



SUSTAINABLE DEVELOPMENT – URBAN DESIGN & PLANNING

CITY COMMISSION (CC) - GENERAL APPLICATION

Rev: 1 | Revision Date: 2/24/2017 | Print Date: 2/24/2017
I.D. Number: PREID - AR

CITY COMMISSION (CC) General Application

Cover: Deadline, Notes, and Fees
Page 1: Applicant Information Sheet, Required Documentation & Mail Notice Requirements
Page 2: Sign Notification Requirements & Affidavit

DEADLINE: City Commission submittal deadlines are set by the City Clerk and vary by type of application. Contact project planner to determine deadline prior to submittal of complete application.

FEES: All applications for development permits are established by the City Commission, as set forth by resolution and amended from time to time. In addition to the application fee, any additional costs incurred by the City including review by a consultant on behalf of the City, or special advertising costs shall be paid by the applicant. Any additional costs, which are unknown at the time of application, but are later incurred by the City, shall be paid by the applicant prior to the issuance of a development permit.

<input type="checkbox"/> Innovative Development (ID)	\$ 2,640.00
<input type="checkbox"/> Site Plan Level IV	\$ 950.00
<input type="checkbox"/> Site Plan Level II in DRAC/SRAC-SA (Downtown Regional Activity Center / South Regional Activity Center-South Andrews)	\$ 1,920.00
<input type="checkbox"/> Plat / Plat Note Amendment	\$ 540.00 (includes \$90 Final-DRC Fee)
<input type="checkbox"/> Easement Vacation	\$ 560.00 (includes \$90 Final-DRC Fee)
<input checked="" type="checkbox"/> ROW Vacation	\$ 830.00 (includes \$100 Final-DRC Fee)
<input type="checkbox"/> Rezoning (In addition to above site plan fee)	\$ 910.00 (includes \$110 Final-DRC Fee)
<input type="checkbox"/> Appeal and/or DeNovo Hearing	\$ 1,180.00
<input type="checkbox"/> Site Plan Deferral	\$ 490.00
<input type="checkbox"/> City Commission Request for Review	\$ 800.00
<input type="checkbox"/> City Commission General Review	\$ 89.00 / Hr.*

*The above fee is calculated at a rate of \$89.00 per hour. Generally these applications take no more than 3 hours total to review (\$267.00), however any additional time required by staff will be charged prior to the City Commission meeting.

Page 1: City Commission Submittal Requirements

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02:00 PM

INSTRUCTIONS: The following information is requested pursuant to the City's Unified Land Development Regulations (ULDR). The application must be filled out accurately and completely. Please print or type and answer all questions. Indicate N/A if does not apply.

NOTE: To be filled out by Department

Case Number	VI 9003
Date of complete submittal	10/1/19

NOTE: To be filled out by Applicant

Property Owner's Name	Edward & Betty Kirwin	<small>provided, no signature is required on the application by the owner.</small>
Applicant / Agent's Name	Gregory A. McAloon	
Development / Project Name	Vacation of right-of-way	
Development / Project Address	Existing: 800 & 811 SW 6th St.	New: Same
Current Land Use Designation	Medium (16) Residential and Low (5) Residential	
Proposed Land Use Designation	Medium (16) Residential and Low (5) Residential	
Current Zoning Designation	RD15 & RS-8	
Proposed Zoning Designation	Same	
Specific Request	Vacation of right-of-way	

The following number of Plans:

- ☐ One (1) original signed-off set, signed and sealed at 24" x 36"
- ☐ Two (2) copy sets at 11" x 17"
- ☐ One (1) electronic version* of complete application and plans in PDF format to include only the following:

- ☐ Cover page
- ☐ Survey
- ☐ Site plan with data table
- ☐ Ground floor plan
- ☐ Parking garage plan
- ☐ Typical floor plan for multi-level structure
- ☐ Roof plan
- ☐ Building elevations
- ☐ Landscape plan
- ☐ Project renderings i.e. context plan, street-level perspectives, oblique perspectives, shadow study, etc.
- ☐ Important details i.e. wall, fence, lighting, etc.

