

Page 1: PZB ROW Vacation - Applicant Information Sheet

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	
Date of complete submittal	

NOTE: For purpose of identification, the **PROPERTY OWNER** is the **APPLICANT**

Property Owner's Name	FLAGLER SIXTH LLC
Property Owner's Signature	If a signed agent letter is provided, no signature is required on the application by the owner
Address, City, State, Zip	1535 SE 17TH STREET, STE 107, FORT LAUDERDALE, FL 33316
E-mail Address	
Phone Number	
Proof of Ownership	<input type="checkbox"/> Warranty Deed or <input checked="" type="checkbox"/> Tax Record

NOTE: If **AGENT** is to represent **OWNER**, notarized letter of consent is required

Applicant / Agent's Name	Damon Ricks / Flynn Engineering Services, P.A.
Applicant / Agent's Signature	
Address, City, State, Zip	241 Commercial Blvd., Lauderdale-by-the-sea, FL 33308
E-mail Address	dtricks@flynnengineering.com
Phone Number	954-522-1004
Letter of Consent Submitted	see attached

Development / Project Name	NE 5th Terrace Partial ROW Vacation
Development / Project Address	Existing: multiple New: 627 N Federal Highway
Legal Description	See sketch & legal description provided
Tax ID Folio Numbers (For all parcels in development)	4942 34 07 4860, 4942 34 07 4870, 4942 34 07 4871, 4942 34 07 4880, 4942 34 07 4940
Request / Description of Project	Request to vacate that portion of NE 5th Terrace adjacent to lots 1 through 12, block 314 and lots 37 through 48 block 313, Progresso, according to the plat thereof, as recorded in P.B. 2, P.G. 18 of the public records of Miami-Dade County, Florida.
Applicable ULDR Sections	47-24.6, 47-25.2
Total Estimated Cost of Project	\$ _____ (Including land costs)

Future Land Use Designation	D-RAC
Current Zoning Designation	RAC-UV
Current Use of Property	office, warehouse, restaurant, vehicular repair, single family & multi family residential

Additional property owners who wish to be included in the request, if applicable. Use additional sheets if necessary.				
Name and Signature	Folio Number	Subdivision	Block	Lot

- NOTE:** Applicant must indicate how they meet one of the following provisions:
1. All utilities (list below) located within the easement and/or right-of-way must be relocated pursuant to a relocation plan; and
 2. The owner of the utility facilities must consent to the vacation; or
 3. A utilities easement must be retained over the area or portion thereof; or
 4. An easement in a different location must be provided for the utility facilities by the owner to the satisfaction of the City; or
 5. Any combination of same and utilities maintenance are not disrupted.

TECO, Peoples Gas
 5101 NW 21st Avenue
 Fort Lauderdale, FL 33309
 (954) 453-0817, (954) 453-0804 fax

BellSouth
 8601 W. Sunrise Blvd., 2nd Floor
 Plantation, FL 33322
 (954) 476-2909

Florida Power and Light
 Service Planning
 3020 N.W. 19 St.
 Fort Lauderdale, FL 33311
 (954) 717-2057, (954) 717-2118 fax

Comcast, Inc.
 Leonard Maxwell-Newbold
 Engineering-Design Dept.
 2601 SW 145 Ave.
 Miramar, FL 33027
 (954)447-8405

Page 2: Required Documentation & Mail Notice Requirements

One (1) copy of the following documents:

- Original Pre-PZB signed-off plans and all supplemental documentation (ie. narratives, photos, etc.)
- Completed application (all pages must be filled out where applicable)
- Mail notice documents
- One (1) electronic version of complete application and plans in PDF format

Two (2) original sets, signed and sealed, of Pre-PZB plans at 24" x 36"

Thirteen (13) copy sets, of Pre-PZB half-size scaled plans at 12" x 18"

- Narrative** describing specifics of vacation request. Narratives must be on letterhead, dated, and with author indicated.
- Narrative** quoting all applicable sections of the ULDR, with point-by-point responses of how project complies with such criteria. Narratives must be on letterhead, dated, and with author indicated.
- Land Use and Zoning maps** indicating all properties within 700 ft. of the subject property. These should be obtained from Urban Design & Planning Division. Site should be highlighted or clearly marked to identify the parcel(s) under consideration on all sets.
- Cover sheet** on plan set to state project name and table of contents.
- Current survey(s)** of property, signed and sealed, showing existing conditions; survey must be As-Built and Topographic with Right-of-Way and Easement Vacations Excluded. The survey should consist of the proposed project site alone. Do not include adjacent properties or portions of lands not included in the proposed project unless specifically requested by the City.
- Most current recorded plat** including amendments, with site highlighted. This may be obtained from Broward County Public Records at 115 S. Andrews Ave.
- Aerial photo** indicating all properties within 700 ft. of the subject property. Must be clear and current with site highlighted.
- Sketch and legal description** right-of-way proposed to be vacated (prepared by Engineer or Surveyor).

Note: All copy sets must be clear and legible. If original set is in color, copy sets must also be in color.

Note: Plans must be bound, stapled and folded to 8 ½" x 11". All non-plan documents should be 8 ½" x 11" and stapled or bound.

Note: Civil Engineering plans are only required at Final-DRC sign-off. Contact DRC Engineering Representative for details.

Note: For examples of project narratives, site plan data tables, and renderings required with your application, please refer to the "Submittal Reference Book" available at the Planning & Zoning Department office.

Applicant's Affidavit	Staff Intake Review
I acknowledge that the Required Documentation and Technical Specifications of the application are met:	For Urban Design & Planning staff use only:
Print Name <u>Marc Isaac</u>	Date _____
Signature <u>[Signature]</u>	Received By _____
Date <u>7/12/19</u>	Tech. Specs Reviewed By _____
	Case No. _____

MAIL NOTIFICATION

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).

- **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 office will mail all notices prior to the public hearing meeting date, as outlined in Section 47-27.



REQUEST: Vacation of Right-of-Way

Case Number	V19005
Applicant	Flagler Sixth, LLC.
General Location	Portion of NE 5 th Terrace, a North/South Right-of-Way parallel to North Federal Highway, located north of NE 6 th Street, and south of NE 7 th Street
Property Size	12,000 square feet (.275 acres)
Zoning District	Regional Activity Center – Urban Village (RAC-UV)
Existing Use	Public Right-of-Way
Future Land Use Designation	Downtown Regional Activity Center (D RAC)
Applicable Unified Land Development Regulations (ULDR) Sections	Section 47-24.6, Vacation of Right-of-Way Section 47-25.2, Adequacy Requirements
Notification Requirements	Section 47-27.6, Sign Posting 15 days prior to meeting Section 47-27.6, Mail Notice 10 days prior to meeting Section 47-27.4, Public Participation
Action Required	Recommend Approval of Vacation to City Commission, or Deny
Project Planner	Yvonne Redding, Urban Planner III

PROJECT DESCRIPTION:

The applicant, Flagler Sixth, LLC., requests to vacate a 40-foot wide portion of public right-of-way running parallel to Federal Highway, also known as NE 5th Terrace, north of NE 6th Street and south of NE 7th Street. A sketch and legal description of the proposed vacation is attached as **Exhibit 1**. An associated site plan, Case R19037, is currently under review by the Development Review Committee (DRC). The site plan proposes a six-story building containing 444,656 square feet of mixed use commercial space for the property located at 627 North Federal Highway is also.

PRIOR REVIEWS:

The request was reviewed by the DRC on June 11, 2019. All comments have been addressed and are available on file with the Department of Sustainable Development (DSD).

REVIEW CRITERIA:

The following Unified Land Development Regulations (ULDR) criteria apply to the proposed request:

- Section 47-24.6, Vacation of Right-of-Way
- Section 47-25.2, Adequacy Requirements

Vacation of Rights-of-Way:

As per ULDR Section 47-24.6.A.4., Vacation of Rights-of-Way, the request is subject to the following criteria:

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

The portion of NE 5th Terrace abuts the applicant's property on both the east and west sides of the right-of-way. As part of the vacation and site plan process the applicant will provide a new access drive, which will be located approximately

nine feet west of the current right-of-way location to allow for vehicular access and utility easements.

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

It is not anticipated that the vacation of the right-of-way will cause adverse impacts to the circulation of the surrounding areas. A new east/west access drive will be provided with the proposed site plan. The applicant will provide a 22 foot wide access and utility easement for public access.

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

The right-of way vacation will not impose any adverse effects to the current flow of traffic in the area. The current flow of traffic will be shifted to the west 9 feet and still allow for ingress/egress to NE 6th and 7th Streets.

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

Pedestrian traffic will not be impacted by the right-of way vacation as there are no sidewalks provided along the existing right-of way and adjacent property. The proposed project will provide significant pedestrian improvements within the project.

- 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;*

There are no utilities in the portion of the right-of way to be vacated. The applicant has obtained letters of no objection from the franchise utilities and the City's Public Works Department. The utility letters along with the applicant's narratives are provided as **Exhibit 2**.

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. The proposed vacation has no impact on City's infrastructure or services. The associated development project, Case R19037, which is evaluated separately, contains existing connections to the roadway network via NE 6th Street and NE 7th Street.

The applicant has provided narrative responses regarding the project's compliance with ULDR Section 47-24.6.A.4., Vacation of Right-of-Way and Section 47-25.2, Adequacy Requirements, attached as **Exhibit 2**, to assist the Board in determining if the application meets the criteria.

Public Participation

The right-of-way vacation request is subject to the public participation requirements established in ULDR, Section 47-27.4. According to the applicant, two public participation meeting were held on August 14, 2019 to offer the neighborhood surrounding the proposed vacation the opportunity to learn about the proposed right-of-way vacation along with the overall project. The public participation meeting summary and affidavit are attached as **Exhibit 3**.

In addition, this request is subject to sign notification requirements established in ULDR Section 47-27.4. The applicant has installed three signs on the property and has submitted a sign affidavit indicating proper sign notification was provided. **Exhibit 4** contains the affidavit and pictures of the posted signs.

CONDITIONS OF APPROVAL:

Should the Board 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, or easements granted, 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, or easements granted, and the relocated facilities shall be required to be inspected and accepted by the applicable utility agency or service provider; and,
3. The vacating ordinance shall be in full force and effect on the date a certificate, executed by the City Engineer, is recorded in the public records of Broward County, Florida. The certificate shall state that all conditions of the vacation have been met. A copy of the recorded certificate must be provided to the City.

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.

EXHIBITS:

1. Sketch and Legal
2. Utility Provider Letters and Project Narratives
3. Public Participation Meeting Summary and Affidavit
4. Public Notice Signs and Sign Affidavit

SKETCH AND DESCRIPTION

DESCRIPTION:

THAT PORTION OF NORTHEAST 5TH TERRACE, ALSO KNOWN AS 18TH STREET, LYING 300.00 FEET SOUTH OF NORTHEAST 7TH STREET, ALSO KNOWN AS AVENUE B, AND ADJACENT TO LOTS 1 THROUGH 12, BLOCK 314 AND LOTS 37 THROUGH 48, BLOCK 313, PROGRESSO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

SAID LANDS SITUATE LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA. CONTAINING 12,000 SQUARE FEET MORE OR LESS


NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF BLOCK 314 WITH AN ASSUMED BEARING OF N 00°00'15" E.
2. THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD, RECORDED AND VISIBLE AFFECTING THE HEREON DESCRIBED PROPERTY ARE SHOWN PER THE COMMITMENT FOR TITLE INSURANCE, ORDER NO. 6876849-SUN, EFFECTIVE DATE NOVEMBER 2, 2018 AT 8:00 AM. (REVISED NOVEMBER 12, 2018) AND PREPARED BY COMMONWEALTH LAND TITLE INSURANCE COMPANY FOR MICHAEL A. SCHROEDER, P.L., THE PLAT OF PROGRESSO, AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.
4. THIS SKETCH AND DESCRIPTION CONSISTS OF TWO (2) SHEETS AND IS NOT COMPLETE WITHOUT BOTH SHEETS.

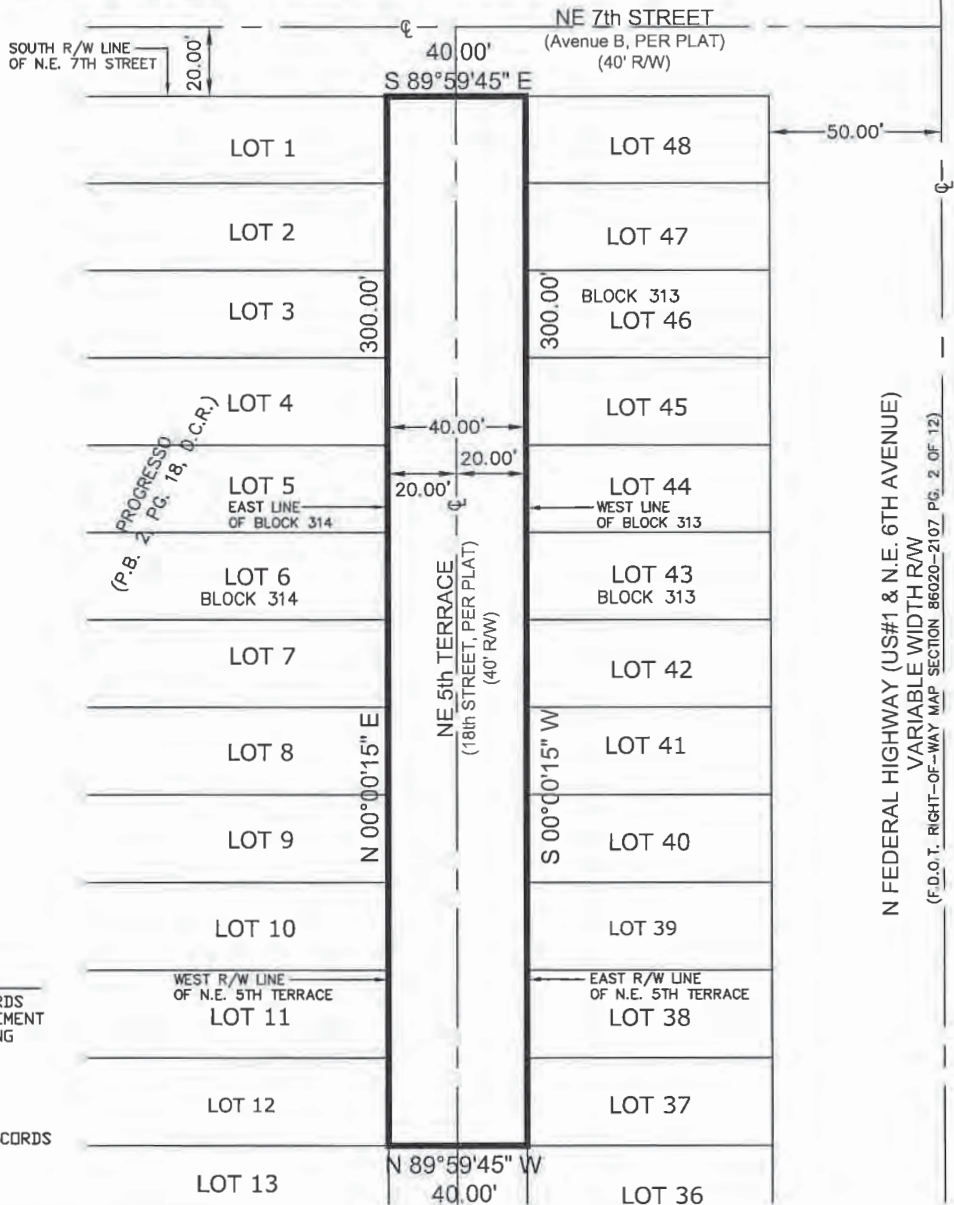
THIS IS NOT A SKETCH OF SURVEY

SHEET 1 OF 2

REVISIONS	DATE	BY	CKD	
				<h2 style="margin: 0;">PORTION OF N.E. 5TH TERRACE (TO BE VACATED)</h2>

 THEODORE J. DAVID FOR THE FIRM PROFESSIONAL SURVEYOR AND MAPPER FLORIDA REGISTRATION NO. 5821 DAVID & GERCHAR, INC. LB#6935	SCALE:	N/A	JOB NO:	18-014 SE 5TH
	FB/PG:	N/A	CAD. FILE:	F:\dwgs\ 18-jobs\18-014\ Sketch and Descriptions
	DRAWN BY:	RM	DATE:	3/16/19
	CKD. BY:	TD	PROJ. FILE:	18-014
<h2 style="margin: 0;">DAVID & GERCHAR,</h2> SURVEYORS AND MAPPERS 12750 N.W. 40th Street, Bay 1 Coral Springs, Florida 33065 (954) 340-4025 • email: ted@davidandgerchar.com				

SKETCH AND DESCRIPTION



LEGEND:

- D. C. R. DADE COUNTY RECORDS
- P. D. C. POINT OF COMMENCEMENT
- P. D. B. POINT OF BEGINNING
- P. B. PLAT BOOK
- PG. PAGE
- ⊙ CENTERLINE
- R/W RIGHT-OF-WAY
- B. C. R. BROWARD COUNTY RECORDS

THIS IS NOT A SKETCH OF SURVEY

SHEET 2 OF 2

REVISIONS	DATE	BY	CKD	

**PORTION OF
N.E. 5TH TERRACE
(TO BE VACATED)**

SCALE:	JOB NO:	1" = 50'	18-014 SE 5TH
FB/PG:	CAD FILE:	N/A	F:\dwgs\ 18-jobs\18-014\ Sketch and Descriptions
DRAWN BY:	DATE:	RM	3/16/19
CKD. BY:	PROJ. FILE:	TD	18-014

**DAVID &
GERCHAR, INC.**
SURVEYORS AND MAPPERS

12750 N.W. 40th Street, Bay 1
Coral Springs, Florida 33065
(954) 340-4025 • email: ted@davidandgerchar.com



3/26/2019

To: Marc Isaac
Flynn Engineering Services
241 Commercial Blvd Lauderdale-By-The-Sea, FL 33308

RE: Easement Vacate
Portion of NE 5th Terrace between NE 7th St and NE 8th St
Ft. Lauderdale, FL

From: TECO Peoples Gas

To whom it may concern:

Thank you for contacting TECO Peoples Gas Company regarding an easement vacate at the above referenced address. After reviewing the documents provided, TECO-PGS has an objection to this easement vacate unless an alternate easement is granted to Peoples Gas System. In addition, the petitioner must incur the costs associated with relocating the gas pipeline with the inclusion of an easement provided in the new location.

If you have further questions, please do not hesitate to call.

Sincerely,

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

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



April, 29th 2019

To: Flynn Engineering C/O Marc Isaac
241 Commercial Blvd
Laud-by-the-Sea, FL 33308

RE: Easement Vacation at 627 N Federal Hwy, Fort Lauderdale, FL 33304

Dear Marc,

The following information is provided in response to your inquiry concerning existing electric facilities on the above referenced property

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 service any existing FPL customers that may be affected by your request.

