



## 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

**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	PL-V19007
Date of complete submittal	May 22, 2020

**NOTE:** To be filled out by Applicant

Property Owner's Name	Initech Properties, LLC. <small>If a Professional Letter is provided, no signature is required on the application by the owner.</small>	
Applicant / Agent's Name	Bruce Celenski	
Development / Project Name	Tarpon Lofts	
Development / Project Address	<u>Existing:</u> 400 SE 9th Court	<u>New:</u>
Current Land Use Designation	Downtown Regional Activity Center	
Proposed Land Use Designation	N/A	
Current Zoning Designation	Regional Activity Center - Residential Professional Office (RAC-RPO)	
Proposed Zoning Designation	N/A	
GdYWFYei Ygh	Vacation of a City 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 19<sup>th</sup> 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.

Owner: Initech Properties LLC  
Site Address: 400 SE 9<sup>th</sup> Court ("Property")  
Project Name: Tarpon Lofts  
Prepared by: Andrew Schein, Esq.

November 19, 2019

**PROJECT NARRATIVE  
AND ULDR CRITERIA FOR RIGHT-OF-WAY VACATION**

**1. General Background Information.**

The applicant is proposing to construct a multifamily residential development on the Property consisting of 9 multifamily units. The Property is located on the southeast corner of SE 4<sup>th</sup> Avenue and SE 9<sup>th</sup> Court. The applicant is proposing to vacate a portion of SE 4<sup>th</sup> Avenue and will provide an improved experience and atmosphere facing the waterway. The applicant is not proposing to construct a building over the vacated right-of-way; rather, the applicant is proposing to grant a public access easement over the vacated right-of-way so that residents of the City can enjoy the views of the waterway and the improved streetscape. The aerial below shows the Property outlined in red and the approximate location of the right-of-way to be vacated outlined in blue. The sketch and legal description of the right-of-way to be vacated is included with this narrative.



## 2. ULDR CRITERIA

### Section 47-24.6. Vacation of rights-of-way.

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

**RESPONSE:** The right-of-way is not needed for public purposes. At this location, SE 4<sup>th</sup> Avenue dead-ends into the Tarpon River. The right-of-way is not used for pedestrian or vehicular traffic. The applicant is proposing to improve this section of SE 4<sup>th</sup> Avenue to create an improved pedestrian experience to the waterway and is proposing to grant a public access easement over the vacated right-of-way for residents to enjoy the improved views and streetscape.

- b. Alternate routes if needed are available which do not cause adverse impacts to surrounding areas; and

**RESPONSE:** The right-of-way is a dead-end and is not used for vehicular or pedestrian traffic. Therefore, no alternate routes are needed.

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

**RESPONSE:** If the right-of-way is vacated, vehicles will be able to travel south on SE 4<sup>th</sup> Avenue and turn east on SE 9<sup>th</sup> Court to exit the area. The right-of-way to be vacated is already a dead-end.

- d. The closure of a right-of-way shall not adversely impact pedestrian traffic; and

**RESPONSE:** Pedestrian traffic will not be affected by the vacation of the right-of-way. Sidewalks do not currently exist in the area proposed to be vacated, and the right-of-way is not used for through-travel.

- e. All utilities located within the right-of-way or other public place 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 utilities easement has been retained over the right-of-way area or portion thereof; or 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 of same and utilities maintenance shall not be disrupted.

**RESPONSE:** Applicant has provided letters of no objection from all applicable utility companies. Applicant will relocate all utilities to the satisfaction of the respective utility owners or will grant an easement over the existing right-of-way for the utilities that will remain.

June 05, 2019

**Urban Design & Planning Department**  
**City of Fort Lauderdale, FL**  
700 NW 19<sup>th</sup> Avenue  
Fort Lauderdale, FL 33311

RE: **Tarpon Lofts**  
**Multifamily Residential Building**  
400 SE 9<sup>th</sup> Court, Fort Lauderdale, FL 33316

#### **ARTICLE V. - DEVELOPMENT REVIEW CRITERIA**

##### **SECTION 47-25. - DEVELOPMENT REVIEW CRITERIA**

###### **Sec. 47-25.1. - Generally.**

- A. The development review criteria contained herein are intended to implement the goals, objectives and policies of the city's plan by providing a mechanism and substantive requirements for the review of development permits and to ensure that new developments are compatible with surrounding land use and include improvements which provide for adequate municipal services to mitigate development related impacts.