*All electronic files provided should include the name followed by case number "Cover Page Case no.pdf"

MAIL NOTIFICATION

Mail notice is required for City Commission hearing of a Rezoning of Less than Ten Acres and of an Appeal of ROW Vacation. Notice shall be in the form provided by the Department and mailed on the date the application is accepted by the Department. The names and addresses of homeowner associations shall be those on file with the City Clerk. Rezoning of Less Than Ten Acres hearing notice must be mailed within 30 days of the hearing and Appeal of ROW Vacation hearing notice within 10 days of hearing.

- **REQUIREMENT:** Mail notice of development proposal shall be provided to real property owners within 300 feet of applicant's property, as listed in the most recent ad valorem tax records of Broward County.
- **TAX MAP:** Applicant shall provide a tax map of all property within the required notification radius, with each property clearly shown and delineated. Each property within the notice area must be numbered (by Folio ID) on the map to cross-reference with property owners notice list.
- **PROPERTY OWNERS NOTICE LIST:** Applicant shall provide a property owners notice list with the names, property control numbers (Folio ID) and complete addresses for all property owners within the required notification radius. The list shall also include all homeowners associations, condominium associations, municipalities and counties noticed, as indicated on the tax roll.
- **ENVELOPES:** The applicant shall provide business size (#10) envelopes with first class postage attached (stamps only, metered mail will not be accepted). Envelopes must be addressed to all property owners within the required notification radius, and mailing addresses must be typed or labeled; no handwritten addresses will be accepted. Indicate the following as the return address on all envelopes: City of Fort Lauderdale, Urban Design & Planning, 700 NW 19th Avenue, Fort Lauderdale, FL 33311.
- **DISTRIBUTION:** The City of Fort Lauderdale, Urban Design & Planning Division will mail all notices prior to the public hearing meeting date, as outlined in Section 47-27.



GREGORY A. MCALOON
Direct Dial: 954.765.2920
Email: gmc@trippscott.com

August 9, 2019

VIA HAND DELIVERY

PLANNING AND ZONING BOARD
DEPARTMENT OF SUSTAINABLE DEVELOPMENT
URBAN DESIGN & PLANNING DIVISION
CITY OF FORT LAUDERDALE
700 N.W. 19TH AVE
FORT LAUDERDALE, FL

**Re: V19003 - Planning and Zoning Board Narrative
Vacation of Right-of-Way regarding a Portion of SW 6th Street**

Dear Members of the Planning and Zoning Board:

This firm represents Edward J. Kirwin and Betty G. Kirwin, as owner and applicant, ("Applicant"), of the real property located at 811 SW 6th Street, Fort Lauderdale, FL 33315 and 800 SW 6th Street, Fort Lauderdale, FL 33315 (the "Property" or "Properties"). Applicant hereby requests Site Plan Level IV approval for a right-of-way vacation within the RD-15 and RS-8 district. Please see a detailed description of the request below.

I. Project Specifics

This request pertains to a vacation of a right-of-way located along a portion of SW 6th Street in Tarpon River. The relevant portion to be vacated abuts the Property owned by Applicant. The Property has a zoning classification of RD-15 and RS-8, with an underlying land use of Medium and Low-Medium, respectively.

Applicant proposes vacation of a right-of-way pertaining to a dead-end street between the Properties. The Property will maintain a single-family residential use. Traffic patterns will not be disturbed, as the dead-end street provides no practical vehicular circulation. The relevant area does not contain any access point to the waterway. The waterway is obstructed by overgrown trees and the roadway is in a disheveled and unkempt state. Furthermore, the existing seawall within the right-of-way does not meet current code.

