




AGENDA ITEM #1:

CASE	UDP-V21002	
APPLICATION TYPE	Vacation of Right-of-Way	
APPROVAL LEVEL	Planning and Zoning Board Recommendation to City Commission	
REQUEST	Vacate Portion of Coconut Drive Right-of-Way	
APPLICANT	David Ide	
AGENT	Jason Crush, Crush Law, P.A.	
GENERAL LOCATION	Coconut Drive; South of SW 9th Street, West of SW 11th Avenue, East of the South Fork New River Canal	
ZONING DISTRICT	Residential Single Family and Duplex/Medium Density (RD-15) District	
LAND USE	Medium Residential	
COMMISSION DISTRICT	4 – Ben Sorensen	
NEIGHBORHOOD ASSOCIATION	Tarpon River Civic Association	
APPLICABLE ULDR SECTIONS	ULDR, Section 47-24.6, Vacation of Right-of-Way ULDR, Section 47-25.2 Adequacy Requirements	
NOTIFICATION REQUIREMENTS	ULDR, Section 47-27.4, Public Participation ULDR Section 47-27.6, Mail Notice 10 days prior to meeting ULDR, Section 47-27.6, Sign Notice 15 days prior to meeting	
STATE STATUTE 166.033 EXPIRATION DATE	180-DAY EXPIRATION DATE	EXTENSION DATE
	February 9, 2022	Waived
ACTION REQUIRED	Recommend Approval, Approval with Conditions, or Denial to the City Commission	
CASE PLANNER	Tyler Laforme Urban Planner III, AICP	TL 

PROJECT DESCRIPTION:

The applicant is requesting to vacate a fifty (50)-foot-wide by 102-foot-long portion of Coconut Drive, south of SW 9 Street, west of SW 11 Avenue, east of the South Fork of the New River Canal. The property is zoned Residential Single Family and Duplex/Medium Density (RD-15) District. The right-of-way has an underlying land use designation of Medium Residential. A Location map is included as Exhibit 1. The application and sketch and legal descriptions of the parcels to be vacated are provided as Exhibit 2.

PRIOR REVIEWS:

The project was reviewed by the Development Review Committee (DRC) on February 8, 2022. All comments have been addressed and the DRC Comment Report with the Applicant's Responses is attached as Exhibit 3.

This item was deferred from the December 17, 2025, Planning and Zoning Board meeting agenda for the applicant to conduct an additional public participation meeting. See Public Participation section herein for more information.

REVIEW CRITERIA:

The following criteria apply to the proposed request:

- ULDR, Section 47-24.6, Vacation of Right-of-Way

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- ULDR Section 47-25.2, Adequacy Requirements

Vacation of Rights-of-Way:

Pursuant to ULDR Section 47-24.6.A.4, Vacation of Right-of-Way, an application to vacate right-of-way shall be reviewed in accordance with the specific criteria listed below.

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

The right-of-way is no longer needed for public purpose as the property owner owns all three of the immediately adjacent properties and the roadway dead-ends at the private property.

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

Alternate routes are not necessary at this location as the road is a dead-end street terminating at a private property owned by the same owner on both sides of the right-of-way.

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

The portion of the subject right-of-way proposed to be vacated is a dead-end condition. Vacating it will maintain flow of traffic from Coconut Drive, left onto SW 9 Street or from SW 9 Street onto Coconut Drive.

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

Closing this portion of Coconut Drive will not adversely impact pedestrian traffic since pedestrians would have no need to use this portion of right-of-way to circulate through the neighborhood and there is no existing pedestrian sidewalk infrastructure along this portion of right-of-way, which ends at a private property.

- 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.*

A public utilities easement is to be retained over the vacated right-of-way area.

The applicant's narrative responses to the criteria are attached as Exhibit 4. The Utility Provider Letters of No Objection are attached as Exhibit 5.

ADEQUACY REQUIREMENTS:

The adequacy requirement criteria of ULDR Section 47-25.2 are used to evaluate the demand created on public services and facilities by a proposed vacation. According to the letter issued by the City's Public Works Department, dated November 24, 2025, there is essential utility infrastructure located within the subject right-of-way. Due to the presence of said infrastructure, the right-of-way can only be vacated subject to the retention of a public utility easement.

PUBLIC PARTICIPATION

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The vacation request is subject to the public participation requirements established in the ULDR, Section 47-27.4. The applicant conducted a public participation meeting on September 23, 2021, to provide an opportunity for comments from the public. In addition, there is a mail notification requirement to property owners within 300 feet of the property, which was completed and mailed on December 5, 2025. The September 23, 2021 Public Participation Meeting Summary and Affidavit is attached as Exhibit 6.

On December 17, 2025, the Planning and Zoning Board deferred this right-of-way vacation case for the applicant to conduct an additional public participation meeting. The concurrent public participation meeting was held on January 5, 2026 in person and on zoom to allow members of the public an opportunity to learn more about the project. Additionally, another mail notification was sent to property owners within 300 feet of the property, which was completed and mailed on January 8th, 2026. The January 5, 2026 Public Participation Meeting Summary and Affidavit is attached as Exhibit 7.

This request is subject to public sign notification requirements established in ULDR, Section 47-27.4 to notify the public hearing. One sign was posted on the property fronting SW 9th Street for notice of the Planning and Zoning meeting. The sign posting, mail notice, and affidavit are attached as Exhibit 8.

PLANNING & ZONING BOARD REVIEW OPTIONS:

Pursuant to ULDR Section 47-24.6.3, the Planning and Zoning Board shall consider the application for vacation of right-of-way and the record and recommendations forwarded by the Development Review Committee and shall hear public comment on the application.

If the Planning and Zoning Board determines that the application meets the criteria for vacation, the recommendation shall be forwarded to the City Commission for consideration. If the Planning and Zoning Board determines that the criteria for vacation have not been met, the Board shall deny the application and the procedures for appeal to the City Commission as provided in Section 47-26B, Appeals, shall apply.

The applicant has submitted project narratives outlining how the right-of-way vacation complies with the applicable sections of the ULDR, attached as Exhibit 4, to assist the Board in determining if the proposal meets the criteria.

EXHIBITS:

- 1. Location Map
- 2. Application and Sketch and Legals
- 3. DRC Comment Report with Applicant's Responses
- 4. Applicant's Narrative Responses to Criteria
- 5. Utility Provider Letters of No Objection
- 6. September 23, 2021 Public Participation Meeting Summary and Affidavit
- 7. January 5, 2026 Public Participation Meeting Summary and Affidavit
- 8. Sign Posting, Mail Notice and Affidavit