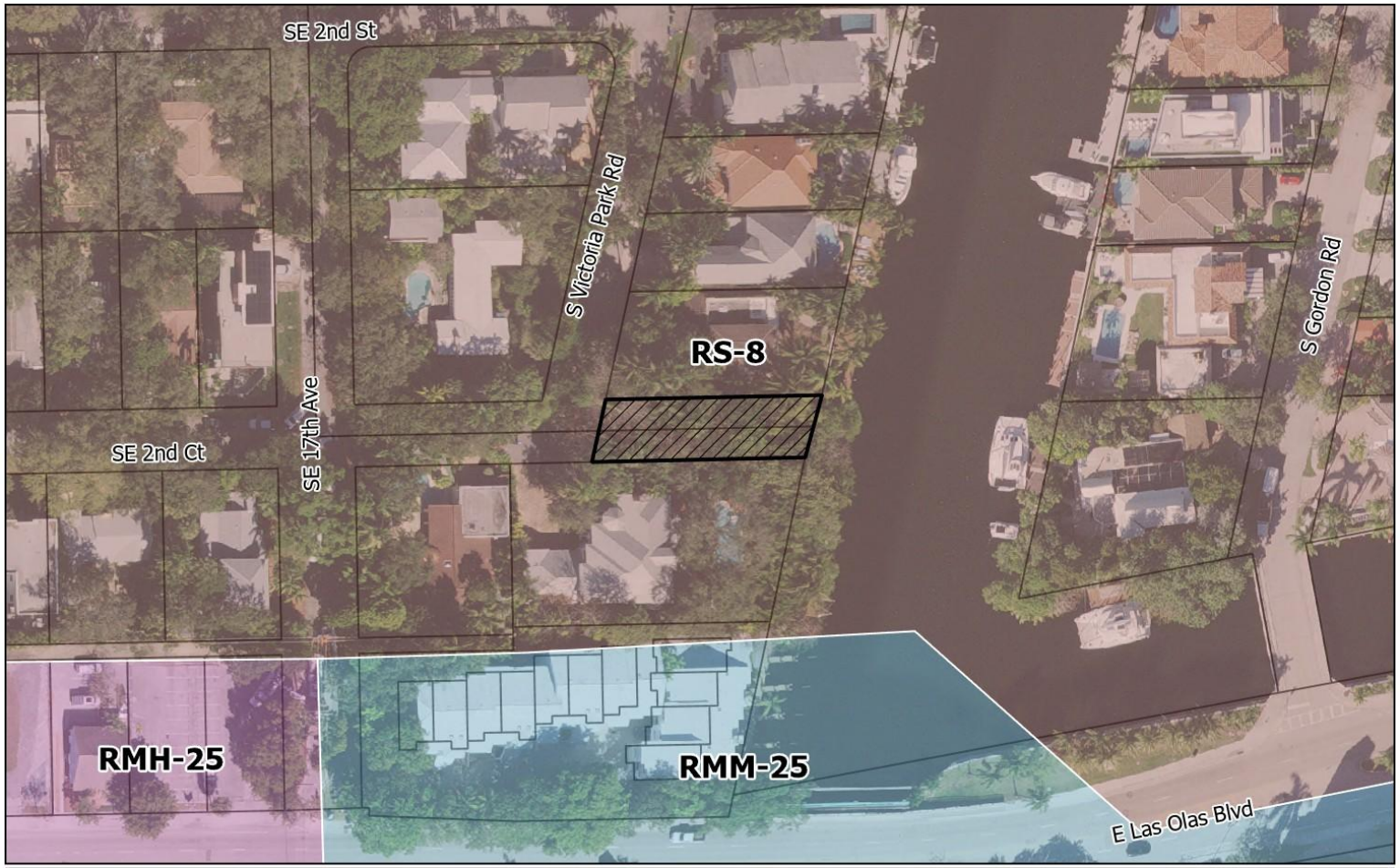
RESPONSE: This application is for a ROW vacation, which needs to be approved by ordinance.

GENERAL COMMENTS

9. Provide a written response to all Development Review Committee comments.

10. An additional follow-up coordination meeting may be required to review changes necessitated by the Development Review Committee comments. Please schedule an appointment with the project planner (954-828-6495) to review revisions.

11. Additional comments may be forthcoming at the Development Review Committee meeting.



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