110 Southeast Sixth Street, Fifteenth Floor • Fort Lauderdale, Florida 33301
Post Office Box 14245 • Fort Lauderdale, Florida 33302
Tel 954.525.7500 • Fax 954.761.8475 • www.trippscott.com

Fort Lauderdale • Boca Raton • Tallahassee

On June 19, 1991, the City of Fort Lauderdale approved a vacation of right-of-way for a portion of SW 6th Street by way of Case No. 26-P-91. The proposal was to vacate a portion of SW 6th Street to unify property on either side in conjunction with a multiple family housing project (Site Plan Case No. 31-R-91). The site plan request pursuant to Case No. 31-R-91 included a rezone from R-2 to R-3-C (the equivalent of RD-15 and RM-15 respectively). Approval of the site plan allowed for construction of Tarpon River Club, a community with nineteen townhouse units within five clusters of building and amenities that include a swimming pool, tennis courts, and boat docks.

The 1991 vacation allowed the association to build a tennis court and swimming pool over the relevant portion of the vacated right-of-way. Additionally, a portion of a cul-de-sac was dedicated to create a turnaround at the north side of SW 8th Ave. This vacation resulted in the removal of the connection between SW 8th Ave and SW 7th Ave and necessitated the construction of three-quarter cul-de-sac to allow for cars traversing SW 8th Street to turnaround.

The City of Fort Lauderdale's 1991 approval abandoned the public purpose of SW 6th Street and created the situation which currently exists today. The street was utilized as a connecting street between SW 8th Ave and SW 7th Ave. The street can no longer be utilized as a connecting street and serves no other public purpose. Construction of a round-about resulted from the 1991 request, however, the round-about only provides a three-quarter turn and was not completely rounded. This leads vehicles traversing this street to believe a connecting street exists, when it actually leads to the Property. This confusion creates unwanted vehicular traffic and invites the general public to trespass on the Property.

If this vacation is granted, the applicant will be responsible for rebuilding the seawall up to current code, as set out in Sec. 47-19.3, Unified Land Development Regulations ("ULDR"). Applicant will take measures to meet the new requirements of the seawall ordinance, including raising the seawall height. The Applicant will also address erosion concerns and any potential cracking of the seawall. Such improvements will prove fundamental in addressing flooding concerns that have been compounded by rising sea levels in the area and will result in increased flood control felt by the surrounding community. Applicant will also assume all costs related to relocation of utilities and assume maintenance responsibilities of the vacated right-of-way.

Granting of this vacation request will improve the overall quality of the street and the neighborhood. Applicant will maintain and improve the relevant area requesting to be vacated which will further contribute to the overall appearance of the community. The requested area is currently in a deteriorating state and needs upkeep and maintenance. Applicant will assume all responsibility for maintenance resulting from this vacation request. The overall result of this vacation request will have a positive impact on the surrounding neighborhood.

II. Case Law

It is well established that the title of an owner of land abutting on a street or highway extends to the center of the road. *Florida State Tpk. Auth. v. Anhoco Corp.*, 107 So. 2d 51, 54 (Fla. 3d DCA 1958) (citing *Smith v. Horn*, 70 Fla. 484 (Fla. 1915); *Burns v. McDaniel*, 104 Fla. 526, (Fla. 1932)). Under a common law dedication, the fee does not pass from the grantor to the

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public entity. The public acquires only a right of easement in trust, so long as the dedicated land is used for the purposes of the dedication. *Robbins v. White*, 52 Fla. 613 (Fla. 1907). The title of the grantor is legal, but subject to the right of the public to the beneficial use of the land until such time as the dedication is rejected, surrendered or abandoned. A municipality abandons an easement when it is no longer being used for a public purpose, or the purpose defined in the dedication. *Leibowitz v. City of Miami Beach*, 592 So. 2d 1213 (Fla. 3d DCA 1992); *Robbins v. White*, 52 Fla. 613 (Fla. 1907).