At the time you wish to proceed, an engineering deposit will be required in the amount of \$10,000; this amount will be applied to the cost of this job when it moves forward. Should you choose not to complete the work; the deposit will be forfeited to cover costs incurred by FPL in preparing the job.

Please contact me at (954) 717-2057 should you have any questions or concerns.

Thank you,

Troy Lewis

Troy Lewis
Associate Engineer



June 13, 2019

Mr. Marc Isaac
Flynn Engineering Services, P.A.
241 Commercial Blvd.
Lauderdale-By-The-Sea, FL. 33308

Subject: **Proposed 40' Right-of-Way Vacation for a portion on NE 5th Terrace**

Dear Mr. Isaac,

This letter is in response to your request for a no objection letter regarding the proposed 300' x 40' Right-of-Way vacation for a portion of NE 5th Terrace on your project at 627 N. Federal Highway, Fort Lauderdale, as described in the documents provided.

Based on review the documents and our assessment of City records, it appears there are City facilities located within the right-of-way. The City of Fort Lauderdale has **No Objection** to the proposed vacation of the 300' x 40' right-of-way described above and in the documents provided with the understanding that the vacation is conditioned upon the relocation of the existing water main as proposed, and with the dedication of a 22' Utility Easement back to the City over the new, relocated 8" water main and existing 10" gravity sewer which is to remain. The new Utility Easement must extend out a minimum of 7.5' from the centerline of the water main and gravity main. Any relocation, removal, or abandonment of any existing utilities must be conducted with approved engineering plans, at the developer's expense and the relocated, removed, or abandoned utilities would be required to be inspected and accepted by the Department of Sustainable Development.

Should you have any questions, please contact me at (954) 828-7809.

Sincerely,

Rick Johnson
Utilities Distribution and Collection Systems Manager
949 NW 38th Street, Fort Lauderdale, Florida, 33309
Ph: 954-828-7809 | email: rjohnson@fortlauderdale.gov

PUBLIC WORKS DEPARTMENT

949 N.W. 38TH STREET, FORT LAUDERDALE, FLORIDA 33309
TELEPHONE (954) 828-8000, FAX (954) 828-7897X

WWW.FORTLAUDERDALE.GOV



Dyke Tittle
Manager - OSP Planning
& Engineering Design

ATT Florida
8601 W Sunrise Blvd
Plantation, FL 33322

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

March 15th, 2019

Marc Isaac
Flynn Engineering Services, P.A
241 Commercial Blvd,
Lauderdale-By-The-Sea, Florida 33308

Subject: No Objection Letter for vacation of a portion of the NE 5th Terrace right-of-way
FES #19-1488.00.

Dear Mr. Isaac:

ATT does not object to your request for vacation of a portion of the NE 5th Terrace right-of-way described in the attached page 2. Applicants property is adjacent to the above mentioned right-of-way.

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

May 8, 2019

DRC – Right-of-Way Vacation Narrative
Portion of NE 5th Terrace, Fort Lauderdale FL

The applicant would like to request the vacation of a portion of the NE 5th Terrace. Specifically, that portion of northeast 5th terrace, also known as 18th street, lying 300.00 feet south of northeast 7th street, also known as avenue b, and adjacent to lots 1 through 12, block 314 and lots 37 through 48, block 313, Progresso, according to the plat thereof, as recorded in plat book 2, page 18, of the public records of Miami-Dade County, Florida. Said lands situate lying and being in The City of Fort Lauderdale, Broward County, Florida. Containing 12,000 square feet more or less.

Sec. 47-24.6 – Vacation of rights-of-way

Criteria. An application for a vacation of a right-of-way or other public place shall be reviewed in accordance with the following criteria:

- a. The right-of-way or other public place is no longer needed for public purposes; and
RESPONSE: This portion of NE 5th Terrace abuts the applicant's property on both the west and east sides of the street. As part of the vacation process for this portion of the right-of-way (ROW), we will be providing a new access drive approximately 9' to the west of the current ROW and dedicating a new 22' access & utility easement.
- b. Alternate routes if needed are available which do not cause adverse impacts to surrounding areas; and
RESPONSE: It is not anticipated that the vacation of the ROW will cause any adverse impacts to the circulation of the surrounding areas. A new east to west access drive is proposed, which will provide a mid-block connection between the project site and the new development to the west. As part of the vacation of the exiting ROW portion a relocation plan is in place to shift the street approximately 9' to the west of the current location. A 22' access and utility easement will be dedicated over the relocated row portion.
- c. The closure of a right-of-way provides safe areas for vehicles to turn around and exit the area; and
RESPONSE: This vacation will not impose any adverse effects to the current flow of traffic in the area.

- d. The closure of a right-of-way shall not adversely impact pedestrian traffic; and
RESPONSE: Currently no pedestrian facilities are present along this portion of the ROW. Significant pedestrian improvement are proposed both surrounding and within the project area.

- 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: See the no objection letters attached from all public and private utility providers. As is customary, the applicant will relocate any facilities and dedicate any applicable easements at their expense.

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.

- 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 ROW vacation does not interfere with the City's communication network.

- 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: The project will comply.

- 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(l), 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: The proposed ROW vacation does not impact environmentally sensitive lands.

- 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: Fire apparatus access will be maintained by an access easement.

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.

RESPONSE: N/A for ROW vacation.

- 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: The project will comply.

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.

RESPONSE: A utility & access easement will be provided to maintain existing and proposed utilities.

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: Please see the no objection letter from the city's public works department provided. If required, the applicant will relocate any city utilities within the current ROW and dedicate any new easements.

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.

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: Please see the no objection letter from the city's public works department provided. A new access & utility easement will be provided, and if required the applicant will relocate any existing utilities within the current ROW.

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: No impact to schools is anticipated as part of the ROW vacation.

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: No impact to solid waste is anticipated as part of the ROW vacation.

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: No stormwater facilities are currently present within the ROW portion to be vacated. All applicable stormwater permits will be obtained with the redevelopment of the site.

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 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.

RESPONSE: The proposed ROW vacation will provide no adverse impact to the regional transportation network. The access will be maintained by an access easement.

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.

RESPONSE: A traffic impact statement will be provided in conjunction with all applicable right-of-way easement dedications.

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: Please see the traffic impact statement provided.

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: N/A

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: Currently no pedestrian facilities are present along this portion of the ROW. Adjacent to the 22' access easement dedication a 7' pedestrian access easement will be provided on the west within the applicant's property.

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: N/A for ROW vacation.

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: Signage and pavement marking improvements will be provided as applicable.

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 are planned with the project and will comply where applicable.

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: The existing sanitary sewer facilities available to the project site are to be utilized, and upgraded if the public works dept deems it necessary. Applicable capital expansion fees will be paid at time of building permit.

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

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 site has not been identified as having any archaeological or historical significance.

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

RESPONSE: Not applicable. The easement is located west (inland) of the Intracoastal Waterway.

Respectfully,



Flynn Engineering Services, P.A.



1401 EAST BROWARD BOULEVARD, SUITE 303
FORT LAUDERDALE, FLORIDA 33301
DIRECT LINE: 954.779.1101
EMAIL: RLOCHRIE@LOCHRIELAW.COM
MAIN PHONE: 954.779.1119
FAX: 954.779.1117

August 16, 2019

Via Email and Hand Delivery (YRedding@FortLauderdale.gov)

Yvonne Redding, Planner II
Urban Design & Planning
700 NW 19th Avenue
Fort Lauderdale, FL 33311

**RE: Public Participation Summary for DRC Case Nos. V19005 and R19037
("Project")**

Dear Yvonne:

Pursuant to the City of Fort Lauderdale Ordinance No. C-15-01, the applicant held a public participation meeting with the Flagler Village Civic Association ("FVCA") and the Victoria Park Civic Association ("VPCA"), which are the only two officially-recognized civic associations located within 300' of the Project.

The public participation meeting was held at Lochrie & Chakas, P.A. on August 14, 2019 from 5:00pm to 7:00pm. The meeting was noticed and communicated through e-mail with FVCA and VPCA's presidents. There was one member of the public in attendance. At this meeting the applicant gave a detailed description of the Project, provided renderings of the Project, and answered questions regarding the operations of the Project.

Should you require additional information, please let me know.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Robert B. Lochrie III", is written over a horizontal line.

Robert B. Lochrie III, Esq.

Enclosure

cc: Michelle Nunziata, President of FVCA (FVCA@flaglervillage.org)
Andrew Gordon, President of VPCA (President@vpca.org)

Addendum: PZB Public Participation Notification <<if applicable>>

Applicant must provide notification according to the procedure listed below for projects listed in Sec. 47-27.4.A.2.c.

- A minimum of 21 days prior to the Development Review Committee (DRC) meeting, a notice from the applicant via letter or e-mail shall be provided to any official city-recognized civic organization(s) within 300 feet of the proposed project, notifying of the date, time and place of the DRC meeting.
- Prior to submittal of application to the Planning and Zoning Board (PZB), a notice from the applicant via letter or e-mail shall be provided to 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 hearing.
- The applicant shall conduct a public participation meeting(s) a minimum of 30 days prior to the PZB hearing.
- After the public participation meeting(s), 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) has taken place a minimum of 30 days prior to the PZB hearing. 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.
- The applicant shall, ten (10) days prior to DRC and again for the PZB, execute and submit to the department an affidavit of proof of public notice according to this section. If the applicant fails to submit the affidavit the public hearing will be postponed until the next hearing after the affidavit has been supplied.

AFFIDAVIT OF PUBLIC PARTICIPATION NOTIFICATION

STATE OF FLORIDA
BROWARD COUNTY

RE: PLANNING AND ZONING BOARD

CASE NO. V19005/R19037

APPLICANT: Robert B. Lochrie III, Esq.

PROPERTY: 627 North Federal

PUBLIC HEARING DATE: September 18, 2019

BEFORE ME, the undersigned authority, personally appeared Robert B. Lochrie III, who upon being duly sworn and cautioned, under oath deposes and says:

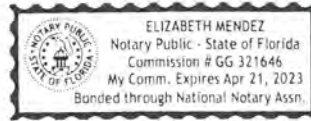
1. Affiant is the Applicant in the above cited City of Fort Lauderdale Development Review Case.
2. The Affiant/Applicant has mailed or has caused to be mailed, via postal service or electronic mail, a letter to any official city-recognized civic organization(s) within 300 feet of the proposed project, notifying of the date, time and place of the Public Participation meeting.
3. That the letter referenced in Paragraph two (2) above was mailed prior to the submittal of the PZB application meeting cited above.
4. That the public participation meeting was held at least **thirty (30)** days prior to the date of the PZB meeting cited above.
5. Affiant has prepared a summary of the public participation meeting cited above that documents the date(s), time(s), location(s), number of participants, presentation material and general summary of the discussion and comments expressed during the process.
6. Affiant acknowledges that this Affidavit must be executed and filed with the City's Urban Design & Planning office **ten (10)** days prior to the date of the Planning and Zoning Board meeting and if the Affidavit is not submitted, the Public Hearing on this case shall be cancelled.
7. Affiant is familiar with the nature of an oath or affirmation and is familiar with the laws of perjury in the State of Florida and the penalties therefor.

Addendum: PZB Public Participation Notification <<If applicable>>

[Signature]
Affiant

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this 14 day of AUGUST, 2019

(SEAL) [Signature]
NOTARY PUBLIC
MY COMMISSION EXPIRES:



NOTE: I understand that if my sign is not returned within the prescribed time limit as noted in Sec. 47.27.3.i of the City of Fort Lauderdale ULDR, I will forfeit my sign deposit. _____ (initial here)
_____ Initials of applicant (or representative) receiving sign as per 47-27.2(3)(A-J)

Page 3: Sign Notification Requirements and Affidavit

SIGN NOTICE

Applicant must **POST SIGNS** (for Planning and Zoning Board and City Commission Hearings) according to Sec. 47-27.4.

- Sign Notice shall be given by the applicant by posting a sign provided by the City stating the time, date and place of the Public Hearing on such matter on the property which is the subject of an application for a development permit. If more than one (1) public hearing is held on a matter, the date, time and place shall be stated on the sign or changed as applicable.
The sign shall be posted at least fifteen (15) days prior to the date of the public hearing.
The sign shall be visible from adjacent rights-of-way, including waterways, but excepting alleys.
If the subject property is on more than one (1) right-of-way, as described above, a sign shall be posted facing each right-of-way.
If the applicant is not the owner of the property that is subject of the application, the applicant shall post the sign on or as near to the subject property as possible subject to the permission of the owner of the property where the sign is located or, in a location in the right-of-way if approved by the City.
Development applications for more than one (1) contiguous development site shall be required to have sign notice by posting one (1) sign in each geographic direction, (north, south, east and west) on the public right-of-way at the perimeter of the area under consideration.
If the sign is destroyed or removed from the property, the applicant is responsible for obtaining another sign from the City and posting the sign on the property.
The sign shall remain on the property until final disposition of the application. This shall include any deferral, rehearing, appeal, request for review or hearings by another body. The sign information shall be changed as above to reflect any new dates.
The applicant shall, five (5) days prior to the public hearing, execute and submit to the department an affidavit of proof of posting of the public notice sign according to this section. If the applicant fails to submit the affidavit the public hearing will be postponed until the next hearing after the affidavit has been supplied.

AFFIDAVIT OF POSTING SIGNS

STATE OF FLORIDA
BROWARD COUNTY

RE: BOARD OF ADJUSTMENT
HISTORIC PRESERVATION BOARD
PLANNING AND ZONING BOARD
CITY COMMISSION

CASE NO. V19005

APPLICANT: FLAGLER SIXTH LLC

PROPERTY: NE 5TH Terrace @ NE 7TH STREET.

PUBLIC HEARING DATE: September 18, 2019

BEFORE ME, the undersigned authority, personally appeared Damion Ricks, who upon being duly sworn and cautioned, under oath deposes and says:

- 1. Affiant is the Applicant in the above cited City of Fort Lauderdale Board or Commission Case.
2. The Affiant/Applicant has posted or has caused to be posted on the Property the signage provided by the City of Fort Lauderdale, which such signage notifies the public of the time, date and place of the Public Hearing on the application for relief before the Board or Commission.
3. That the sign(s) referenced in Paragraph two (2) above was posted on the Property in such manner as to be visible from adjacent streets and waterways and was posted at least fifteen (15) days prior to the date of the Public Hearing cited above and has remained continuously posted until the date of execution and filing of this Affidavit. Said sign(s) shall be visible from and within twenty (20) feet of streets and waterways, and shall be securely fastened to a stake, fence, or building.
4. Affiant acknowledges that the sign must remain posted on the property until the final disposition of the case before the Board or Commission. Should the application be continued, deferred or re-heard, the sign shall be amended to reflect the new dates.
5. Affiant acknowledges that this Affidavit must be executed and filed with the City's Urban Design & Planning office five (5) calendar days prior to the date of Public Hearing and if the Affidavit is not submitted, the Public Hearing on this case shall be cancelled.
6. Affiant is familiar with the nature of an oath or affirmation and is familiar with the laws of perjury in the State of Florida and the penalties therefore.

Affiant signature: Damion Ricks

SWORN TO AND SUBSCRIBED before me, SUSAN E. STORELLI, Notary Public for the State of Florida, on this 5th day of September, 2019.

(SEAL)



NOTARY PUBLIC
MY COMMISSION EXPIRES:

NOTE: I understand that if my sign is not returned within the prescribed time limit as noted in Sec. 47.27.3.i of the City of Fort Lauderdale ULDR, I will forfeit my sign deposit. Initials of applicant (or representative) receiving sign as per 47-27.2(3)(A-J)



CITY OF FORT LAUDERDALE
PUBLIC NOTICE

PLANNING AND ZONING BOARD MEETING

DATE: SEPTEMBER 18, 2019
TIME: 4:00 P.M.
CASE: V19005
PROJECT: IFIC
REQUEST: VACATION OF 12,000 SQUARE FOOT
RIGHT-OF-WAY

LOCATION: CITY COMMISSION CHAMBERS
CITY HALL, 326 N. ANDREWS AVENUE

REZONATION CONTACT: (954) 828-4400
<http://www.fortlauderdale.gov>





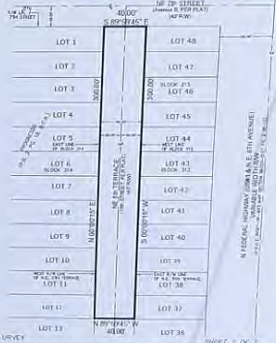


CITY OF FORT LAUDERDALE

PUBLIC NOTICE

PLANNING AND ZONING BOARD MEETING

DATE: SEPTEMBER 18, 2019
TIME: 6:00 P.M.
CASE: V19005
PROJECT: IPIC
REQUEST: VACATION OF 12,000 SQUARE FOOT
 RIGHT-OF-WAY



LOCATION: CITY COMMISSION CHAMBERS
 CITY HALL, 100 N ANDREWS AVENUE

INFORMATION: CONTACT (954) 828-6520
<http://www.fortlauderdale.gov>



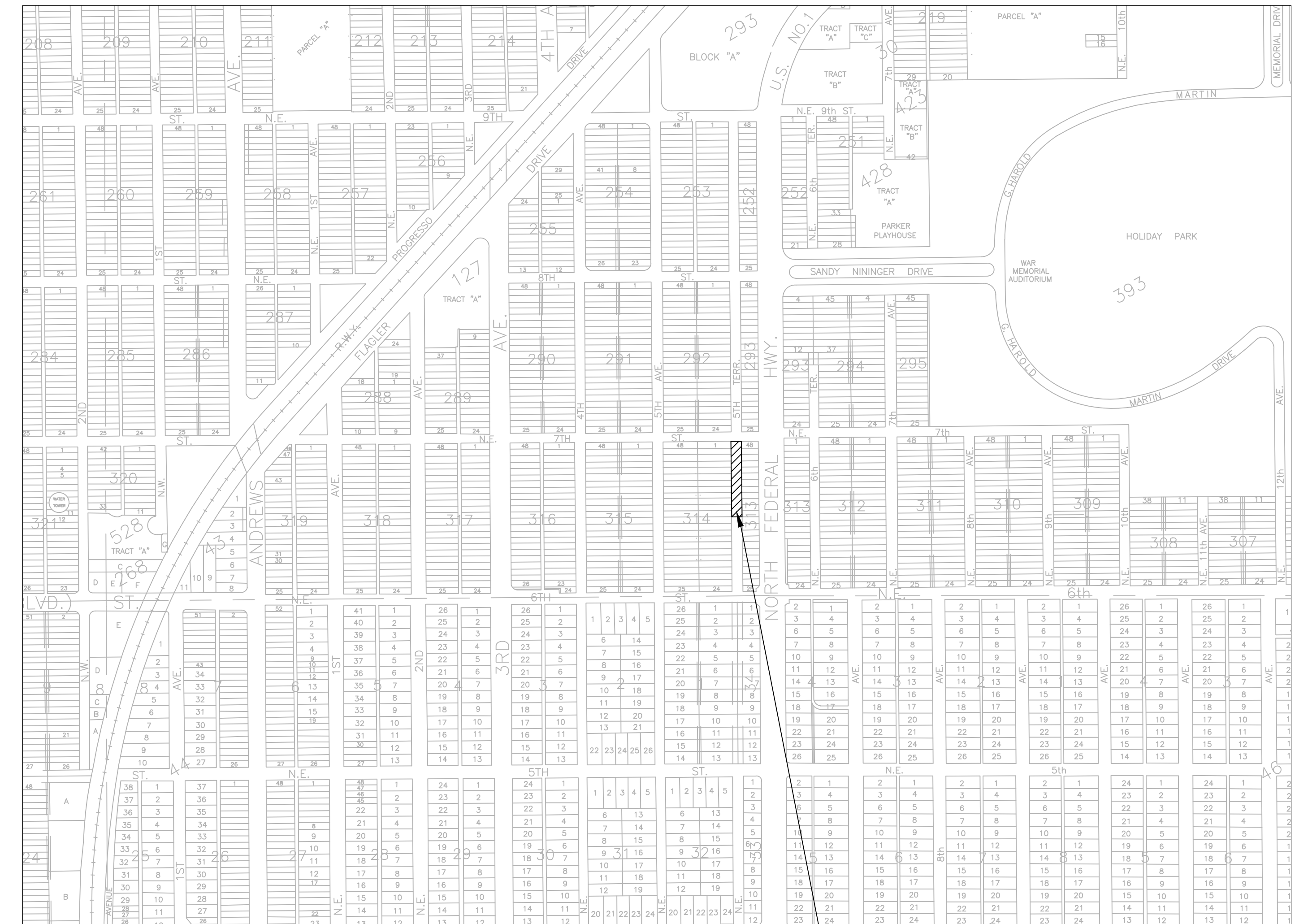
This Notice is the property of the City of Fort Lauderdale. In accordance with City's Code of Ordinances Section 16-29, it shall be unlawful for any person to ignore, cut, break, or destroy in any manner any building or other thing belonging to or under the control of the City. Persons making or removing the Notice may be subject to fines and/or imprisonment.