*Response: Acknowledged.*

- B. Applicability of the requirements of this Section 47-25, as further described in Section 47-24, Development Permits and Procedures, shall be subject to the following requirements as applicable.

1. All development permits shall be subject to the Adequacy Requirements, as provided in Sec. 47-25.2.
2. In addition to meeting the Adequacy Requirements, as provided in Sec. 47-25.2, the following developments shall also be subject to the Neighborhood Compatibility Requirements, as provided in Sec. 47-25.3. Except as otherwise provided for herein, the following neighborhood compatibility requirements shall not apply to the Central Beach Districts, as described in Section 47-12 and to the Downtown Regional Activity Center Districts, as described in Section 47-13. See Table 1 of Section 47-24, Development Permits and Procedures.

*Response: Acknowledged.*

###### **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.



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**BRUCE CELENSKI, INC**  
*Architecture, Design, & Planning*

CA# AA26001234

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WEBSITE: [www.BruceCelenski.com](http://www.BruceCelenski.com)

TEL: (954) 917-5781 FAX: (954) 917-3503

Response: Developer will pay the required park impact fees for the residential units according to all applicable ordinances prior to issuance of building permit.

- 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: Project's design incorporates CPTED principles to minimize risk to public safety and assure adequate police protection.

- 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.
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: Water mains exist adjacent to the site. Design plans to tie into the existing 6-inch main in 9<sup>th</sup> Court. Developer will obtain a letter from the City of Fort Lauderdale Public Works Department verifying that sufficient capacity exists to serve the development.

- 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.



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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 proposed structure is six (6) stories (70) feet height and will not interfere with the City's communications

- 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: Application shall be made to Broward County EPD/FDEP and the Developer will satisfy all current criteria for surface water requirements and obtain all local and state licenses. Developer intends to treat and manage storm water through a combination of exfiltration trench and drainage wells. We have met with Broward County regarding drainage and they are familiar with the project.

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

Response: To the best of our knowledge there are no environmentally sensitive lands on 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: Water mains exist adjacent to the site; Developer plans to tie into the existing 6-inch main within 9<sup>th</sup> Court. A fire flow test was completed.

- 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.
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.



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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: There is an existing 10-inch gravity sewer main in 9<sup>th</sup> Court and an existing 15-inch in 4<sup>th</sup> avenue; design plans to divert the sanitary flow into the sewer main located in 9<sup>th</sup> Court. Developer will request a letter from the City conforming adequate capacity exists to service the development.

- 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: Developer will request a SCAD and will pay all applicable school fees.

- 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: Developer will be contracting with Republic Services for solid waste hauler and Gold Medal Services for recycling. A trash shoot system and dumpster will be provided for use by residents occupying the building.

- 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: Stormwater will be retained on site in accordance with the State and local regulations.

- 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.
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



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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.

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.
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: The traffic impact from this project will be minimal and will provide a traffic statement letter if needed.

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: The development proposes the abandonment of the 4<sup>th</sup> avenue right-of-way located at the West side of the property, which will serve as the project access driveway; all required easements for existing and proposed utilities will be provided. A separate application will be submitted for the City staff and City Commission's consideration and approval.

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: Sidewalks, pedestrian crossing and facilities will be provided as required per code, controlled pedestrian crossing will be allowed through the property in order to access the proposed viewing deck next to the existing canal; access control system and hours of operation will discussed with City staff for consideration and approval.

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: Acknowledged.

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: Acknowledged.

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: Street trees will be provided along 9<sup>th</sup> Court frontage, Solitaire Palms and an Orange Geiger at the corner of 9<sup>th</sup> Ct and 4<sup>th</sup> Ave (proposed right-of-way to be abandoned). Existing live Oaks along the West side of 4th Ave (proposed right-of-way to be abandoned to become the project access driveway) will remain. All street frontages will comply with this section of the code.

**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: There is an existing 10-inch gravity sewer main in 9<sup>th</sup> Court and an existing 15-inch in 4<sup>th</sup> avenue; design plans to divert the sanitary flow into the sewer main located in 9<sup>th</sup> Court. A letter from the City of Fort Lauderdale Public Works department will be obtained verifying that sufficient wastewater services can be provided.

- 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: N/A. There are no non-residential uses in this project.

**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: The property is not identified on any archaeological or historical designation maps.

- 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



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proposed development or describing actions or development modifications necessary to be implemented in order to maintain level of service and capacity.

Response: N/A. Project is not located east of the Intracoastal Waterway.

