



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#19-0006

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

FROM: Chris Lagerbloom, ICMA-CM, City Manager

DATE: January 8, 2019

TITLE: Quasi-Judicial Resolution to Approve a Utility Easement Vacation –John
C. Daly – 512 Middle River Drive – Case No. E18015

Recommendation

It is recommended that the City Commission approve a resolution vacating a 10-foot wide, 1,212 square-foot utility easement located at 512 Middle River Drive.

Background

The application seeks to vacate 1,212 square feet of a 10-foot wide utility easement, a portion of which is located under an existing single-family home. A small 90 square foot area of the utility easement located on the north side of property is not being considered for vacation due to the need for access to an existing utility pole.

The City's Development Review Committee (DRC) reviewed the application on September 25, 2018, and all comments have been addressed. The application and record are available for review upon request with the Department of Sustainable Development. The application, applicant's narrative responses to vacation of easement criteria, and letters of no objection from the franchise utilities, are attached as Exhibit 1. The sketch and legal description is provided as Exhibit 2.

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.

Pursuant to the City's Unified Land Development Regulations (ULDR) Section 47-24.7.A.4, Vacation of Easement, the request is subject to the following criteria:

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

There are no known utilities within the easement.

- 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 required letters of no objection from the franchise utilities and the City have been provided.

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

1. Any City 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 City's Public Works Department.
2. 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.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included within Neighborhood Enhancement section, specifically advancing:

- Goal 5: Be a community of strong, beautiful, and healthy neighborhoods.
- Objective 2: Enhance the beauty, aesthetics, and environmental quality of neighborhoods
- Initiative 5: Facilitate connecting neighbors in need of property maintenance assistance with support services and resources

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

Attachments

Exhibit 1 – Application, Applicant's Narratives and Criteria, and Letters of No Objection

Exhibit 2 – Sketch and Legal Description

Exhibit 3 – Resolution

Prepared by: Adam R. Schnell, Planner II

Department Director: Anthony Greg Fajardo, Sustainable Development