PROJECT:

NE 5TH TERRACE PARTIAL ROW VACATION

627 N Federal Highway, Fort Lauderdale FL 33304



LOCATION SKETCH

Site Location



LEGAL DESCRIPTION

THAT PORTION OF NORTHEAST 5TH TERRACE, ALSO KNOWN AS 18TH STREET, LYING 300.00 FEET SOUTH OF NORTHEAST 7TH STREET, ALSO KNOWN AS AVENUE B, AND ADJACENT TO LOTS 1 THROUGH 12, BLOCK 314 AND LOTS 37 THROUGH 48, BLOCK 313, PROGRESSO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. SAID LANDS SITUATE LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA. CONTAINING 12,000 SQUARE FEET MORE OR LESS.

DRC SHEET INDEX

SURVEY
PLAT
AERIAL

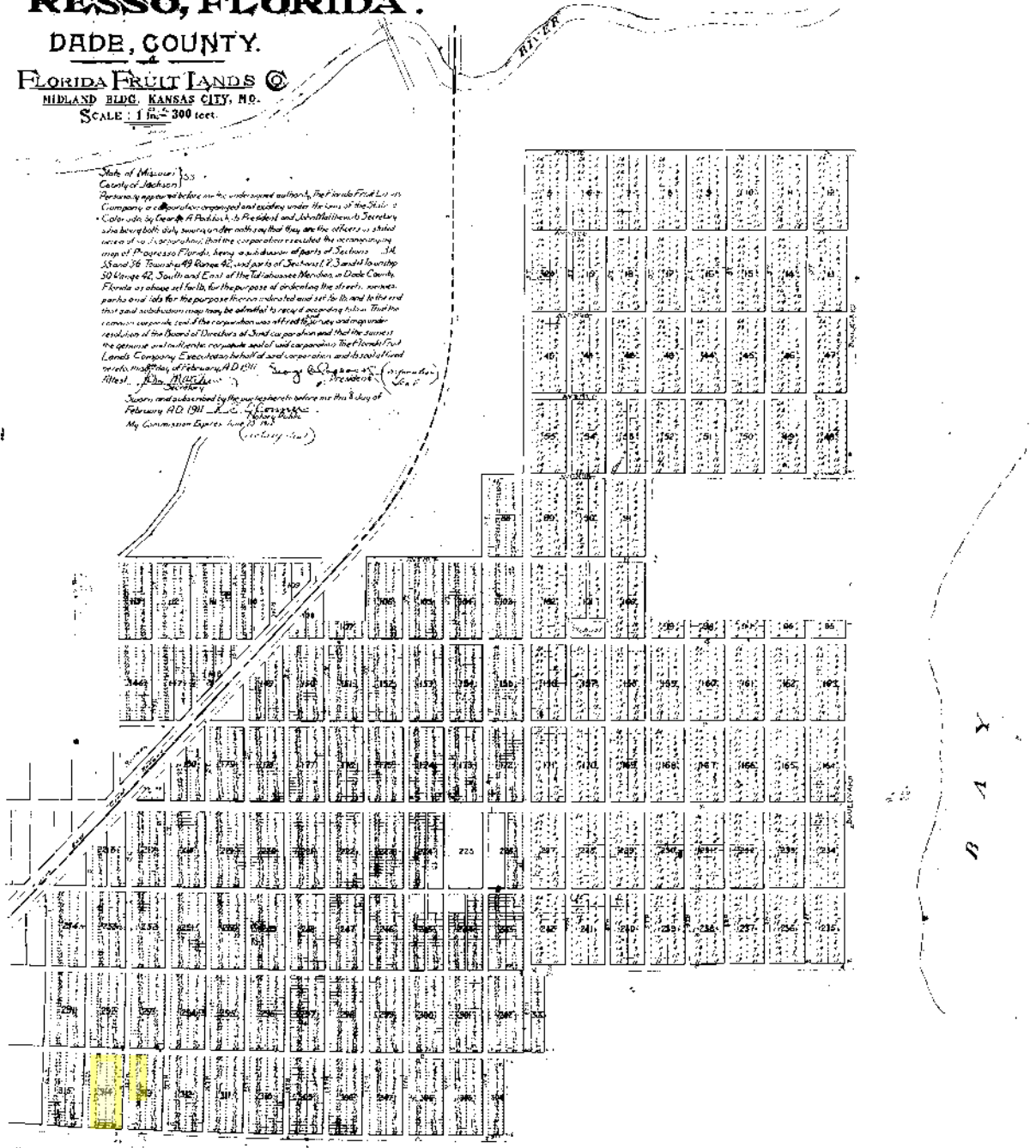
SKETCH & LEGAL DESCRIPTION SHOWING AREA TO BE VACATED
SKETCH & LEGAL DESCRIPTION SHOWING EASEMENT DEDICATION AREA

 241 COMMERCIAL BLVD., LAUDERDALE-BY-THE-SEA, FL 33308 PHONE: (954) 522-1004 WWW.FLYNNENGINEERING.COM EB# 6578	Drawn by MDI	Date 05/08/19
	Proj. Mgr. DRS	Plat Date 05/08/19
	Appr. by DRS	
	Job No. 19-1488.00	

MAP OF
RESSO, FLORIDA.
 DADE COUNTY.
FLORIDA FRUIT LANDS ©
 MIDLAND BLDG. KANSAS CITY, MO.
 SCALE: 1 in. = 300 feet.

State of Missouri }
 County of Jackson } ss.
 I, the undersigned, being the undersigned authority, The Florida Fruit Lands Company, a corporation organized and existing under the laws of the State of Florida, do hereby certify that the officers and directors of said company are duly sworn and do hereby certify that they are the officers and directors of said company, and that the corporation executed the accompanying map of Progresso Florida, being a subdivision of parts of Sections 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 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Sworn and subscribed by the undersigned before me this 3 day of February AD 1911. *J. J. [Signature]*
 My Commission Expires June 30, 1911.



2-1

DESCRIPTION:

PARCEL 1:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14, Block 314, and Lots 37, 38, 39, 40, 41, 42, 43, Block 313, Less State Road in Block 313, PROGRESSO, according to the Plat thereof, as recorded in Plat Book 2, at Page 18, of the Public Records of Miami-Dade County, Florida, situate, lying and being in Broward County, Florida; together with the East 1/2 of vacated alley per Ordinance No. C-85-42 recorded in Official Records Book 12602, Page 609, of the Public Records of Broward County, Florida.

PARCEL 2:

Lots 44, 45, 46, 47 and 48, Block 313, Less State Road in Block 313, PROGRESSO, according to the Plat thereof, as recorded in Plat Book 2, at Page 18, of the Public Records of Miami-Dade County, Florida, situate, lying and being in Broward County, Florida.

PARCEL 3:

Lots 25, 26, 27, 28, and 29, Block 314, PROGRESSO, according to the Plat thereof, as recorded in Plat Book 2, at Page 18, of the Public Records of Miami-Dade County, Florida, situate, lying and being in Broward County, Florida; together with the West 1/2 of vacated alley per Ordinance No. C-85-42 recorded in Official Records Book 12602, Page 609, of the Public Records of Broward County, Florida.

PARCEL 4:

Lots 30 and 31, Block 314, PROGRESSO, according to the Plat thereof, as recorded in Plat Book 2, at Page 18, of the Public Records of Miami-Dade County, Florida, situate, lying and being in Broward County, Florida; together with the West 1/2 of vacated alley per Ordinance No. C-85-42 recorded in Official Records Book 12602, Page 609, of the Public Records of Broward County, Florida.

PARCEL 5:

Lots 32, 33, 34 and 35, Block 314, PROGRESSO, according to the Plat thereof, as recorded in Plat Book 2, at Page 18, of the Public Records of Miami-Dade County, Florida, situate, lying and being in Broward County, Florida; together with the West 1/2 of vacated alley per Ordinance No. C-85-42 recorded in Official Records Book 12602, Page 609, of the Public Records of Broward County, Florida.

PARCEL 6:

Lots 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24, Block 314, PROGRESSO, according to the Plat thereof, as recorded in Plat Book 2, at Page 18, of the Public Records of Miami-Dade County, Florida, situate, lying and being in Broward County, Florida; together with the East 1/2 of vacated alley per Ordinance No. C-85-42 recorded in Official Records Book 12602, Page 609, of the Public Records of Broward County, Florida.

PARCEL 7:

Lots 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47 and 48, Block 314, PROGRESSO, according to the Plat thereof, as recorded in Plat Book 2, at Page 18, of the Public Records of Miami-Dade County, Florida, situate, lying and being in Broward County, Florida; together with the West 1/2 of vacated alley per Ordinance No. C-85-42 recorded in Official Records Book 12602, Page 609, of the Public Records of Broward County, Florida.

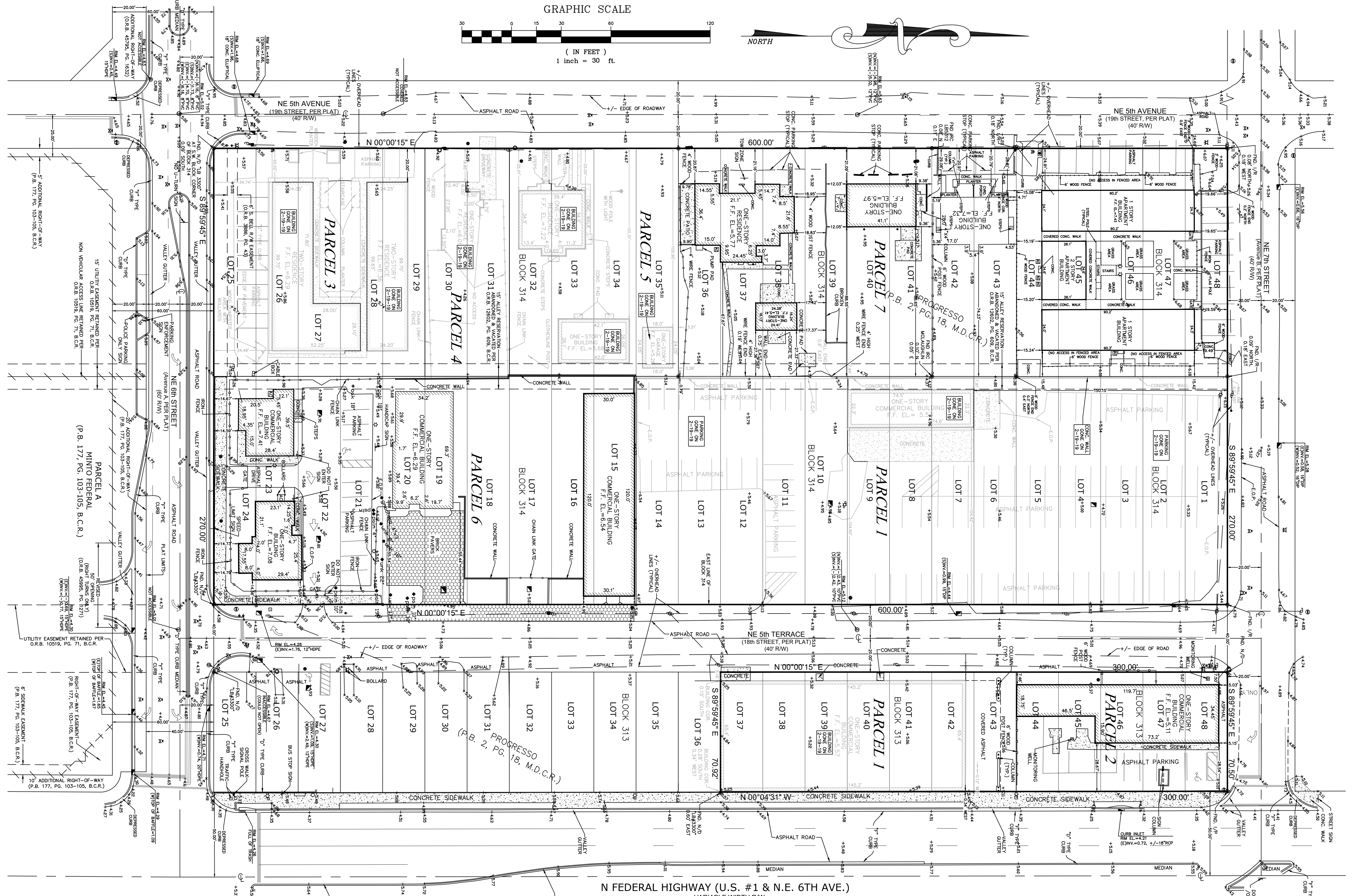
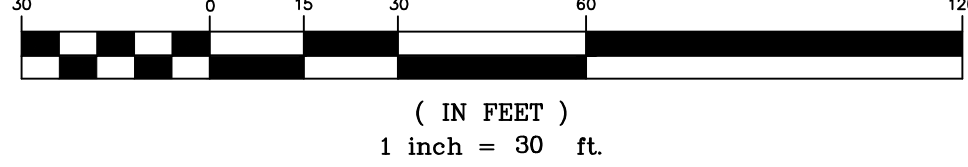
LEGEND:

I/P	DENOTES IRON PIPE	●	WATER METER
I/R	DENOTES IRON ROD	■	GAS VALVE
P.C.P.	DENOTES PERMANENT CONTROL POINT	▲	ELECTRIC HANDHOLE
P.B.	DENOTES PLAT BOOK	■	WATER VALVE
P.C.	DENOTES PAGE	■	SANITARY MANHOLE
O.R.B.	DENOTES OFFICIAL RECORD BOOK	●	SEWER VALVE
U.E.	DENOTES UTILITY EASEMENT	■	UTILITY POLE ANCHOR
B.C.R.	DENOTES BROWARD COUNTY RECORDS	■	LIGHT POLE
M.D.C.R.	DENOTES MIAMI-DADE COUNTY RECORDS	■	FIRE HYDRANT
COR.	DENOTES CORNER	■	STOP SIGN
CLF	DENOTES CHAIN LINK FENCE	■	CATCH BASIN
CL	DENOTES CENTERLINE	■	WOOD UTILITY POLE
LB	DENOTES LICENSES BUSINESS	■	WOOD UTILITY POLE WITH LIGHT
(M)	DENOTES MEASURED	■	CONCRETE UTILITY POLE
(C)	DENOTES CALCULATION	■	CLEANOUT
(P)	DENOTES PLAT	○	EXISTING ELEVATION
CONC.	DENOTES CONCRETE	○	
N/D	DENOTES NAIL & DISK	○	
R/W	DENOTES RIGHT-OF-WAY	○	
(TYP.)	DENOTES TYPICAL	○	
F.F.	DENOTES FINISHED FLOOR	○	
EL.	DENOTES ELEVATION	○	
E.O.P.	DENOTES EDGE OF PAVEMENT	○	

SURVEY NOTES:

- BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF BLOCK 314 WITH AN ASSUMED BEARING OF N 00°00'15" E.
- BELOW GROUND IMPROVEMENTS AND/OR ENCROACHMENTS IF ANY, WERE NOT LOCATED.
- ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD, RECORDED AND VISIBLE AFFECTING THE HEREON DESCRIBED PROPERTY ARE SHOWN FOR THE COMMITMENT FOR TITLE INSURANCE, ORDER NO. 8878848-SUN, EFFECTIVE DATE NOVEMBER 2, 2018 AT 8:00 AM. (REVISED NOVEMBER 12, 2018) AND PREPARED BY COMMONWEALTH LAND TITLE INSURANCE COMPANY FOR MICHAEL A. SCHROEDER, P.L.L.C., THE PLAT OF PROGRESSO, AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.
- THERE HAS BEEN NO SEARCH OF THE PUBLIC RECORDS PERFORMED BY THIS FIRM.
- ALL PROPERTY CORNERS ARE SET 5/8" IRON ROD WITH CAP STAMPED "LB 6935" UNLESS OTHERWISE NOTED.
- THIS SURVEY IS CLASSIFIED A BOUNDARY SURVEY BY CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES, AS AMENDED.
- THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER STATED HEREON.
- THE N.F.P. FLOOD MAPS HAS DESIGNATED THE HEREON DESCRIBED LAND TO BE ZONE X, BASE FLOOD ELEVATION N/A, MAP/PANEL 12011C0369H, DATE OF FIRM AUGUST 18, 2014.
- SAD LANDS SITUATE LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.
- ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM (NAVD) OF 1988.
- BENCHMARK OF ORIGIN: BROWARD COUNTY #1675, ELEVATION 7.63 (NGVD 29), ELEVATION 6.05 (NAVD 88), WITH A CONVERSION FACTOR OF MILLIS (-1.58 USING THE VERTCON SOFTWARE).
- ROAD RESERVATIONS IN FAVOR OF THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA IN DEED NO. 1150 RECORDED IN DEED BOOK 393, PAGE 158 MAY AFFECT SUBJECT PROPERTY.
- DISTANCES SHOWN HEREON ARE PER THE PLAT AND CALCULATED FIELD TRAVERSE.
- ONLY TREES SPECIFIED BY CLIENT ARE SHOWN HEREON.