Ownership of the underlying land of a dedicated right-of-way remains with the abutting property owners. A transfer of the land by the abutting property owners, subject to the right-of-way, passes title of the underlying fee to the grantee. Thus, the easement remains with the public body, but ownership of the fee follows the abutting property. See *United States v. 16.33 Acres of Land in County of Dade*, 342 So.2d 476, 478 (Fla. 1977); *Smith v. Horn*, 70 Fla. 484 (Fla. 1915); *Florida Southern Railway Company v. Brown*, 23 Fla. 104 (Fla. 1887); *Servando Building Co. v. Zimmerman*, 91 So.2d 289, 291 (Fla. 1956); *Emerald Equities, Inc. v. Hutton*, 357 So.2d 1071 (Fla. 2d DCA 1978).

The relevant street (SW 6th Street, originally platted as South 2nd Street) was dedicated to the public for use as a thoroughfare. A thoroughfare is defined as a road or path forming a route between two places. The vacation of right-of-way in 1991 abandoned the use as a thoroughfare as the street is no longer utilized as a road forming a route between two places.

Applicant is the owner of the underlying land and the public has an easement right until such time as the dedication is rejected, surrendered, or abandoned, as discussed above. Furthermore, it is impermissible to convert a dedication of a street into another use, such as a park. See *Judicial Order entered against the City of Fort Lauderdale in the 17th Judicial Circuit, Case No. 80-14749, O.R. Book 9607 Page 923*.

III. Unified Land Development Regulations Analysis

In terms of the development review, the Properties and the proposed right-of-way vacation are subject to the following sections of the City of Fort Lauderdale Unified Land Development Regulations, ("ULDR"):

- | | |
|------------------|--|
| 1. Sec. 47-5 | Residential Zoning Districts |
| 2. Sec. 47-13.10 | List of Permitted and Conditional Uses |
| 3. Sec. 47-24.6 | Vacation of Rights-of-Way |
| 4. Sec. 47-25.2 | Adequacy Requirements |

A. Residential Zoning Districts (Sec. 47-5)

The Properties have an underlying land use designation of Medium and Low Medium and are zoned RD-15 and RS-8. Applicant will maintain a single family use on the respective Properties.

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B. Proposed Use (Sec. 47-13.10)

Applicant will maintain a single-family residential use. Although the Properties affected are owned by a single owner, the parcels will be maintained as two separate single family residences within applicable ULDR codes and restrictions with a common boundary line being the center of the vacated right-of-way. Thus, with a demonstration that the project complies with the adequacy requirements, as discussed below, the project is consistent with the zoning.

C. Vacation of Rights-of-Way or Other Public Place (Sec. 47-24.6)

a. The applicant must abut the public street, alley, or other publicly dedicated or conveyed place sought to be vacated or the city.

Applicant's Properties abut both sides of the right of way seeking to be vacated. Applicant is currently the only one with a specific need for vehicular access and use of the right-of-way to access the bordering Property.

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

The proposed right-of-way vacation no longer serves a public purpose. The relevant street was dedicated by plat to the use of the public as a thoroughfare. Therefore, the public purpose of SW 6th Street is use as a thoroughfare. A thoroughfare is a street or path forming a route between two places.

The public purpose for SW 6th Street was abandoned in 1991 by virtue of approval of the neighboring development. Approval of the 1991 vacation set the precedent and relinquished the public purpose of SW 6th Street. According to the original plat, SW 6th Street connected SW 8th Ave to SW 7th Ave. This connection allowed those traversing SW 8th Ave to cross over to SW 7th Ave and access the broader Tarpon River community. Vacating that portion of the street in 1991 removed the connection and the only portion of SW 6th Street which exists today is the dead-end street. The City of Fort Lauderdale found that no public purpose existed for SW 6th Street in 1991 and permitted construction of a pool and tennis courts over the vacated street.

The remaining dead-end street currently provides no vehicular circulation and is only utilized for access to the Property. Applicant will pay for any necessary relocation of utilities. Applicant will also provide all necessary easements in favor of the City for access and maintenance.