Thank you,

Bruce Celenski, AIA



Florida Power & Light Company

November 13, 2019

Bruce Celenski  
Architect Bruce Celenski, Inc  
3045 N Federal Hwy, Suite 47  
Fort Lauderdale, FL 33306

Re: Vacation of "Right of Way" located West of Tarpon Lofts project located at 400 SE 9<sup>th</sup> Ct Ft Lauderdale, FL 33316. See exhibit A on the next page for legal description of right of way.

Dear Bruce Celenski,

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

However, FPL has existing overhead 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 2138 should you have any questions or concerns.

Yours truly,

A handwritten signature in cursive script that reads "Mateo Tangarife".

Mateo Tangarife  
Engineer II

A NEXTERA ENERGY Company



Dyke Tittle  
Manager - OSP Planning  
& Engineering Design

ATT Florida  
8601 W Sunrise Blvd  
Plantation, FL 33322

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

November, 21st 2019

Subject: **Right of Way Vacation, a portion of SE 4<sup>th</sup> avenue Fort Lauderdale.**

To Whom it may concern:

ATT does not object to your request for a right of way vacation of a Parcel of land being a portion of SE 4<sup>th</sup> avenue, a 50-Foot Road Right of Way, in the SE one-quarter (SE ¼) of section 10, Township 50 South, Range 42 East, Broward County, Florida. Applicants property is at SE 4<sup>th</sup> Ave, just south of SE 9<sup>th</sup> Av and further legally described in the attached sketch on page 2.

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,

A handwritten signature in black ink, appearing to read "Dyke Tittle".

Dyke Tittle  
Manager - OSP Planning &  
Engineering Design



**Engineering – Design Department**  
**2601 SW 145<sup>th</sup> Ave Miramar, FL 33027**

Tuesday, December 03, 2019

**Bruce Celenski, AIA, NCARB**  
**Architect Bruce Celenski, Inc.**  
**3045 N. Federal Highway, Suite 47**  
**Fort Lauderdale, FL 33306**

RE: **TARPON LOFTS**  
**400 SE 9TH COURT, FT. LAUD. FL.”**  
**Vacation of Easement**  
**[Comcast muid\\_10232\\_B](#)**

**Dear Mr. Celenski, AIA, NCARB**

Comcast does hereby consent to the act of vacating and closing the Utility Easement A Parcel of land being a portion of SE 4<sup>th</sup> avenue, a 50-Foot Road Right of Way, in the SE one-quarter (SE ¼) of section 10, Township 50 South, Range 42 East, Broward County, Florida

I recognize that by this action, Comcast also agrees to release all rights to this easement upon the vacating and closing of same. I further advise that Comcast has not granted any type of interest in this easement to any other entity.”

Should you have any further question, please feel free to call me at 1-754-221-1254 or e-mail at [Leonard\\_Maxwell-Newbold@cable.comcast.com](mailto:Leonard_Maxwell-Newbold@cable.comcast.com)

Sincerely,

**Leonard Maxwell-Newbold** Digitally signed by Leonard Maxwell-Newbold  
Date: 2019.12.03 15:04:48 -05'00'

**Leonard Maxwell-Newbold**  
**Regional Permit Manager**  
**Comcast / Southern Division ( [RDC](#) )**  
12/3/2019 3:03:08 PM

Cc: Don Batura / Comcast Area Construction Coordinator  
File



November 26, 2019

To: City of Fort Lauderdale  
700 NW 19<sup>th</sup> Ave  
Fort Lauderdale, FL 33311

Re: **Tarpon Lofts Project**  
400 SE 9<sup>th</sup> Court  
Fort Lauderdale, FL 33316

No Objection Letter to Vacation of Right of Way

Abbreviated Right of Way Legal Description

A Parcel of land being a portion of SE 4<sup>th</sup> avenue, a 50-Foot Road Right of Way, in the SE one-quarter (SE ¼) of section 10, Township 50 South, Range 42 East, Broward County, Florida

To whom it may concern:

TECO Peoples Gas has no objection to abandoning or vacating the above referenced right of way.

Based on the information you provided we do not have facilities around this location.

Should you need anything further please feel free to contact me directly.

Thank you,

A handwritten signature in black ink, appearing to read "Joan A. Domning".

Joan A. Domning  
TECO-PGS  
Sr. Admin Specialist  
8416 Palm River Rd  
Tampa, FL 33619  
813-275-3783