GRAPHIC SCALE



N FEDERAL HIGHWAY (U.S. #1 & N.E. 6TH AVE.)
VARIABLE WIDTH R/W
(F.D.O.T. RIGHT-OF-WAY MAP SECTION 86020-2107 PG. 2 OF 12)

MAP OF BOUNDARY SURVEY
FOR: Flagler Sixth LLC

REVISIONS	DATE	BY	CKD	FB/PG
REVISE SURVEY BOUNDARY/ADD SITE TOPO/ADDITIONAL LOCATIONS	3/8/19	RM	TD	
/STRUCTURE INFO/ADDITIONAL R/W INFO/OVERHEAD LINES	11/16/18	RM	TD	
REVISE CERTIFICATION	11/14/18	RM	TD	
UPDATE TO REVISED TITLE COMMITMENT				

A PORTION OF BLOCKS 313 & 314
PROGRESSO
(P.B. 2, PG. 18, M.D.C.R.)

SCALE: 1" = 30'	JOB NO: 18-014
FB/PG: N/A	CAD. FILE: F:\18-jbb\18-014\
DRAWN BY: RRM	DATE: 5/16/18
CKD. BY: TD	PROJ. FILE: 18-014

DAVID & GERCHAR,
SURVEYORS AND MAPPERS
12075 NW 40th Street, Bay 1
Coral Springs, Florida 33065
(954) 340-4025 • ted@davidandgerchar.com

THEODORE J. DAVID FOR THE FIRM PROFESSIONAL SURVEYOR AND MAPPER FLORIDA REGISTRATION NO. 5821 DAVID & GERCHAR, INC. L.P. # 6935
SIGNATURE DATE: 2/19/19
DATE OF LAST FIELD SURVEY: 2/19/19

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DATE OF FLIGHT SECTION TOWNSHIP RANGE

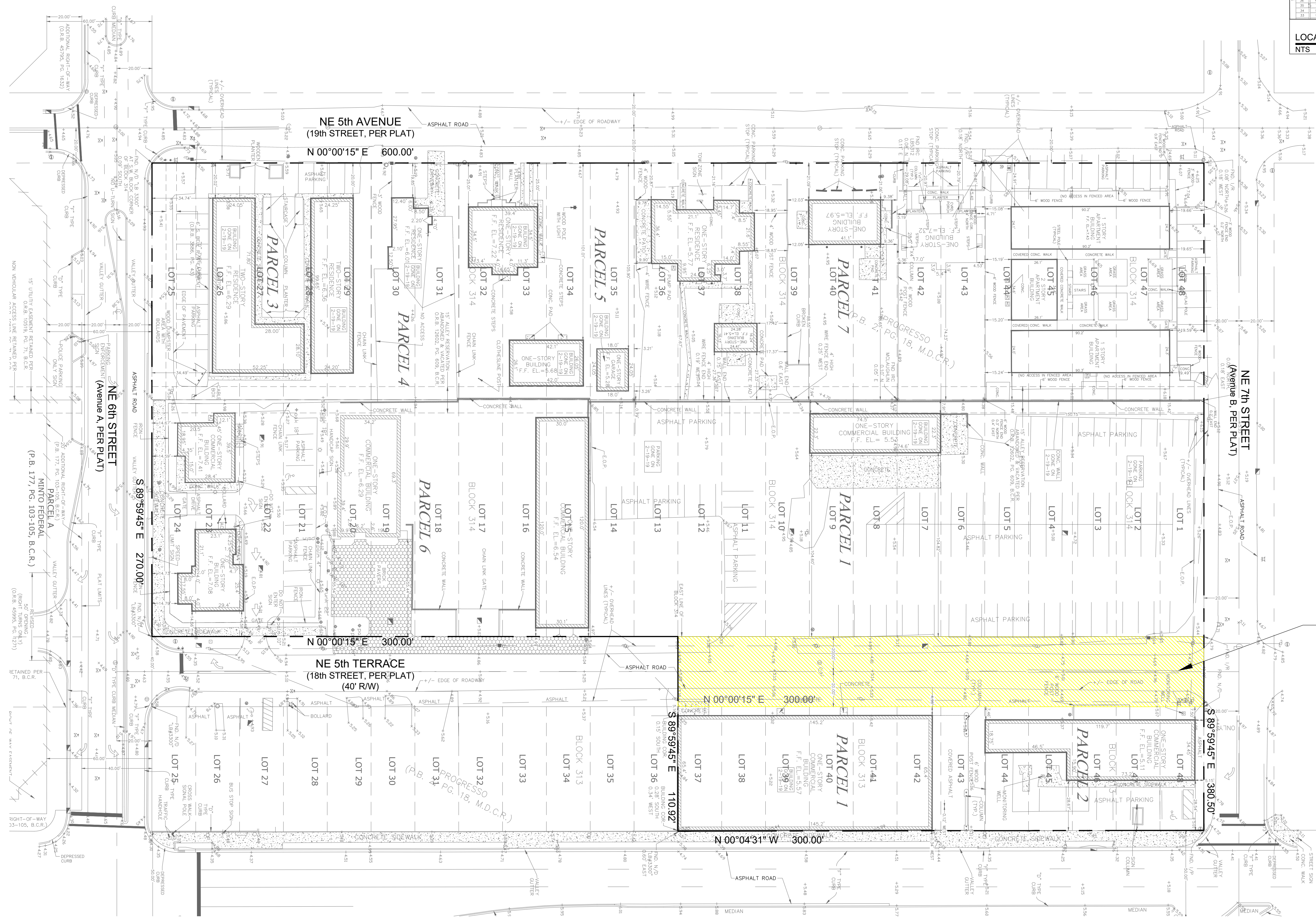
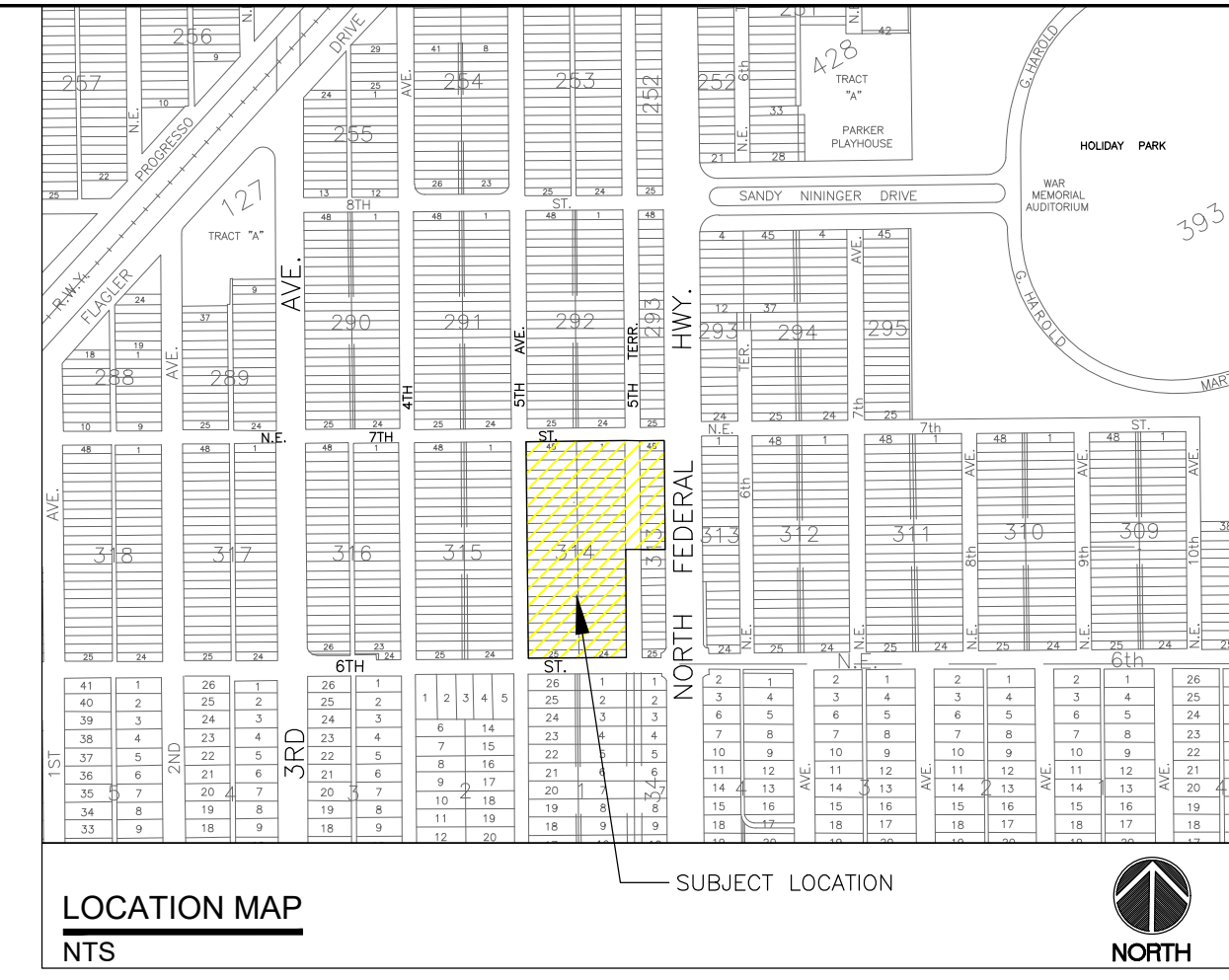
2017 03 50S 42E

Feet 300 200 100 0 150 300 Feet



Map Scale: 1 inch = 300 feet





AREA TO BE VACATED

Sheet Title
RIGHT-OF-WAY-EXHIBIT

Job Title
627 FEDERAL HIGHWAY
627 NORTH FEDERAL HIGHWAY, FORT LAUDERDALE FL

Phase:
DRC

Revisions	
Scale:	Date
1" = 30.0'	05/08/19
Job No.	Plot Date
19-1488.00	05/08/19
Drawn by	Sheet No.
FES	X1
Proj. Mgr.	
Appr. by	



SKETCH AND DESCRIPTION

DESCRIPTION:

THAT PORTION OF NORTHEAST 5TH TERRACE, ALSO KNOWN AS 18TH STREET, LYING 300.00 FEET SOUTH OF NORTHEAST 7TH STREET, ALSO KNOWN AS AVENUE B, AND ADJACENT TO LOTS 1 THROUGH 12, BLOCK 314 AND LOTS 37 THROUGH 48, BLOCK 313, PROGRESSO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

SAID LANDS SITUATE LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA. CONTAINING 12,000 SQUARE FEET MORE OR LESS

NOTES:


1. BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF BLOCK 314 WITH AN ASSUMED BEARING OF N 00°00'15" E.
2. THIS SKETCH AND DESCRIPTON IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD, RECORDED AND VISIBLE AFFECTING THE HEREON DESCRIBED PROPERTY ARE SHOWN PER THE COMMITMENT FOR TITLE INSURANCE, ORDER NO. 6876849-SUN, EFFECTIVE DATE NOVEMBER 2, 2018 AT 8:00 AM. (REVISED NOVEMBER 12, 2018) AND PREPARED BY COMMONWEALTH LAND TITLE INSURANCE COMPANY FOR MICHAEL A. SCHROEDER, P.L., THE PLAT OF PROGRESSO, AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.
4. THIS SKETCH AND DESCRIPTION CONSISTS OF TWO (2) SHEETS AND IS NOT COMPLETE WITHOUT BOTH SHEETS.

THIS IS NOT A SKETCH OF SURVEY

SHEET 1 OF 2

REVISIONS	DATE	BY	CKD

PORTION OF
N.E. 5TH TERRACE
(TO BE VACATED)



THEODORE J. DAVID FOR THE FIRM
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION NO. 5821
DAVID & GERCHAR, INC. LB#6935

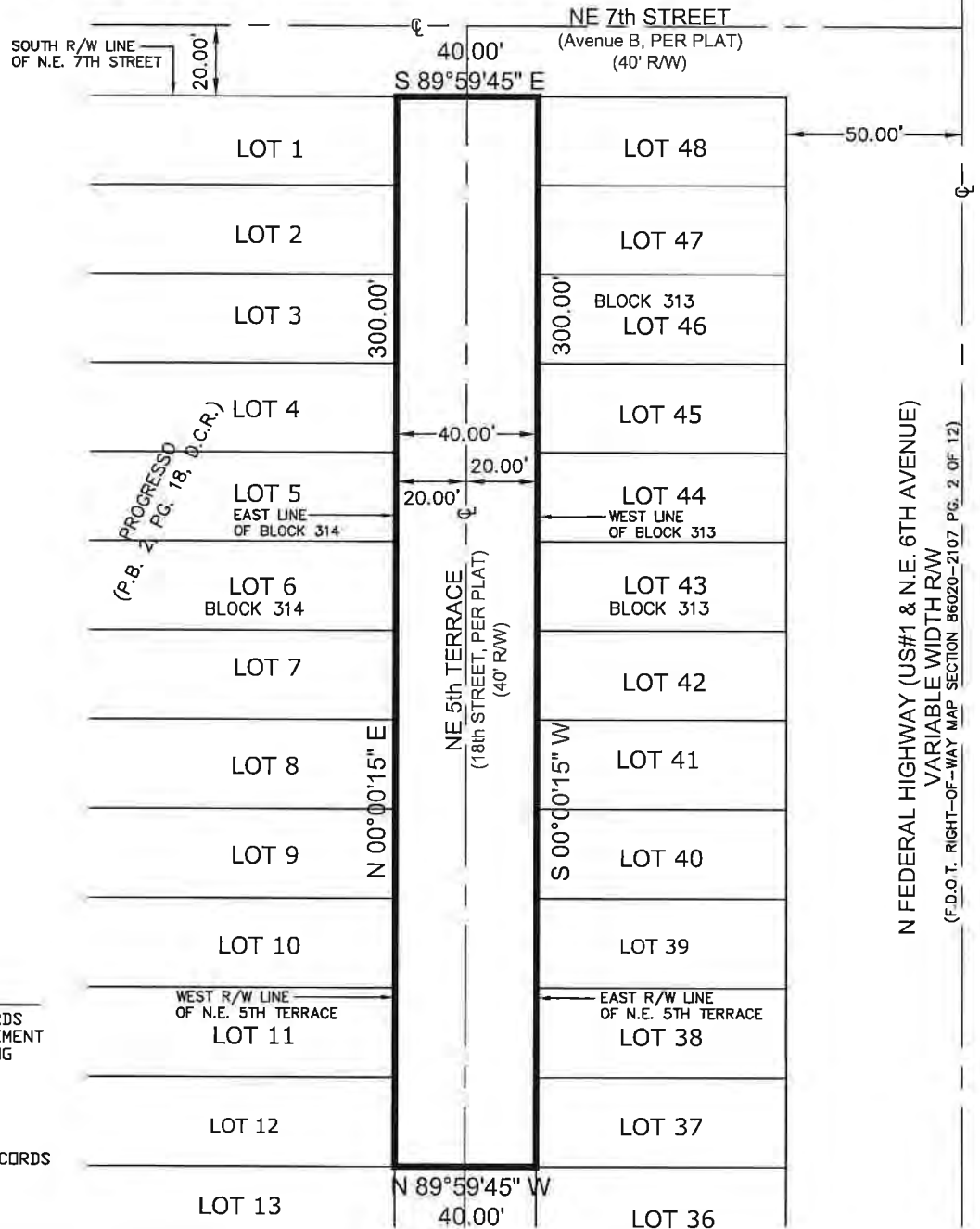
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DRAWN BY:	RM
CKD. BY:	TD

JOB NO:	18-014 SE 5TH
CAD. FILE:	F:\dwgs\ 18-jobs\18-014\ Sketch and Descriptions
DATE:	3/16/19
PROJ. FILE:	18-014

DAVID &
GERCHAR,
SURVEYORS AND MAPPERS

12750 N.W. 40th Street, Bay 1
Coral Springs, Florida 33065
(954) 340-4025 • email: tcd@davidandgerchar.com

SKETCH AND DESCRIPTION



N FEDERAL HIGHWAY (US#1 & N.E. 6TH AVENUE)
VARIABLE WIDTH R/W
(F.D.O.T. RIGHT-OF-WAY MAP SECTION 86020-2107 PG. 2 OF 12)

LEGEND:

- D. C. R. DADE COUNTY RECORDS
- P. O. C. POINT OF COMMENCEMENT
- P. O. B. POINT OF BEGINNING
- P. B. PLAT BOOK
- PG. PAGE
- CL CENTERLINE
- R/W RIGHT-OF-WAY
- B. C. R. BROWARD COUNTY RECORDS

THIS IS NOT A SKETCH OF SURVEY

SHEET 2 OF 2

REVISIONS	DATE	BY	CKD

<p>PORTION OF N.E. 5TH TERRACE (TO BE VACATED)</p>	SCALE:	JOB NO:	<p>DAVID & GERCHAR, INC. SURVEYORS AND MAPPERS</p> <p>12750 N.W. 40th Street, Bay 1 Coral Springs, Florida 33065 (954) 340-4025 • email: ted@davidandgerchar.com</p>
	1" = 50'	18-014 SE 5TH	
	FB/PG:	CAD. FILE: F:\dwgs\ 18-jobs\18-014\ Sketch and Descriptions	
	N/A	DATE:	
DRAWN BY:	RM	3/16/19	
CKD. BY:	TD	18-014	

SKETCH AND DESCRIPTION

DESCRIPTION:

A PORTION OF NORTHEAST 5TH TERRACE, ALSO KNOWN AS 18TH STEET, PROGRESSO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF BLOCK 314 OF SAID PLAT; THENCE SOUTH 89°59'45" EAST ALONG THE EASTERLY EXTENSION OF THE NORTH LINE OF BLOCK 314, A DISTANCE OF 22.00 FEET TO A POINT ON A LINE LYING AND BEING 22.00 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF SAID BLOCK 314 AND THE WEST RIGHT-OF-WAY LINE OF NORTHEAST 5TH TERRACE; THENCE SOUTH 00°00'15" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 275.00 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CIRCULAR CURVE HAVING A RADIUS OF 41.00 FEET, A CENTRAL ANGLE OF 23°22'48" AND AN ARC LENGTH OF 16.73 FEET; THENCE SOUTH 23°22'33" EAST, A DISTANCE OF 9.51 FEET; THENCE NORTH 89°59'45" WEST, A DISTANCE OF 23.97 FEET TO A POINT ON THE ARC OF A CIRCULAR CURVE TO THE RIGHT AND FROM SAID POINT A RADIAL LINE BEARS NORTH 66°37'27" EAST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CIRCULAR CURVE HAVING A RADIUS OF 63.00 FEET, A CENTRAL ANGLE OF 23°22'48" AND AN ARC LENGTH OF 25.71 FEET TO A POINT ON THE EAST LINE OF THE AFORESAID BLOCK 314 AND THE WEST RIGHT-OF-WAY LINE OF NORTHEAST 5TH TERRACE, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 11, BLOCK 314 OF THE AFORESAID PLAT OF PROGRESSO; THENCE NORTH 00°00'15" EAST ALONG THE EAST LINE OF SAID BLOCK 314 AND THE WEST RIGHT-OF-WAY LINE OF NORTHEAST 5TH TERRACE, A DISTANCE OF 275.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA. CONTAINING 6,621 SQUARE FEET MORE OR LESS

NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF BLOCK 314 WITH AN ASSUMED BEARING OF N 00°00'15" E.
2. THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD, RECORDED AND VISIBLE AFFECTING THE HEREON DESCRIBED PROPERTY ARE SHOWN PER THE COMMITMENT FOR TITLE INSURANCE, ORDER NO. 6876849-SUN, EFFECTIVE DATE NOVEMBER 2, 2018 AT 8:00 AM. (REVISED NOVEMBER 12, 2018) AND PREPARED BY COMMONWEALTH LAND TITLE INSURANCE COMPANY FOR MICHAEL A. SCHROEDER, P.L., THE PLAT OF PROGRESSO, AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.
4. THIS SKETCH AND DESCRIPTION CONSISTS OF TWO (2) SHEETS AND IS NOT COMPLETE WITHOUT BOTH SHEETS.