Pedestrians seeking to utilize the river access have an alternative access point at Lewis Landing Park, located approximately 500 feet from SW 6th Street. Lewis Landing Park is a 1.3 acre park which boasts amenities such as bicycle racks, a dock, fishing, a gazebo, parking access, an observation deck, an open play area, benches and tables, a walking path, a water fountain, and pristine waterfront access. A brand new sidewalk is implemented on SW 7th Street leading

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directly to Lewis Landing Park. The sidewalk along SW 7th Street was identified as a major priority in the Tarpon River Mobility Master Plan. It must be noted that the Tarpon River Mobility Master Plan does not identify any portion of SW 6th Street as needing improvement.

Further, Tarpon Cove Park is in close proximity and offers amenities such as fishing, open area, and water frontage. Three other designated parks with water front access currently exist in the Tarpon River community: Ann Murray Greenway, Sara Horn Greenway, and Tarpon River Park. Two of the parks are located within 500 feet of the proposed area to be vacated, two of the parks are located within 2,000 feet of the proposed area to be vacated, and one park is located within 3,000 feet of the proposed area to be vacated.

The area to be vacated cannot accommodate vehicular circulation and does not provide access to the waterway. The street was dedicated to the public for use as a thoroughfare, of which purpose was abandoned by way of approval of the vacation of right-of-way in 1991. The vacation of SW 6th Street in 1991 relinquished its intended public purpose of connecting SW 8th Ave and SW 7th Ave.

c. Alternate routes if needed are available which do not cause adverse impacts to surrounding areas.

This vacation of right-of-way request does no impact vehicular circulation, and therefore, does not cause adverse impacts requiring alternate routes. City of Fort Lauderdale's approval of the vacation of right-of-way for SW 6th Street removed the connection between SW 8th Ave and SW 7th Ave, thereby reducing vehicular access on SW 8th Ave to one point of entry. As a result of the 1991 vacation of right-of-way, SW 8th Ave became a dead-end street.

A condition of the 1991 approval was to dedicate the necessary right-of-way for a cul-de-sac at the intersection of SW 6th Street and SW 8th Ave as well as to bond for and construct a turnaround at the same intersection. The turnaround currently exists today and allows cars traversing SW 8th Ave to make a complete turn and either enter or exit by way of SW 7th Street. This is the only point of entry and exit as a result of the previous vacation of right-of-way. The current vacation of right-of-way request will not affect vehicular circulation relating to this turnaround and will not require an alternative route. This vacation of right-of-way request will fully complete the ¼ turnaround implemented in 1991, thereby giving the street a defined appearance. The ¼ turnaround which exists today creates the appearance of a connecting street, when in reality, it leads to a dead-end street positioned directly in-between the Properties. The completion of the turnaround will deter vehicular traffic from traversing SW 8th Ave as it will create a clearly defined street end with no indication there is a connecting street on this road.

Further, there is no parking currently available on SW 6th Street as the only space would necessitate the public to trespass on private property.

Properties adjacent to the proposed vacation of right-of-way will have continuing access to SW 8th Avenue, which runs perpendicular to the proposed vacation. The vacation of the right-of-way will not affect traffic patterns or impact the surrounding areas, as it is not currently used in public transit. Applicant is the only one who has a practical use for vehicular access to the

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dead-end street, and it does not connect to any other roads due to the vacation of right-of-way approved by the City of Fort Lauderdale in 1991. As such, vehicles will continue to utilize the turnaround in the same manner since its construction, and no alternative routes are required.

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

The closure of the right-of-way will not affect vehicular circulation, and therefore, vehicles will continue to turnaround in a same manner pursuant to the turnaround constructed as part of the 1991 vacation of right-of-way approval. Vehicles currently enter by way of SW 8th Ave and turn around to exit at the $\frac{3}{4}$ turnaround at the end of the street. Applicant's proposed vacation of right-of-way will complete the turnaround and create a safe and easily identifiable point to turn and exit. The current turnaround is only $\frac{3}{4}$ complete and leads to the dead end street which is proposed to be vacated. This dead-end street cannot accommodate vehicular traffic and does not serve a public purpose, as explained above.