THIS IS NOT A SKETCH OF SURVEY

SHEET 1 OF 2

REVISIONS	DATE	BY	CKD	

22' ACCESS EASEMENT

 THEODORE J. DAVID FOR THE FIRM
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA REGISTRATION NO. 5821
 DAVID & GERCHAR, INC. LB#6935

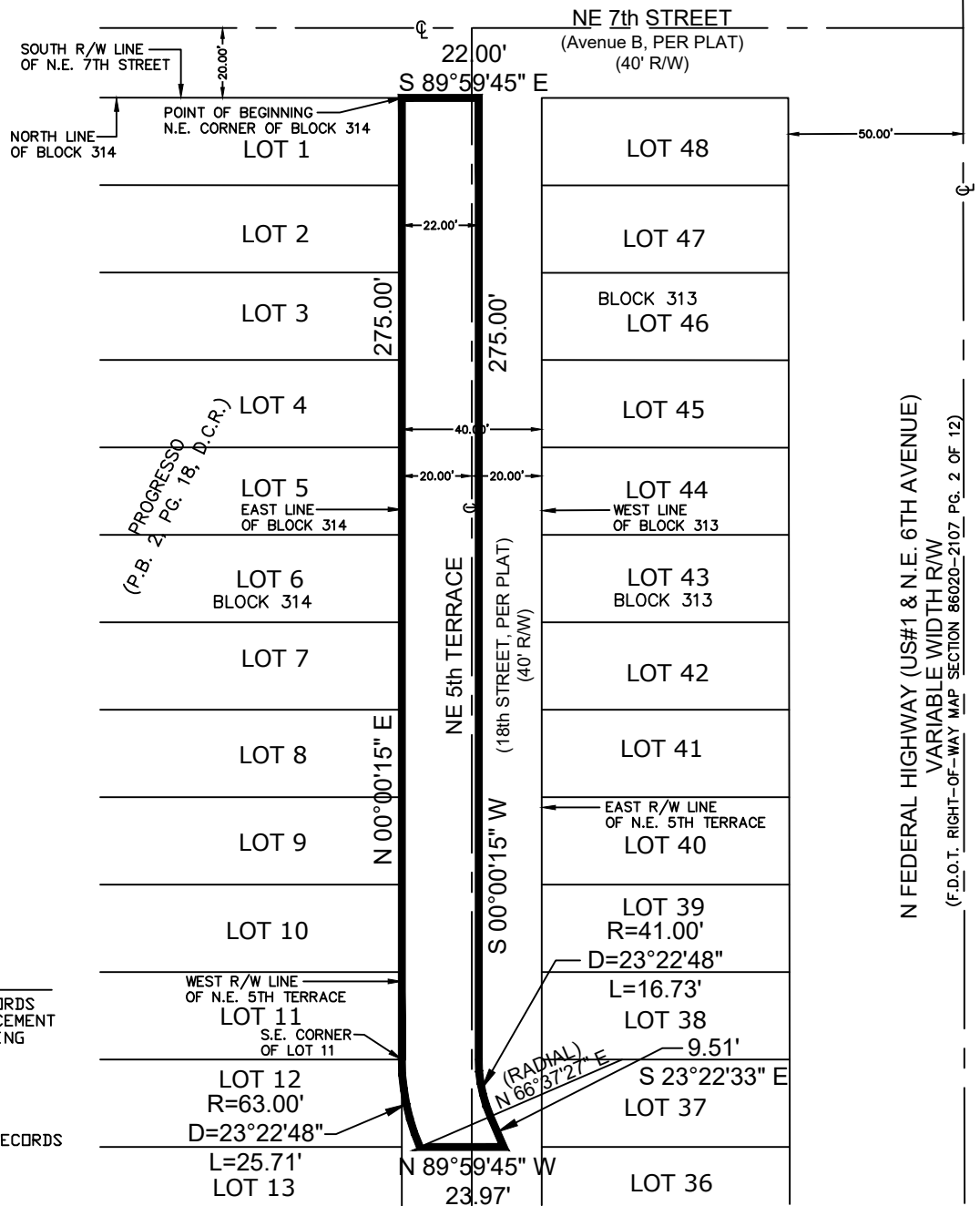
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 Sketch and Descriptions
 DATE: 3/16/19
 PROJ. FILE: 18-014

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GERCHAR,**
 SURVEYORS AND MAPPERS

12750 N.W. 40th Street, Bay 1
 Coral Springs, Florida 33065
 (954) 340-4025 • email: ted@davidandgerchar.com

SKETCH AND DESCRIPTION



LEGEND:

- D. C. R. DADE COUNTY RECORDS
- P. I. C. POINT OF COMMENCEMENT
- P. I. B. POINT OF BEGINNING
- P. B. PLAT BOOK
- PG. PAGE
- CL CENTERLINE
- R/W RIGHT-OF-WAY
- B. C. R. BROWARD COUNTY RECORDS

THIS IS NOT A SKETCH OF SURVEY

SHEET 2 OF 2

N FEDERAL HIGHWAY (US#1 & N.E. 6TH AVENUE)
 VARIABLE WIDTH R/W
 (F.D.O.T. RIGHT-OF-WAY MAP SECTION 86020-2107 PG. 2 OF 12)

REVISIONS	DATE	BY	CKD

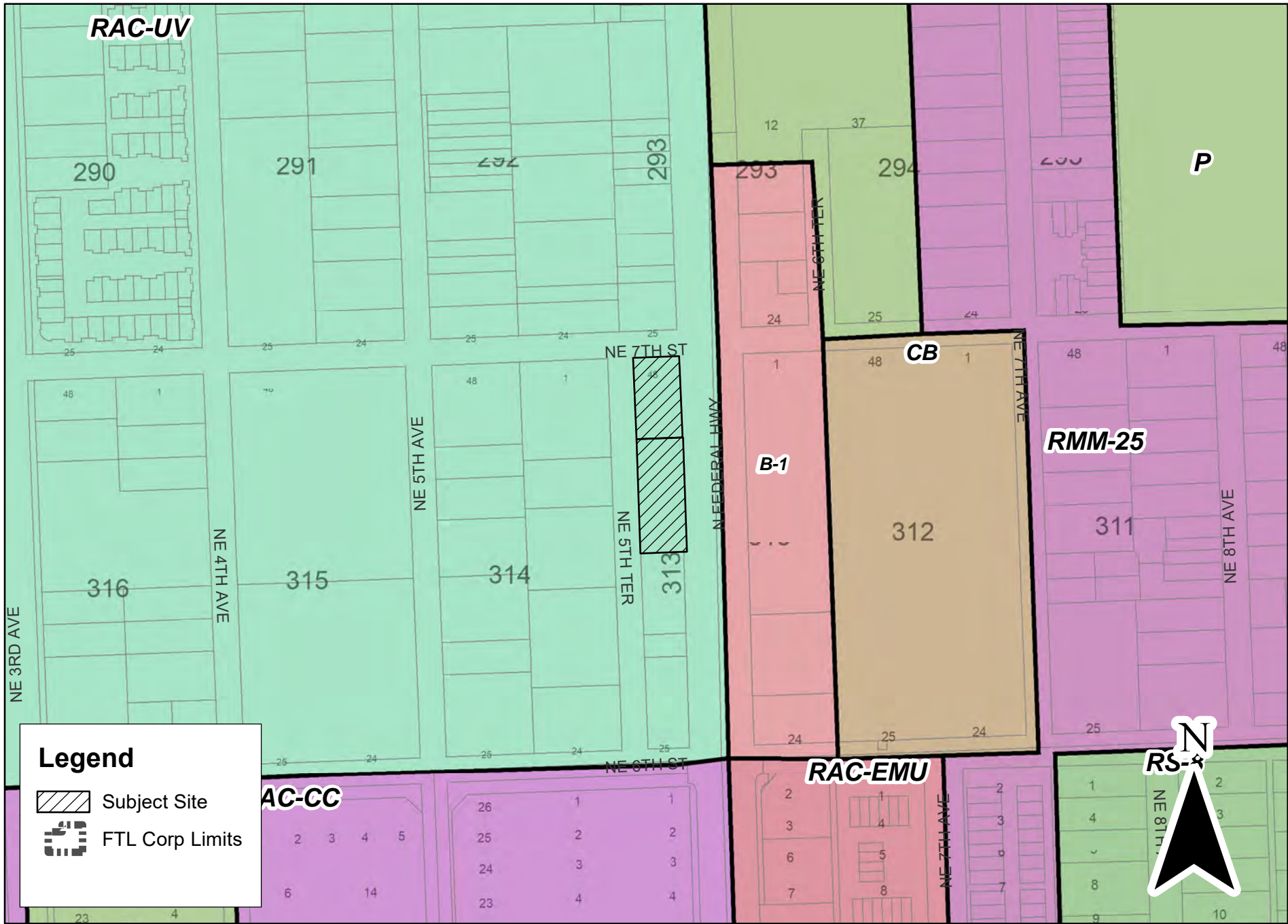
22' ACCESS EASEMENT

SCALE: 1" = 50'	JOB NO: 18-014 AE
FB/PG: N/A	CAD. FILE: F:\dwgs\ 18-jobs\18-014\ Sketch and Descriptions
DRAWN BY: RM	DATE: 3/16/19
CKD. BY: TD	PROJ. FILE: 18-014

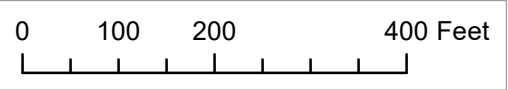
DAVID & GERCHAR, INC.

SURVEYORS AND MAPPERS

12750 N.W. 40th Street, Bay 1
Coral Springs, Florida 33065
(954) 340-4025 • email: ted@davidandgerchar.com



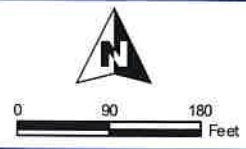
V19005



Graphic Scale



Zoning



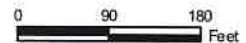


City of Fort Lauderdale GIS



CITY OF FORT LAUDERDALE

Land Use - D RAC



GIS
Fort Lauderdale

June 27, 2019

DRC – Right-of-Way Vacation Narrative
Portion of NE 5th Terrace, Fort Lauderdale FL

The applicant would like to request the vacation of a portion of the NE 5th Terrace. Specifically, that portion of northeast 5th terrace, also known as 18th street, lying 300.00 feet south of northeast 7th street, also known as avenue b, and adjacent to lots 1 through 12, block 314 and lots 37 through 48, block 313, Progresso, according to the plat thereof, as recorded in plat book 2, page 18, of the public records of Miami-Dade County, Florida. Said lands situate lying and being in The City of Fort Lauderdale, Broward County, Florida. Containing 12,000 square feet more or less.

Sec. 47-24.6 – Vacation of rights-of-way

Criteria. An application for a vacation of a right-of-way or other public place shall be reviewed in accordance with the following criteria:

- a. The right-of-way or other public place is no longer needed for public purposes; and
RESPONSE: This portion of NE 5th Terrace abuts the applicant's property on both the west and east sides of the street. As part of the vacation process for this portion of the right-of-way (ROW), we will be providing a new access drive approximately 9' to the west of the current ROW and dedicating a new 22' access & utility easement.
- b. Alternate routes if needed are available which do not cause adverse impacts to surrounding areas; and
RESPONSE: It is not anticipated that the vacation of the ROW will cause any adverse impacts to the circulation of the surrounding areas. A new east to west access drive is proposed, which will provide a mid-block connection between the project site and the new development to the west. As part of the vacation of the exiting ROW portion a relocation plan is in place to shift the street approximately 9' to the west of the current location. A 22' access and utility easement will be dedicated over the relocated row portion.
- c. The closure of a right-of-way provides safe areas for vehicles to turn around and exit the area; and
RESPONSE: This vacation will not impose any adverse effects to the current flow of traffic in the area.

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

RESPONSE: Currently no pedestrian facilities are present along this portion of the ROW. Significant pedestrian improvement are proposed both surrounding and within the project area.

- 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: See the no objection letters attached from all public and private utility providers. As is customary, the applicant will relocate any facilities and dedicate any applicable easements at their expense.

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.

- 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 ROW vacation does not interfere with the City's communication network.

- 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: The project will comply.

- 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(l), 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: The proposed ROW vacation does not impact environmentally sensitive lands.

- 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: Fire apparatus access will be maintained by an access easement.

- 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.

RESPONSE: N/A for ROW vacation.

- 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: The project will comply.

- 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.

RESPONSE: A utility & access easement will be provided to maintain existing and proposed utilities.

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: Please see the no objection letter from the city's public works department provided. If required, the applicant will relocate any city utilities within the current ROW and dedicate any new easements.

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.

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: Please see the no objection letter from the city's public works department provided. A new access & utility easement will be provided, and if required the applicant will relocate any existing utilities within the current ROW.

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: No impact to schools is anticipated as part of the ROW vacation.

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: No impact to solid waste is anticipated as part of the ROW vacation.

- 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: No stormwater facilities are currently present within the ROW portion to be vacated. All applicable stormwater permits will be obtained with the redevelopment of the site.

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 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.

RESPONSE: The proposed ROW vacation will provide no adverse impact to the regional transportation network. The access will be maintained by an access easement.

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.

RESPONSE: A traffic impact statement will be provided in conjunction with all applicable right-of-way easement dedications.

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: Please see the traffic impact statement provided.

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: N/A

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: Currently no pedestrian facilities are present along this portion of the ROW. Significant pedestrian improvements are proposed to the east and west of the current right-of-way portion to be vacated.

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.

such other treatment as may be necessary for adequate protection of residential properties and to assure separation of through and level traffic.

RESPONSE: N/A for ROW vacation.

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: Signage and pavement marking improvements will be provided as applicable.

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 are planned with the project and will comply where applicable.

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: The existing sanitary sewer facilities available to the project site are to be utilized, and upgraded if the public works dept deems it necessary. Applicable capital expansion fees will be paid at time of building permit.

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

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 site has not been identified as having any archaeological or historical significance.

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

RESPONSE: Not applicable. The easement is located west (inland) of the Intracoastal Waterway.

Respectfully,



Flynn Engineering Services, P.A.



MARTY KIARD
BROWARD COUNTY
 PROPERTY APPRAISER

Site Address	633 NE 5 TERRACE, FORT LAUDERDALE FL 33304	ID #	4942 34 07 4880
Property Owner	FLAGLER SIXTH LLC	Millage	0312
Mailing Address	1535 SE 17 ST #107 FORT LAUDERDALE FL 33316	Use	48
Abbr Legal Description	PROGRESSO 2-18 D LOT 7 TO 9 BLK 314		

The just values displayed below were set in compliance with **Sec. 193.011, Fla. Stat.**, and include a reduction for costs of sale and other adjustments required by **Sec. 193.011(8)**.

Property Assessment Values					
Year	Land	Building / Improvement	Just / Market Value	Assessed / SOH Value	Tax
2019	\$101,260	\$27,820	\$129,080	\$129,080	
2018	\$101,260	\$27,820	\$129,080	\$129,080	\$2,405.40
2017	\$101,260	\$27,820	\$129,080	\$129,080	\$2,446.78

2019 Exemptions and Taxable Values by Taxing Authority				
	County	School Board	Municipal	Independent
Just Value	\$129,080	\$129,080	\$129,080	\$129,080
Portability	0	0	0	0
Assessed/SOH	\$129,080	\$129,080	\$129,080	\$129,080
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exempt Type	0	0	0	0
Taxable	\$129,080	\$129,080	\$129,080	\$129,080

Sales History			
Date	Type	Price	Book/Page or CIN
11/15/2018	SW*-D	\$15,569,500	115474097
5/6/2015	WD*-T	\$100	113644823
10/8/1996	TD*	\$500,000	25528 / 759
			9512 / 749

Land Calculations		
Price	Factor	Type
\$10.00	10,126	SF
Adj. Bldg. S.F. (Card, Sketch)		1594
Eff./Act. Year Built: 1960/1960		

* Denotes Multi-Parcel Sale (See Deed)

Special Assessments								
Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc
03								
W								
1594								



MARTY KIAR
BROWARD
 COUNTY
 PROPERTY APPRAISER

Site Address	627 N FEDERAL HIGHWAY, FORT LAUDERDALE FL 33304	ID #	4942 34 07 4860
Property Owner	FLAGLER SIXTH LLC	Millage	0312
Mailing Address	1535 SE 17 ST #107 FORT LAUDERDALE FL 33316	Use	21
Abbr Legal Description	PROGRESSO 2-18 D LOTS 37 TO 43,ALL LESS ST RD BLK 313		

The just values displayed below were set in compliance with **Sec. 193.011**, Fla. Stat., and include a reduction for costs of sale and other adjustments required by **Sec. 193.011(8)**.