The turnaround at the end of SW 8th Street resulted as a condition of the approval of the neighboring development and associated right-of-way vacation in 1991. Cars have safely turned and exited this area by way of the turnaround since its construction in the early 1990's. Applicant will provide the necessary dedications in order to complete the turnaround, thereby creating even safer driving conditions. Therefore, vehicles will continue to safely turn around and exit the area.

e. The closure of a right-of-way shall not adversely impact pedestrian traffic.

The closure of this portion of SW 6th Street will not adversely impact pedestrian traffic. Currently, there is no public access to the waterway due to the overgrowth and deteriorating conditions, and there are no sidewalks along SW 8th Ave. This roadway accommodates little or no foot traffic as it leads to a dead-end turnaround. The turnaround was created by the vacation of right-of-way in 1991. The previous vacation of right-of-way removed the portion of SW 6th Street connecting SW 8th Ave and SW 7th Ave. This removed the ability for pedestrians to access this portion of the Property without having to walk south, to SW 7th Street, then north to SW 8th Ave. Lewis Landing Park is in close proximity, located along SW 7th Street, and provides a large park area with amenities. The pathway to Lewis Landing Park also contains sidewalks along SW 7th Street. As such, it is safer and more efficient for pedestrians to access Lewis Landing Park, as opposed to an unkempt dead-end street with no water views. Furthermore, it is not feasible for pedestrians to access this Property since the vacation of right-of-way approved by the City of Fort Lauderdale in 1991. Therefore, pedestrian traffic is not adversely impacted by the proposed vacation of right-of-way.

f. All utilities located within the right-of-way or other public place have been or will be relocated pursuant to a relocation plan; the owner

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of the utility facilities has consented to the vacation; a utilities easement has been retained over the right-of-way area or portion thereof; 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 mentioned above including utility easements and utility maintenance shall not be disrupted.

All existing utilities located within SW 6th Street will be relocated at Applicant's expense. Applicant has obtained letters of "no objection" from all necessary parties. A relocation plan will be provided, if necessary.

As discussed above, the proposed project satisfies all of the adequacy requirements of the ULDR.

D. Adequacy Requirements (Sec. 47-25.2)

a. Applicability

The adequacy requirements of Section 47-25.2 are applicable to this project.

b. Communications Network

The project will not overburden the existing communications network.

c. Drainage Facilities

Applicant will consent to granting an easement for necessary drainage facilities flowing into the waterway as now exist or are reasonably contemplated within the right-of-way to be vacated.

d. Environmentally Sensitive Lands

The project will not impact environmentally sensitive lands.

e. Fire Protection

Adequate water supply, fire hydrants, fire apparatus, and appropriate access and exits will be provided in accordance with the Florida Building Code and South Florida Fire Code.

f. Parks and Open Space

Park impact fees are not applicable to this request.

g. Police Protection

The project will not require police protection.

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h. Potable Water and Potable Water Facilities

N/A

i. Sanitary Sewer

The existing sewer treatment facilities and systems have sufficient capacity to provide for the needs of the Properties.

j. Schools

The vacation will not impact any schools.

k. Solid Waste

No changes will be necessary.

l. Storm Water

No changes will be necessary.

m. Transportation Facilities

1. This vacation request will have no impact on transportation facilities.
2. This vacation request will have no impact on the regional transportation network.
3. This vacation request will have no impact on local streets.
4. A traffic study is not required for this vacation.
5. N/A
6. No sidewalks currently exist in the area to be vacated and nor will they be necessary.
7. Access to the Properties is provided from SW 8th Ave.
8. Applicant does not anticipate needing to make any additional roadway improvements.
9. No additional street trees should be required.

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n. Wastewater

The Applicant does not anticipate that a wastewater main extension will be required. Expansion charges, if any, will be paid by the Applicant.

o. Trash Management

The Applicant does not plan to have a use that will trigger this requirement.

p. Historic and Archaeological Resources

N/A.

q. Hurricane Evacuation

The Properties will utilize the standard evacuation route for the area.

III. Conclusion

The proposed right-of-way vacation of SW 6th Street will have a minimal impact, if any, on the surrounding neighborhood. It will not alter the Property's current use as a single-family residential property, nor will it impact traffic patterns for those traveling by car or on foot. The dead-end street as currently constructed no longer serves a public use for use as a thoroughfare. The public purpose for this right-of-way was abandoned by way of approval of the neighboring development which included a vacation of the right-of-way along a portion of SW 6th Street which once connected SW 8th Ave and SW 7th Ave. The proposed vacation area offers no vehicular access to properties other than those owned by Applicant, and it leads to an unaesthetic dead-end street in disrepair. Because of its configuration and the previous vacation, the proposed right-of-way vacation does not cater to vehicular or pedestrian traffic and only serves as an access point to the Property.

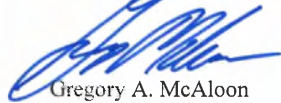
Applicant has agreed to cover all expenses related to bringing the proposed vacation area and the associated seawall up to code in relation to all ULDR guidelines and the newly enacted seawall ordinance if this vacation request is granted. Any expenses attributed to the relocation of utilities will also be covered by the Applicant. The Applicant's two parcels that abut the dead-end street will also be assessed for the acquisition of the dead-end street, allowing for greater property tax revenues to be collected by the City.

The City of Fort Lauderdale's previous approval for a vacation of a portion of SW 6th Street removed a connecting street and allowed for construction of tennis courts and a pool over what was previously a right-of-way. The previous vacation released the limited public purpose as a thoroughfare for vehicular traffic which arose by way of the connection between SW 7th Ave and SW 8th Ave.

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The proposal will fit seamlessly with regard to its respective community. All ULDR regulations will be met accordingly, ensuring both visual and structural soundness that correspond with the current low-density residential neighborhood. Accordingly, the Applicant respectfully requests a DRC determination that the proposed right-of-way vacation meets the standards and requirements of the ULDR. If we can provide any additional information, or if you have any questions, please do not hesitate to contact us.

Respectfully submitted,



Gregory A. McAloon
For the Firm

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Dyke Tittle
Manager - OSP Planning
& Engineering Design

ATT Florida
8601 W Sunrise Blvd
Plantation, FL 33322

T: 954-577-5602
dt5431@att.com

September 25th, 2018

Thomas B. Sternberg
Tripp Scott, Attorney's at Law
110 SE 6th St, Suite 1500,
Fort Lauderdale, Florida 33301

Subject: No Objection Letter for vacation of Utility Easement, City of Fort Lauderdale,
811 SW 6TH ST

Dear Mr. Sternberg:

ATT does not object to your request for an easement vacation of the easement
immediately in front of the property described below. Applicants property is 811 SW 6TH
ST and legally described as SEAWANNA SUB PT BLK 35 FT LAUDERDALE 7-37 B LOT 7
TO 9.

It is understood that any relocation of existing ATT facilities associated with the
proposed project and encroachments will be at the owner's expense. Additional future
easements in another location may be required to provide service to the proposed
project.

Should you have any questions, please contact me at 954-577-5602.

Sincerely,

Dyke Tittle
Manager - OSP Planning &
Engineering Design



Engineering – Design Department
2601 SW 145th Ave Miramar, FL 33027

Monday, August 05, 2019

Gregory A. McAloon
Attorney
Tripp Scott
110 SE Sixth Street, Suite 1500
Fort Lauderdale, FL 33301

Comcast No Objection / R/W Vacation
800 & 811 SW 6th Street
Ft. Lauderdale, FL
[Comcast muid_10000_B](#)

Dear Mr. McAloon

Please be advised ...in reference to the proposed R/W Vacation located at
800 & 811 SW 6th Street Ft. Lauderdale, FL

Comcast has ***no objection nor conflicts*** to this subject vacation request.