Property Assessment Values					
Year	Land	Building / Improvement	Just / Market Value	Assessed / SOH Value	Tax
2019	\$625,200	\$106,490	\$731,690	\$731,690	
2018	\$625,200	\$105,220	\$730,420	\$458,450	\$14,194.33
2017	\$312,600	\$104,180	\$416,780	\$416,780	\$11,830.14

2019 Exemptions and Taxable Values by Taxing Authority				
	County	School Board	Municipal	Independent
Just Value	\$731,690	\$731,690	\$731,690	\$731,690
Portability	0	0	0	0
Assessed/SOH	\$731,690	\$731,690	\$731,690	\$731,690
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exempt Type	0	0	0	0
Taxable	\$731,690	\$731,690	\$731,690	\$731,690

Sales History				Land Calculations		
Date	Type	Price	Book/Page or CIN	Price	Factor	Type
11/15/2018	SW*-D	\$15,569,500	115474097	\$50.00	12,504	SF
5/6/2015	WD*-T	\$100	113644823			
10/8/1996	TD*	\$500,000	25528 / 759			
			9512 / 749			
				Adj. Bldg. S.F. (Card, Sketch)		10085
				Eff./Act. Year Built: 1967/1966		

* Denotes Multi-Parcel Sale (See Deed)

Special Assessments								
Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc
03								
C								
10085								



MARTY KIARD
BROWARD
 COUNTY
 PROPERTY APPRAISER

Site Address	NE 7 STREET, FORT LAUDERDALE FL 33304	ID #	4942 34 07 4871
Property Owner	FLAGLER SIXTH LLC	Millage	0312
Mailing Address	1535 SE 17 ST #107 FORT LAUDERDALE FL 33316	Use	28
Abbr Legal Description	PROGRESSO 2-18 D LOTS 1 TO 6 BLK 314		

The just values displayed below were set in compliance with **Sec. 193.011, Fla. Stat.**, and include a reduction for costs of sale and other adjustments required by **Sec. 193.011(8)**.

Property Assessment Values					
Year	Land	Building / Improvement	Just / Market Value	Assessed / SOH Value	Tax
2019	\$810,000	\$28,000	\$838,000	\$838,000	
2018	\$810,000	\$28,000	\$838,000	\$298,100	\$8,868.78
2017	\$243,000	\$28,000	\$271,000	\$271,000	\$5,006.81

2019 Exemptions and Taxable Values by Taxing Authority				
	County	School Board	Municipal	Independent
Just Value	\$838,000	\$838,000	\$838,000	\$838,000
Portability	0	0	0	0
Assessed/SOH	\$838,000	\$838,000	\$838,000	\$838,000
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exempt Type	0	0	0	0
Taxable	\$838,000	\$838,000	\$838,000	\$838,000

Sales History			
Date	Type	Price	Book/Page or CIN
11/15/2018	SW*-D	\$15,569,500	115474097
5/6/2015	WD*-T	\$100	113644823
10/8/1996	TD*	\$500,000	25528 / 759
6/1/1980	SWD	\$25,000	9512 / 749

Land Calculations		
Price	Factor	Type
\$40.00	20,250	SF
Adj. Bldg. S.F. (Card, Sketch)		

* Denotes Multi-Parcel Sale (See Deed)

Special Assessments								
Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc
03								
L								
1								



Site Address	NE 5 TERRACE, FORT LAUDERDALE FL 33304	ID #	4942 34 07 4940
Property Owner	FLAGLER SIXTH LLC	Millage	0312
Mailing Address	1535 SE 17 ST #107 FORT LAUDERDALE FL 33316	Use	28
Abbr Legal Description	PROGRESSO 2-18 D LOT 10 TO 14 BLK 314		

The just values displayed below were set in compliance with **Sec. 193.011, Fla. Stat.**, and include a reduction for costs of sale and other adjustments required by **Sec. 193.011(8)**.

Property Assessment Values					
Year	Land	Building / Improvement	Just / Market Value	Assessed / SOH Value	Tax
2019	\$675,000	\$18,900	\$693,900	\$693,900	
2018	\$675,000	\$18,900	\$693,900	\$243,540	\$7,304.95
2017	\$202,500	\$18,900	\$221,400	\$221,400	\$4,090.42

2019 Exemptions and Taxable Values by Taxing Authority				
	County	School Board	Municipal	Independent
Just Value	\$693,900	\$693,900	\$693,900	\$693,900
Portability	0	0	0	0
Assessed/SOH	\$693,900	\$693,900	\$693,900	\$693,900
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exempt Type	0	0	0	0
Taxable	\$693,900	\$693,900	\$693,900	\$693,900

Sales History				Land Calculations		
Date	Type	Price	Book/Page or CIN	Price	Factor	Type
11/15/2018	SW*-D	\$15,569,500	115474097	\$40.00	16,875	SF
5/6/2015	WD*-T	\$100	113644823			
10/8/1996	TD*	\$500,000	25528 / 759			
			9512 / 749			
				Adj. Bldg. S.F. (Card, Sketch)		

* Denotes Multi-Parcel Sale (See Deed)

Special Assessments								
Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc
03								
L								
1								



3/26/2019

To: Marc Isaac
Flynn Engineering Services
241 Commercial Blvd Lauderdale-By-The-Sea, FL 33308

RE: Easement Vacate
Portion of NE 5th Terrace between NE 7th St and NE 8th St
Ft. Lauderdale, FL

From: TECO Peoples Gas

To whom it may concern:

Thank you for contacting TECO Peoples Gas Company regarding an easement vacate at the above referenced address. After reviewing the documents provided, TECO-PGS has an objection to this easement vacate unless an alternate easement is granted to Peoples Gas System. In addition, the petitioner must incur the costs associated with relocating the gas pipeline with the inclusion of an easement provided in the new location.

If you have further questions, please do not hesitate to call.

Sincerely,

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

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



April, 29th 2019

To: Flynn Engineering C/O Marc Isaac
241 Commercial Blvd
Laud-by-the-Sea, FL 33308

RE: Easement Vacation at 627 N Federal Hwy, Fort Lauderdale, FL 33304

Dear Marc,

The following information is provided in response to your inquiry concerning existing electric facilities on the above referenced property

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 service any existing FPL customers that may be affected by your request.

At the time you wish to proceed, an engineering deposit will be required in the amount of \$10,000; this amount will be applied to the cost of this job when it moves forward. Should you choose not to complete the work; the deposit will be forfeited to cover costs incurred by FPL in preparing the job.

Please contact me at (954) 717-2057 should you have any questions or concerns.

Thank you,

A handwritten signature in cursive script that reads "Troy Lewis".

Troy Lewis
Associate Engineer



June 13, 2019

Mr. Marc Isaac
Flynn Engineering Services, P.A.
241 Commercial Blvd.
Lauderdale-By-The-Sea, FL. 33308

Subject: **Proposed 40' Right-of-Way Vacation for a portion on NE 5th Terrace**

Dear Mr. Isaac,

This letter is in response to your request for a no objection letter regarding the proposed 300' x 40' Right-of-Way vacation for a portion of NE 5th Terrace on your project at 627 N. Federal Highway, Fort Lauderdale, as described in the documents provided.

Based on review the documents and our assessment of City records, it appears there are City facilities located within the right-of-way. The City of Fort Lauderdale has **No Objection** to the proposed vacation of the 300' x 40' right-of-way described above and in the documents provided with the understanding that the vacation is conditioned upon the relocation of the existing water main as proposed, and with the dedication of a 22' Utility Easement back to the City over the new, relocated 8" water main and existing 10" gravity sewer which is to remain. The new Utility Easement must extend out a minimum of 7.5' from the centerline of the water main and gravity main. Any relocation, removal, or abandonment of any existing utilities must be conducted with approved engineering plans, at the developer's expense and the relocated, removed, or abandoned utilities would be required to be inspected and accepted by the Department of Sustainable Development.

Should you have any questions, please contact me at (954) 828-7809.

Sincerely,

Rick Johnson
Utilities Distribution and Collection Systems Manager
949 NW 38th Street, Fort Lauderdale, Florida, 33309
Ph: 954-828-7809 | email: rjohnson@fortlauderdale.gov



Dyke Tittle
Manager - OSP Planning
& Engineering Design

ATT Florida
8601 W Sunrise Blvd
Plantation, FL 33322

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

March 15th, 2019

Marc Isaac
Flynn Engineering Services, P.A
241 Commercial Blvd,
Lauderdale-By-The-Sea, Florida 33308

Subject: No Objection Letter for vacation of a portion of the NE 5th Terrace right-of-way
FES #19-1488.00.

Dear Mr. Isaac:

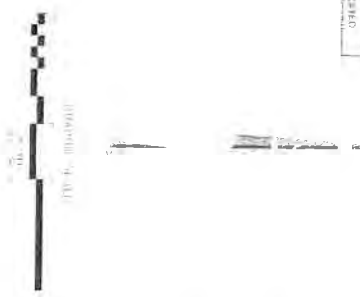
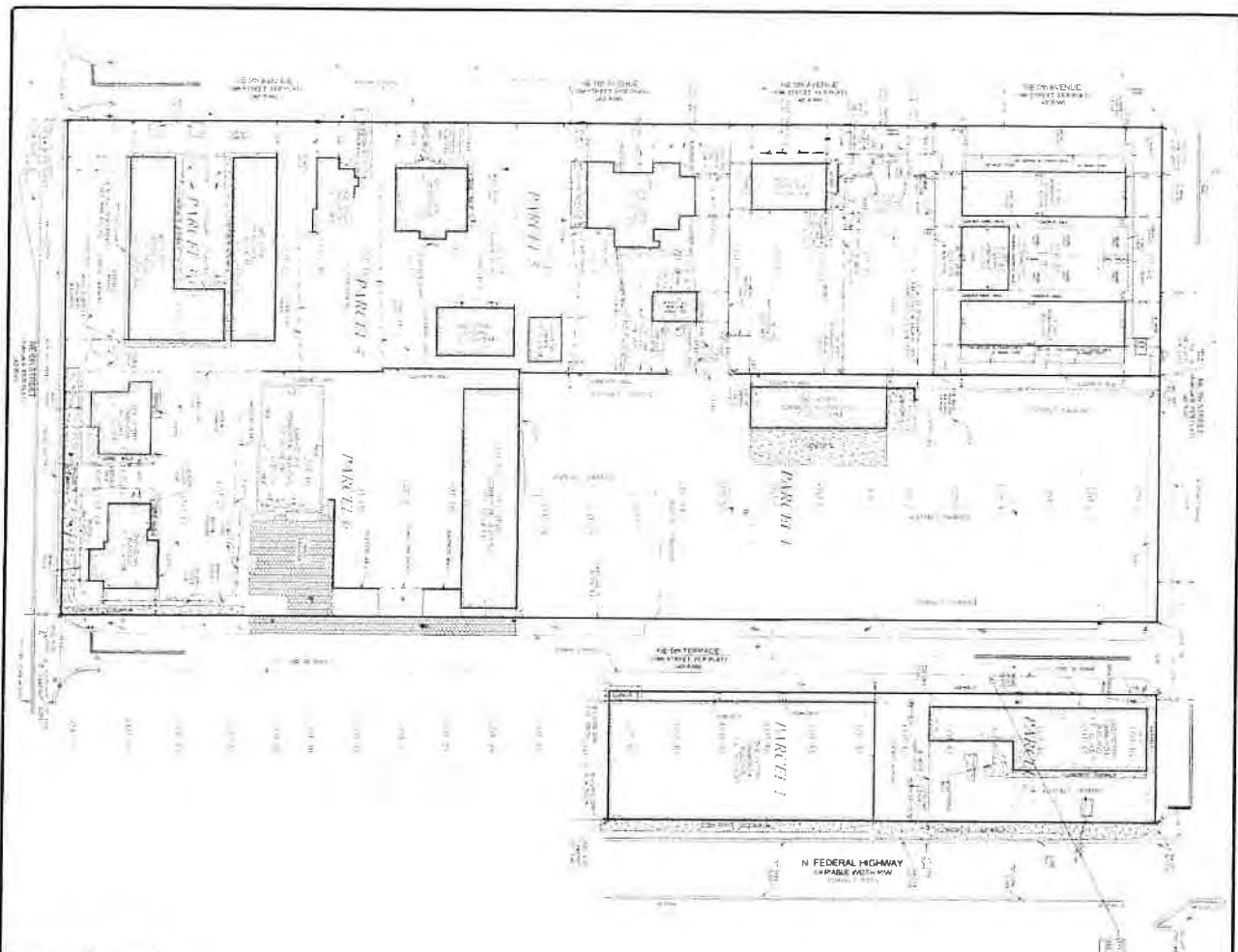
ATT does not object to your request for vacation of a portion of the NE 5th Terrace right-of-way described in the attached page 2. Applicants property is adjacent to the above mentioned right-of-way.

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



- DESCRIPTION:**
- PARCEL 1:**
 Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14, Block 106, and Lots 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

MAP OF BOUNDARY SURVEY
FOR: Flagler Sixth LLC

PROPERTY OWNERS		SURVEYOR	
DAVID & BERCHAR	DAVID & BERCHAR	DAVID & BERCHAR	DAVID & BERCHAR
DAVID & BERCHAR	DAVID & BERCHAR	DAVID & BERCHAR	DAVID & BERCHAR

CERTIFY TO:
 QUANTER SOUTH, LLC, a Florida limited liability company;
 BARSON SEAL ESTATE DEVELOPMENT, INC., a Florida corporation;
 TIGER TRAILS, LLC, a Florida limited liability company;
 FLAGLER SIXTH LLC, a Florida limited liability company;
 DAVID & BERCHAR, a Florida limited liability company;
 DAVID & BERCHAR, a Florida limited liability company.



EXISTING OFFICE ALONG NE 6TH STREET



FLYNN ENGINEERING SERVICES, P.A.
CIVIL ENGINEERS

241 COMMERCIAL BLVD.
LAUDERDALE-BY-THE-SEA, FL 33308
EB# 6578

PHONE: (954) 522-1004

FAX: (954) 522-7630

www.flynnengineering.com

Job No.
19-1488.00

Photo Date
01/19/19

By:
FES



NORTH

KEY MAP



EXISTING PROPERTY ALONG NE 6TH STREET



FLYNN ENGINEERING SERVICES, P.A.
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Job No.
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Photo Date
01/19/19

By:
FES



KEY MAP



**EXISTING VACANT PROPERTY ALONG NE
5TH AVENUE**



FLYNN ENGINEERING SERVICES, P.A.
CIVIL ENGINEERS

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LAUDERDALE-BY-THE-SEA, FL 33308
EB# 6578

PHONE: (954) 522-1004

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Job No.
19-1488.00

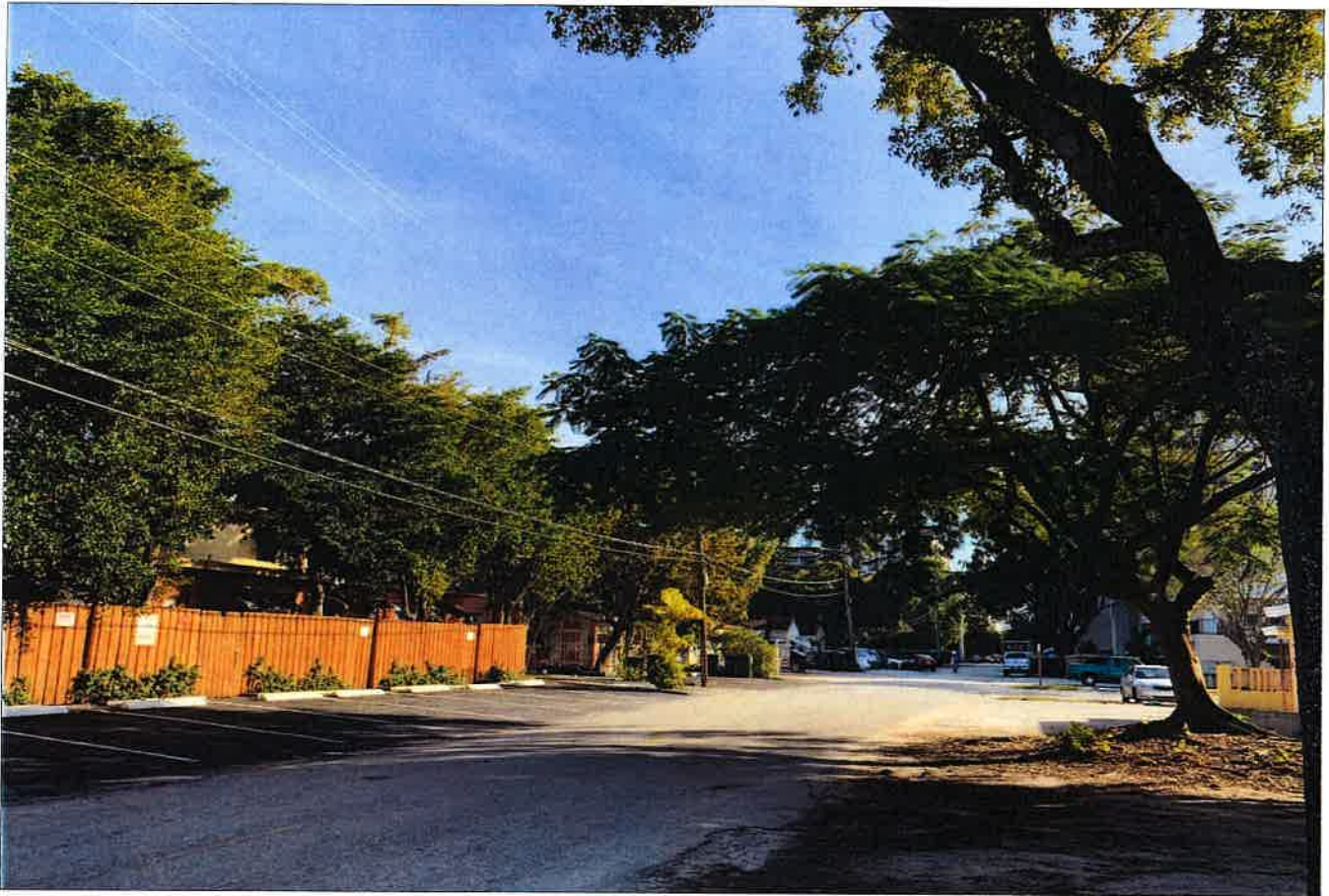
Photo Date
01/19/19

By:
FES



NORTH

KEY MAP



EXISTING RESIDENTIAL PROPERTY ALONG
NE 5TH AVENUE

FES
 FLYNN ENGINEERING SERVICES, P.A.
 CIVIL ENGINEERS

241 COMMERCIAL BLVD.
 LAUDERDALE-BY-THE-SEA, FL 33308
 EB# 6578
 PHONE: (954) 522-1004
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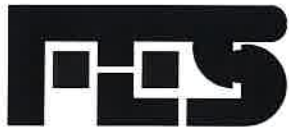
Job No.	19-1488.00
Photo Date	01/19/19
By:	FES



KEY MAP



**EXISTING RESIDENTIAL PROPERTY ALONG
NE 7TH STREET**



FLYNN ENGINEERING SERVICES, P.A.
CIVIL ENGINEERS

241 COMMERCIAL BLVD.
LAUDERDALE-BY-THE-SEA, FL 33308
EB# 6578

PHONE: (954) 522-1004
FAX: (954) 522-7630
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Job No.
19-1488.00