Should you have any further question, please feel free to call me at 1-954-447-8405 e-fax
1-954-221-1254 or e-mail at Leonard_Maxwell-Newbold@cable.comcast.com

Leonard Maxwell-Newbold
Permit Supervisor / Southern Division
8/5/2019 4:01:49 PM

cc: File
Don Baruta / Comcast Area Construction Coordinator
Broward County Draw



Florida Power & Light

June 21, 2019

To:
Ed Kirwin
800 SW 6th Street
Fort Lauderdale FL 33315

Re:
800 & 811 SW 6th Street
Fort Lauderdale, FL 33315

Dear Ed,

FPL has no objection to abandoning or vacating the above right of way.

However, FPL has existing facilities and utility easements at this site. FPL will remove our existing facilities and vacate the existing easement at this location at the customer's expense. Prior to this being done, provisions must be made, new easements secured and facilities constructed to serve any existing FPL customers that may be affected by your request.

FPL will require a complete set of plans prior to construction. These would include the survey of property, site plan, water sewer & drainage, paving, and electrical plans. As the FPL engineering process takes about three to four months, it is imperative that complete plans be provided well in advance of construction.

Please contact me at 954 717 1430 should you have any questions or concerns.

Yours truly,

Noah Sherbacoff
Associate Engineer

A NEXTERA ENERGY Company



May 9, 2019

Greg McAloon
Tripp Scott
110 SE 6th Street, Suite 1500,
Fort Lauderdale, Florida 33301

Subject: **Vacation of Right-of-Way
800 & 811 SW 6th Street – DRC Case No. V19003**

Dear Mr. McAloon,

This letter is in response to your request of a letter of No Objection regarding the proposed vacation of the 40-ft right-of-way of SW 6th Street. The north half of the right-of-way on SW 6th Street to be vacated is located along the property comprised of Lots 7, 8, 9, Block 35, Seawanna, according to the plat thereof, as recorded in Plat Book 7, Page 37, of the public records of Broward County, Florida. The south half of the right-of-way on SW 6th Street to be vacated is located along the property comprised of Lot 10, Block 35, Seawanna, according to the plat thereof, as recorded in Plat Book 3, Page 5, of the public records of Broward County, Florida.

The City of Fort Lauderdale (City) has determined that there are City water and sewer infrastructure located within the subject right-of-way vacation. However, we would not object to the vacation of the right-of-way so long as a utility easement is dedicated to the City to allow future maintenance of the existing infrastructure. Should you have any questions or require any additional information, please contact me at (954) 828-6126.

Sincerely,

Thomas Lawrence, P.E.
Project Manager II

Enclosures: Water and Wastewater Capacity Analysis
cc: Joe Kenney, P.E., Assistant Public Works Director
Talal Abi-Karam, P.E., Assistant Public Works Director
Omar Castellon, P.E., Chief Engineer
Dennis Girsgen, P.E., City Engineer
File: Water and Sewer Capacity Letters

PUBLIC WORKS DEPARTMENT

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10/3/2018

To: Tripp Scott Attorneys at Law
110 SE 6th St. Suite 1500 Ft. Lauderdale, FL 33301

RE: Vacation of Utility Easement
Seawanna Sub Pt Blk 35, Ft Lauderdale 7-37B Lot 7 to 9
811 SW 6th St. Ft. Lauderdale, FL 33315

From: TECO Peoples Gas

To Whom It May Concern,

Thank you for contacting TECO Peoples Gas Company regarding a vacation of utility easement at the above referenced location. After reviewing the documents you provided, TECO-Peoples Gas has NO objection to the vacate.

If you need further assistance, please do not hesitate to call me at 813-275-3783

Sincerely,

A handwritten signature in blue ink, appearing to read "Adam Domning".

Adam Domning
Administrative Specialist
Peoples Gas
Distribution Engineering
8416 Palm River Road
Tampa, FL 33619
Office: 813-275-3783