Photo Date
01/19/19

By:
FES



KEY MAP



**EXISTING VACANT PROPERTY ALONG NE
7TH STREET**



FLYNN ENGINEERING SERVICES, P.A.
CIVIL ENGINEERS

241 COMMERCIAL BLVD.
LAUDERDALE-BY-THE-SEA, FL 33308
EB# 6578

PHONE: (954) 522-1004

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19-1488.00

Photo Date
01/19/19

By:
FES



KEY MAP



**EXISTING VACANT PROPERTY ALONG NE
5TH TERRACE**



FLYNN ENGINEERING SERVICES, P.A.
CIVIL ENGINEERS

241 COMMERCIAL BLVD.
LAUDERDALE-BY-THE-SEA, FL 33308
EB# 6578

PHONE: (954) 522-1004

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Job No.
19-1488.00

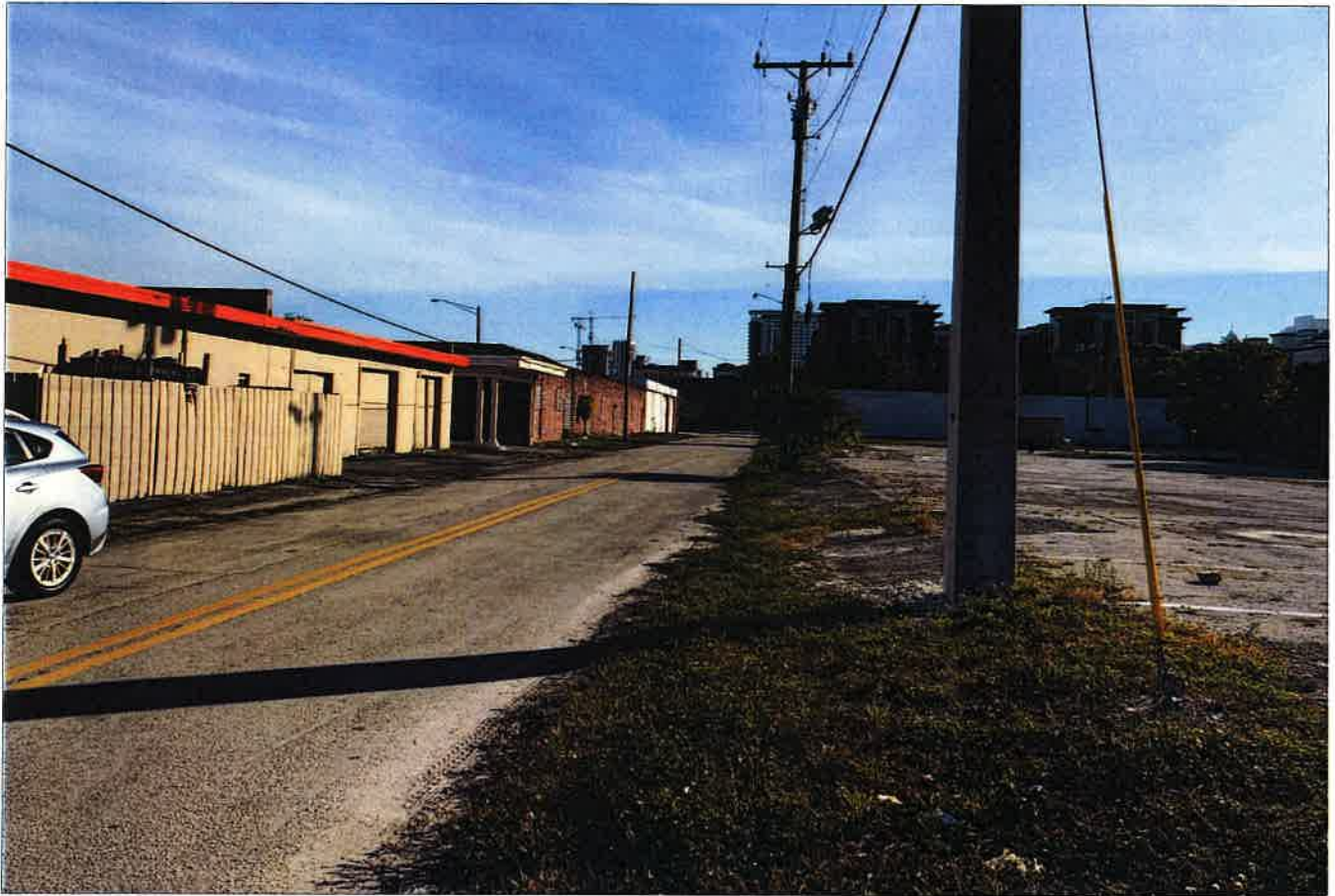
Photo Date
01/19/19

By:
FES



NORTH

KEY MAP



REAR OF THE EXISTING PROPERTIES
ALONG NE 5TH TERRACE



FLYNN ENGINEERING SERVICES, P.A.
CIVIL ENGINEERS

241 COMMERCIAL BLVD.
LAUDERDALE-BY-THE-SEA, FL 33308
EB# 6578

PHONE: (954) 522-1004

FAX: (954) 522-7630

www.flynnengineering.com

Job No.
19-1488.00

Photo Date
01/19/19

By:
FES



KEY MAP



THE EXISTING VACANT PROPERTY FROM
THE EAST SIDE OF N FED HIGHWAY



FLYNN ENGINEERING SERVICES, P.A.
CIVIL ENGINEERS

241 COMMERCIAL BLVD.
LAUDERDALE-BY-THE-SEA, FL 33308
EB# 6578

PHONE: (954) 522-1004

FAX: (954) 522-7630

www.flynnengineering.com

Job No.
19-1488.00

Photo Date
01/19/19

By:
FES



NORTH

KEY MAP



THE EXISTING AUTO SERVICE CENTER
FROM THE EAST SIDE OF N FED HIGHWAY



FLYNN ENGINEERING SERVICES, P.A.
CIVIL ENGINEERS

241 COMMERCIAL BLVD.
LAUDERDALE-BY-THE-SEA, FL 33308
EB# 6578

PHONE: (954) 522-1004

FAX: (954) 522-7630

www.flynnengineering.com

Job No.
19-1488.00

Photo Date
01/19/19

By:
FES



NORTH

KEY MAP

July 12, 2019

Yvonne Redding
CITY OF FT. LAUDERDALE – URBAN DESIGN & PLANNING DIVISION
700 NW 19th Avenue
Ft. Lauderdale, FL 33301
954.828.6495 / yredding@fortlauderdale.gov

Re: **Vacation of Right-of-Way: 12,000 Square Foot
Portion of NE 5th Terrace
627 N Federal Highway
FES Project #19-1488.00
DRC Case# V19005**

CASE COMMENTS – Received June 7th, 2019:

1. Pursuant to Public Participation requirements of ULDR, Section 47-27.4.A.2.c, the applicant must complete the following:
 - a. Prior to submittal of the application to Planning and Zoning Board, a notice from the applicant via letter or e-mail shall be provided to 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 Planning and Zoning Board meeting;
RESPONSE: This comment is taken under advisement.
 - b. The applicant shall then conduct a public participation meeting(s) a minimum of 30 days prior to the Planning and Zoning Board. This date and location of the meeting is 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; and,
RESPONSE: This comment is taken under advisement.
 - c. Accordingly, a minimum of ten (10) days prior to the Planning and Zoning Board meeting, the applicant shall execute and submit an affidavit of proof of public notice to the Department. If the applicant fails to submit the affidavit, the public hearing will be postponed until the next available hearing date after the affidavit has been supplied.
RESPONSE: This comment is taken under advisement.
2. The site is designated D Regional Activity Center on the City's Future Land Use Map. The proposed use is permitted in this designation. This is not a determination on consistency with Comprehensive Plan Goals, Objectives and Policies.
RESPONSE: This comment is taken under advisement.
3. Encourage the re-platting of the constrained and under-developed blocks along the west side of Federal Highway between NE 4th Street and NE 9th Street to increase their depth and development potential. This entails relocating the existing alleys ½ block to the west.
RESPONSE: Re-platting of the site is not proposed at this time; a plat determination letter from the Broward County Planning Council has been requested.

4. Verify that copy of plat is the most current recorded plat, including notes and amendments, for the proposed site. Provide documentation from the Broward County Planning Council verifying that the site does not require platting or replatting. If replatting or platting is not required, contact the Development Review Services Section of the Planning and Environmental Regulation Division of Broward County at (954) 357-6637 to ensure that proposed project is consistent with the latest recorded plat restriction.

RESPONSE: A plat determination letter from the Broward County Planning Council has been requested.

5. The proposed project requires review and recommendation by the Planning and Zoning Board and approval by the City Commission. A separate application and fee is required for both Planning and Zoning Board review and City Commission review. The applicant is responsible for all public notice requirements (See Unified Land Development Regulations Section 47-27). Note: The City Clerk's office requires 48-hour notice prior to a Commission meeting if a computer presentation is planned (i.e. Power Point) to be provided on CD or flash drive and a copy submitted to the City Clerk, contact the project case planner for more information (954) 828-5193.

RESPONSE: This comment is taken under advisement.

6. Signoffs from the City Surveyor and the City's Engineering Design Manager will be required prior to Planning and Zoning Board submittal.

RESPONSE: This comment is taken under advisement.

7. Letters must be provided from the following utility companies: Florida Power & Light, Comcast Cable, 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.

- a. Contact Information for utilities is as follows:

AT&T
Dyke Tittle
954-577-5602
dt5431@att.com

Comcast
Leonard Maxwell-Newbold
954-447-8405
leonard_maxwell-newbold@comcast.com

Florida Power and Light (FPL)
Lucas Cornish
954-717-2062
Lucas.Cornish@fpl.com

TECO Peoples Gas
David Rivera
954-453-0794
DRRivera@tecoenergy.com

Public Works
Elkin Diaz
954-828-6539
Ediaz@fortlauderdale.gov

RESPONSE: Please see the no objection letters provided.

8. The ordinance approving the right-of-way vacation shall be recorded in the public records of the County within (30) days after adoption.

RESPONSE: This comment is taken under advisement.

GENERAL COMMENTS

The following comments are for informational purposes.
Please consider the following prior to submittal for Pre-Planning and Zoning Board:

9. Provide a written response to all Development Review Committee comments within 180 days.

RESPONSE: Will comply.

10. An additional follow-up coordination meeting may be required to review project changes necessitated by the Development Review Committee comments. Prior to routing your plans for Pre-Planning and Zoning Board sign-off, please schedule an appointment with the project planner (954-828-6495) to review project revisions and/or to obtain a signature routing stamp.

RESPONSE: Acknowledged.

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

RESPONSE: Acknowledged.

Respectfully,



Flynn Engineering Services, P.A.

SKETCH AND DESCRIPTION

DESCRIPTION:

THAT PORTION OF NORTHEAST 5TH TERRACE, ALSO KNOWN AS 18TH STREET, LYING 300.00 FEET SOUTH OF NORTHEAST 7TH STREET, ALSO KNOWN AS AVENUE B, AND ADJACENT TO LOTS 1 THROUGH 12, BLOCK 314 AND LOTS 37 THROUGH 48, BLOCK 313, PROGRESSO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

SAID LANDS SITUATE LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA. CONTAINING 12,000 SQUARE FEET MORE OR LESS

NOTES:


1. BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF BLOCK 314 WITH AN ASSUMED BEARING OF N 00°00'15" E.
2. THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD, RECORDED AND VISIBLE AFFECTING THE HEREON DESCRIBED PROPERTY ARE SHOWN PER THE COMMITMENT FOR TITLE INSURANCE, ORDER NO. 6876849-SUN, EFFECTIVE DATE NOVEMBER 2, 2018 AT 8:00 AM. (REVISED NOVEMBER 12, 2018) AND PREPARED BY COMMONWEALTH LAND TITLE INSURANCE COMPANY FOR MICHAEL A. SCHROEDER, P.L., THE PLAT OF PROGRESSO, AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.
4. THIS SKETCH AND DESCRIPTION CONSISTS OF TWO (2) SHEETS AND IS NOT COMPLETE WITHOUT BOTH SHEETS.

THIS IS NOT A SKETCH OF SURVEY

SHEET 1 OF 2

REVISIONS	DATE	BY	CKD	

**PORTION OF
N.E. 5TH TERRACE
(TO BE VACATED)**



**THEODORE J. DAVID FOR THE FIRM
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION NO. 5821
DAVID & GERCHAR, INC. LB#6935**

SCALE: N/A
 FB/PG: N/A
 DRAWN BY: RM
 CKD. BY: TD

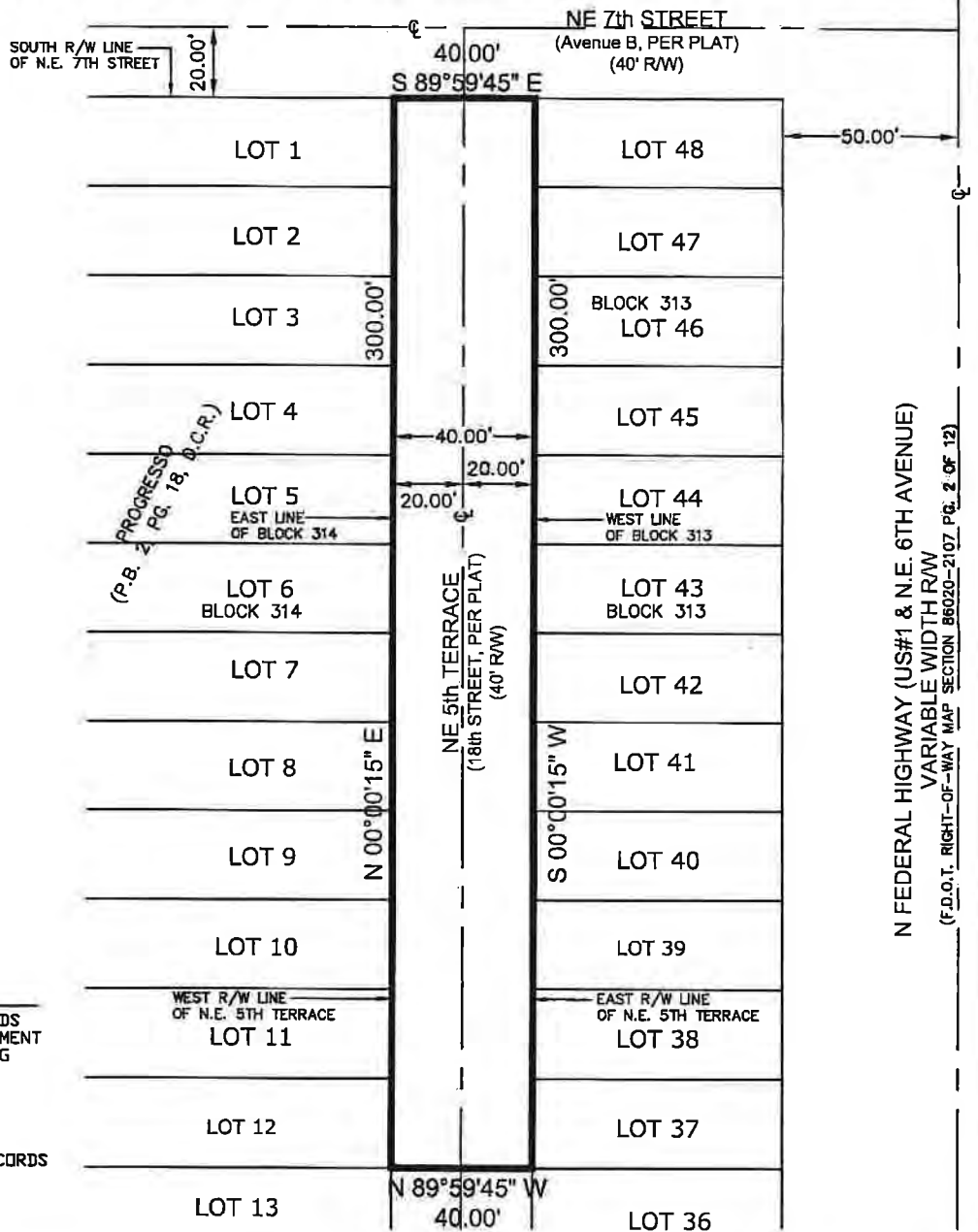
JOB NO: 18-014 SE 5TH
 CAD. FILE: F:\dwgs\
 18-jobs\18-014\
 Sketch and Descriptions
 DATE: 3/16/19
 PROJ. FILE: 18-014

D
&
G
ERCHAR,

SURVEYORS AND MAPPERS

12750 N.W. 40th Street, Bay 1
 Coral Springs, Florida 33065
 (954) 340-4025 • email: ted@davidandgerchar.com

SKETCH AND DESCRIPTION



LEGEND:

- D. C. R. DADE COUNTY RECORDS
- P. O. C. POINT OF COMMENCEMENT
- P. O. B. POINT OF BEGINNING
- P. B. PLAT BOOK
- PG. PAGE
- ☉ CENTERLINE
- R/W RIGHT-OF-WAY
- B. C. R. BROWARD COUNTY RECORDS

THIS IS NOT A SKETCH OF SURVEY

SHEET 2 OF 2

REVISIONS	DATE	BY	CKD

<h2 style="margin: 0;">PORTION OF N.E. 5TH TERRACE (TO BE VACATED)</h2>	SCALE:	1" = 50'	JOB NO:	18-014 SE 5TH
	FB/PG:	N/A	CAD. FILE:	F:\dwgs\ 18-jobs\18-014\ Sketch and Descriptions
	DRAWN BY:	RM	DATE:	3/16/19
	CKD. BY:	TD	PROJ. FILE:	18-014
	<h1 style="margin: 0;">DAVID & GERCHAR, INC.</h1> <p style="margin: 0;">SURVEYORS AND MAPPERS</p> <p style="margin: 0;">12750 N.W. 40th Street, Bay 1 Coral Springs, Florida 33065 (954) 340-4025 • email: ted@davidandgerchar.com</p>			



Dyke Tittle
Manager - OSP Planning
& Engineering Design

ATT Florida
8601 W Sunrise Blvd
Plantation, FL 33322

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

March 15th, 2019

Marc Isaac
Flynn Engineering Services, P.A
241 Commercial Blvd,
Lauderdale-By-The-Sea, Florida 33308

Subject: No Objection Letter for vacation of a portion of the NE 5th Terrace right-of-way
FES #19-1488.00.

Dear Mr. Isaac:

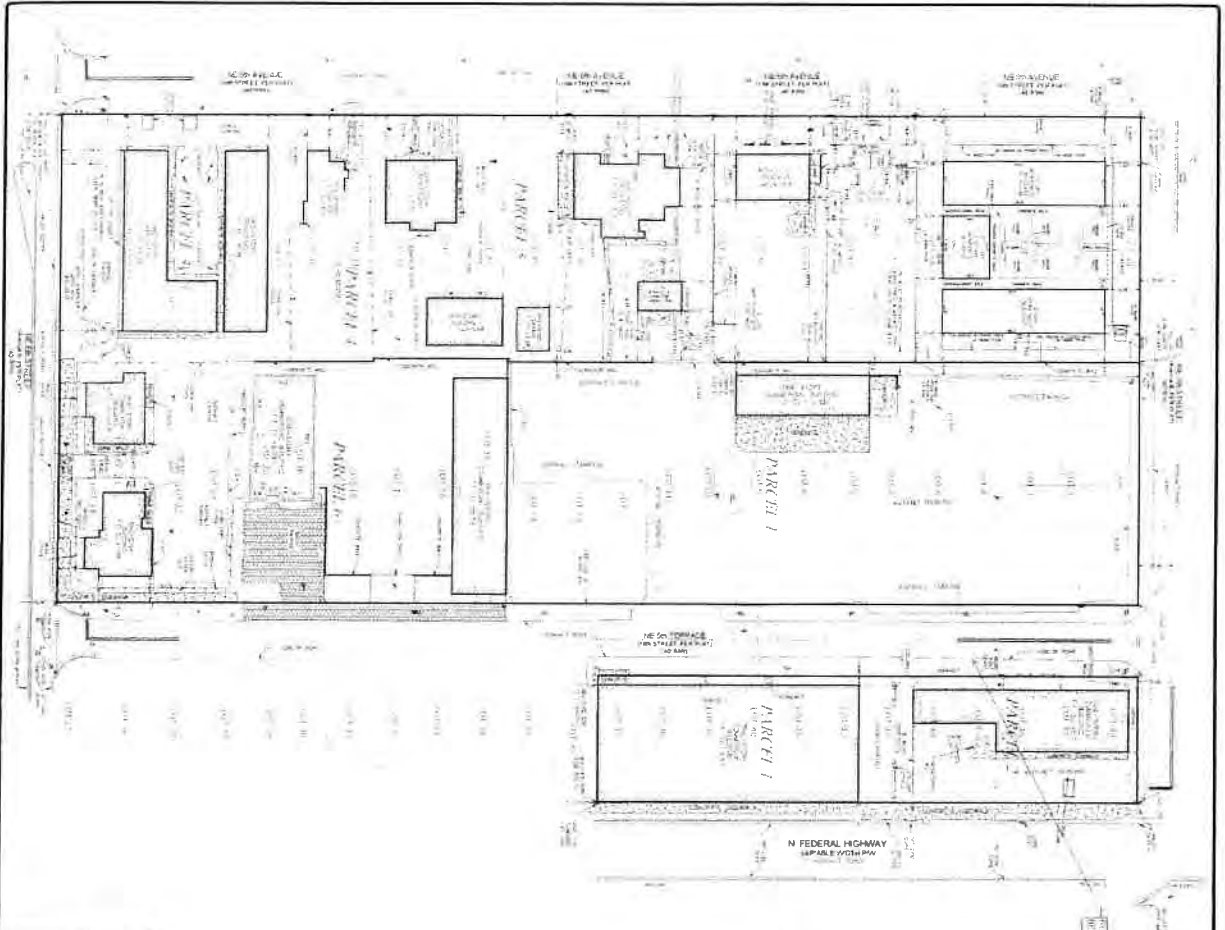
ATT does not object to your request for vacation of a portion of the NE 5th Terrace right-of-way described in the attached page 2. Applicants property is adjacent to the above mentioned right-of-way.

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



DESCRIPTION:	
PARCEL 1	Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14, Block 11, and Lots 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.
PARCEL 2	Lot 45, 46, 47 and 48, Block 313, containing 100,000 sq. ft. of office space, according to the Plat of Subdivision, filed in the Office of the Clerk of the Circuit Court for Prince Georges County, Maryland, on 05/18/2010, and recorded in the Official Records Book 13002, Page 609, of the Public Records of Prince Georges County, Maryland.
PARCEL 3	Lot 49, 50 and 51, Block 314, containing 100,000 sq. ft. of office space, according to the Plat of Subdivision, filed in the Office of the Clerk of the Circuit Court for Prince Georges County, Maryland, on 05/18/2010, and recorded in the Official Records Book 13002, Page 609, of the Public Records of Prince Georges County, Maryland.
PARCEL 4	Lot 52, 53 and 54, Block 314, containing 100,000 sq. ft. of office space, according to the Plat of Subdivision, filed in the Office of the Clerk of the Circuit Court for Prince Georges County, Maryland, on 05/18/2010, and recorded in the Official Records Book 13002, Page 609, of the Public Records of Prince Georges County, Maryland.
PARCEL 5	Lot 55, 56 and 57, Block 314, containing 100,000 sq. ft. of office space, according to the Plat of Subdivision, filed in the Office of the Clerk of the Circuit Court for Prince Georges County, Maryland, on 05/18/2010, and recorded in the Official Records Book 13002, Page 609, of the Public Records of Prince Georges County, Maryland.

MAP OF BOUNDARY SURVEY FOR: Flagler Sixth LLC

A PORTION OF BLOCKS 313 & 314 PROGRESSO (P.B. 2, PG. 18, M.D.C.R.)

DAVID & GERHARD



June 13, 2019

Mr. Marc Isaac
Flynn Engineering Services, P.A.
241 Commercial Blvd.
Lauderdale-By-The-Sea, FL. 33308

Subject: **Proposed 40' Right-of-Way Vacation for a portion on NE 5th Terrace**

Dear Mr. Isaac,

This letter is in response to your request for a no objection letter regarding the proposed 300' x 40' Right-of-Way vacation for a portion of NE 5th Terrace on your project at 627 N. Federal Highway, Fort Lauderdale, as described in the documents provided.

Based on review the documents and our assessment of City records, it appears there are City facilities located within the right-of-way. The City of Fort Lauderdale has **No Objection** to the proposed vacation of the 300' x 40' right-of-way described above and in the documents provided with the understanding that the vacation is conditioned upon the relocation of the existing water main as proposed, and with the dedication of a 22' Utility Easement back to the City over the new, relocated 8" water main and existing 10" gravity sewer which is to remain. The new Utility Easement must extend out a minimum of 7.5' from the centerline of the water main and gravity main. Any relocation, removal, or abandonment of any existing utilities must be conducted with approved engineering plans, at the developer's expense and the relocated, removed, or abandoned utilities would be required to be inspected and accepted by the Department of Sustainable Development.

Should you have any questions, please contact me at (954) 828-7809.

Sincerely,

Rick Johnson
Utilities Distribution and Collection Systems Manager
949 NW 38th Street, Fort Lauderdale, Florida, 33309
Ph: 954-828-7809 | email: rjohnson@fortlauderdale.gov



April, 29th 2019

To: Flynn Engineering C/O Marc Isaac
241 Commercial Blvd
Laud-by-the-Sea, FL 33308

RE: Easement Vacation at 627 N Federal Hwy, Fort Lauderdale, FL 33304

Dear Marc,

The following information is provided in response to your inquiry concerning existing electric facilities on the above referenced property

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 service any existing FPL customers that may be affected by your request.

At the time you wish to proceed, an engineering deposit will be required in the amount of \$10,000; this amount will be applied to the cost of this job when it moves forward. Should you choose not to complete the work; the deposit will be forfeited to cover costs incurred by FPL in preparing the job.

Please contact me at (954) 717-2057 should you have any questions or concerns.

Thank you,

Troy Lewis

Troy Lewis
Associate Engineer



3/26/2019

**To: Marc Isaac
Flynn Engineering Services
241 Commercial Blvd Lauderdale-By-The-Sea, FL 33308**

**RE: Easement Vacate
Portion of NE 5th Terrace between NE 7th St and NE 8th St
Ft. Lauderdale, FL**

From: TECO Peoples Gas

To whom it may concern:

Thank you for contacting TECO Peoples Gas Company regarding an easement vacate at the above referenced address. After reviewing the documents provided, TECO-PGS has an objection to this easement vacate unless an alternate easement is granted to Peoples Gas System. In addition, the petitioner must incur the costs associated with relocating the gas pipeline with the inclusion of an easement provided in the new location.

If you have further questions, please do not hesitate to call.

Sincerely,

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

Joan Domning
Lead Administrative Specialist
Peoples Gas
Distribution Engineering
8416 Palm River Road
Tampa, FL 33619
Office: 813-275-3733

June 27, 2019

Alfredo Leon, P.E.
CITY OF FT. LAUDERDALE – ENGINEERING DIVISION
700 NW 19th Avenue
Ft. Lauderdale, FL 33301
954.828.6205 / Aleon@fortlauderdale.gov

Re: **Vacation of Right-of-Way: 12,000 Square Foot**
Portion of NE 5th Terrace
627 N Federal Highway
FES Project #19-1488.00
DRC Case# V19005

CASE COMMENTS – Received June 7th, 2019:

1. Provide written documentation that proposed Vacation of Rights-of-Way meets the City's Criteria for Review per ULDR Section 47-25.2 (Adequacy Review) and ULDR Section 47-24.6 (Vacation of ROW Requirements).
RESPONSE: Please see the right –of-way vacation narrative provided which addresses ULDR code sections 47-25.2 & 47-24.6.
2. Please contact City's Public Works Department, Rick Johnson at rjohnson@fortlauderdale.gov or 954-828-7809 for water and sewer utilities, and Elkin Diaz at 954-828-6539 or ediaz@fortlauderdale.gov for stormwater infrastructure, to verify and determine whether there are any public utilities present within the easement to be considered for vacation. If so, a surveyed location of the utilities shall be provided to staff for review, the full cost of relocation of the utilities shall be borne by the Applicant, and the utility relocation plan shall be reviewed and approved by the City's Public Works Department prior to implementation.
RESPONSE: Please see the no objection letter attached from the Fort Lauderdale public works department dated June 13th, 2019.
3. Submit a stamped copy of the surveyor's sketch and legal description to the City's Surveyor for his review and approval of the Easement to be considered for vacation. The approved surveyor's sketch shall then be routed to the Land Development Manager or designee for signoff, prior to submittal to the case planner for final authorization to present this item to the City Commission.
RESPONSE: A sketch and legal description of the area to be vacated has been submitted. Please see attached.
4. For partial right of way vacation requests, provide written authorization/ concurrence from all property owners adjacent to the right of way to vacate the right of way.
RESPONSE: The applicant owns the parcels adjacent to the portion of the right of way to be vacated. Please see the owner consent letter provided.
5. 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 easement have been relocated or abandoned to the satisfaction of the respective utility owners.
RESPONSE: This comment has been taken under advisement.
6. Easements to be dedicated to the City resulting from the Vacation of Rights-of-Way approval process, should also include Utility Easement(s) that allow the City perpetual maintenance access to existing public sewer, storm drain, and water infrastructure, in addition to Access Easement(s). As applicable, provide documents such as easement and/or right-of-way deed, joinders, consents and Attorney's Opinion of Title. Please refer to City's Web

site:<http://fortlauderdale.gov/departments/sustainable-development/building-services/engineeringforms-and-info> (under 'Engineering Forms' and 'Dedicated Public Rights of Way and Easements') or click on <http://www.fortlauderdale.gov/home/showdocument?id=1558>. The City's Public Works Department, FPL, Comcast, Teco, and possibly AT&T currently have facilities within the right of way to be vacated. Please be advised that prior to the Engineer's Certificate being executed, letters from the franchise utilities indicating relocation/removal of their facilities and any easement requirements have been completed/recorded to their satisfaction, shall be provided to the City Engineer or designee.

RESPONSE: The project will comply.

7. The survey shows existing City sewer infrastructure within the right of way to be vacated; relocated facilities shall require inspection and approval by City's Public Works Department prior to issuance of City Engineer's certificate.

RESPONSE: This project will comply.

8. Additional comments may be forthcoming at the meeting.

RESPONSE: Acknowledged.

Respectfully,



Flynn Engineering Services, P.A.



June 13, 2019

Mr. Marc Isaac
Flynn Engineering Services, P.A.
241 Commercial Blvd.
Lauderdale-By-The-Sea, FL. 33308

Subject: **Proposed 40' Right-of-Way Vacation for a portion on NE 5th Terrace**

Dear Mr. Isaac,

This letter is in response to your request for a no objection letter regarding the proposed 300' x 40' Right-of-Way vacation for a portion of NE 5th Terrace on your project at 627 N. Federal Highway, Fort Lauderdale, as described in the documents provided.

Based on review the documents and our assessment of City records, it appears there are City facilities located within the right-of-way. The City of Fort Lauderdale has **No Objection** to the proposed vacation of the 300' x 40' right-of-way described above and in the documents provided with the understanding that the vacation is conditioned upon the relocation of the existing water main as proposed, and with the dedication of a 22' Utility Easement back to the City over the new, relocated 8" water main and existing 10" gravity sewer which is to remain. The new Utility Easement must extend out a minimum of 7.5' from the centerline of the water main and gravity main. Any relocation, removal, or abandonment of any existing utilities must be conducted with approved engineering plans, at the developer's expense and the relocated, removed, or abandoned utilities would be required to be inspected and accepted by the Department of Sustainable Development.

Should you have any questions, please contact me at (954) 828-7809.

Sincerely,

Rick Johnson
Utilities Distribution and Collection Systems Manager
949 NW 38th Street, Fort Lauderdale, Florida, 33309
Ph: 954-828-7809 | email: rjohnson@fortlauderdale.gov

SKETCH AND DESCRIPTION

DESCRIPTION:

THAT PORTION OF NORTHEAST 5TH TERRACE, ALSO KNOWN AS 18TH STREET, LYING 300.00 FEET SOUTH OF NORTHEAST 7TH STREET, ALSO KNOWN AS AVENUE B, AND ADJACENT TO LOTS 1 THROUGH 12, BLOCK 314 AND LOTS 37 THROUGH 48, BLOCK 313, PROGRESSO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

SAID LANDS SITUATE LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA. CONTAINING 12,000 SQUARE FEET MORE OR LESS

NOTES:


1. BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF BLOCK 314 WITH AN ASSUMED BEARING OF N 00°00'15" E.
2. THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD, RECORDED AND VISIBLE AFFECTING THE HEREON DESCRIBED PROPERTY ARE SHOWN PER THE COMMITMENT FOR TITLE INSURANCE, ORDER NO. 6876849-SUN, EFFECTIVE DATE NOVEMBER 2, 2018 AT 8:00 AM. (REVISED NOVEMBER 12, 2018) AND PREPARED BY COMMONWEALTH LAND TITLE INSURANCE COMPANY FOR MICHAEL A. SCHROEDER, P.L., THE PLAT OF PROGRESSO, AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.
4. THIS SKETCH AND DESCRIPTION CONSISTS OF TWO (2) SHEETS AND IS NOT COMPLETE WITHOUT BOTH SHEETS.

THIS IS NOT A SKETCH OF SURVEY

SHEET 1 OF 2

REVISIONS	DATE	BY	CKD	

PORTION OF
N.E. 5TH TERRACE
(TO BE VACATED)



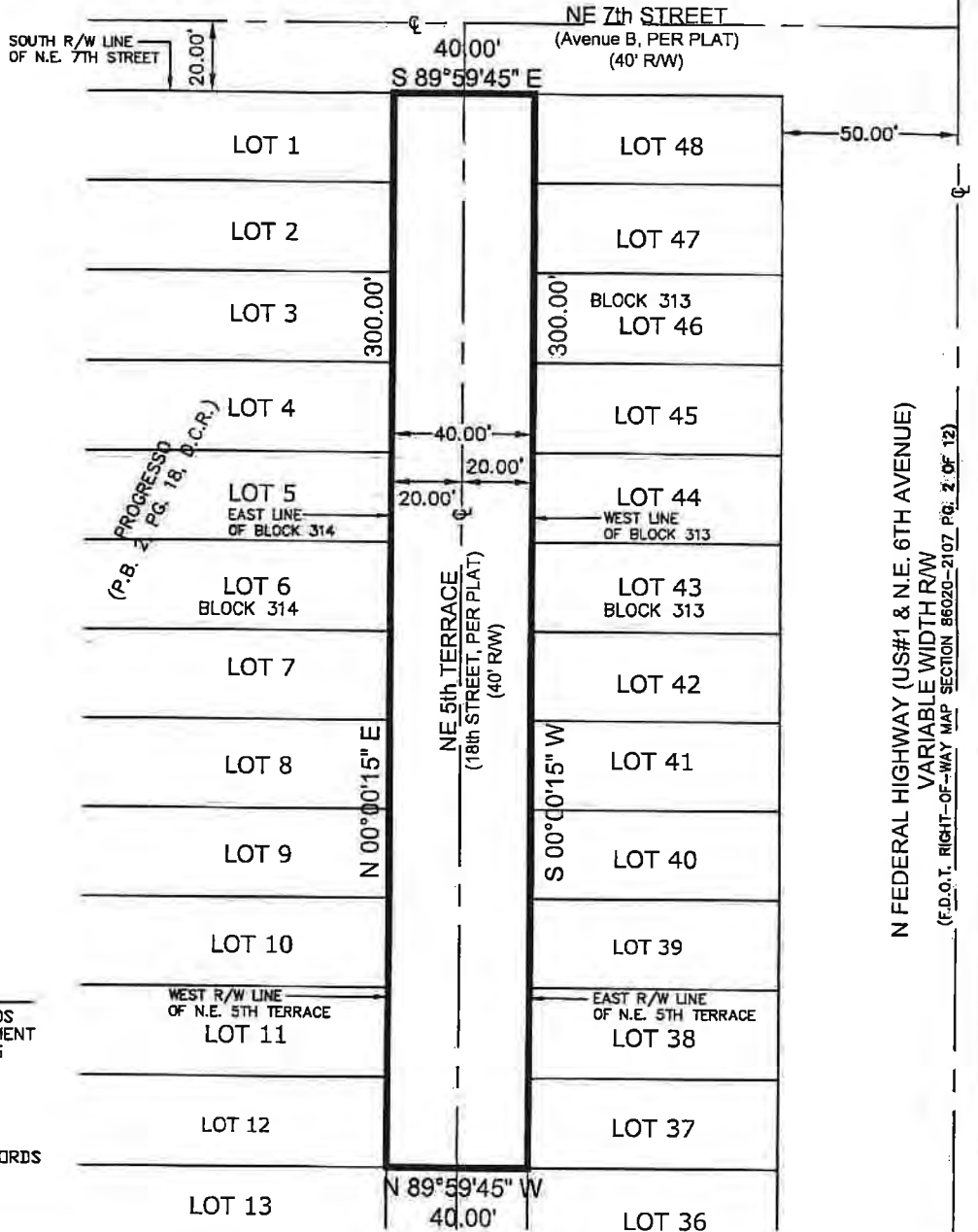
THEODORE J. DAVID FOR THE FIRM
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION NO. 5821
DAVID & GERCHAR, INC. LB#6935

SCALE:	N/A	JOB NO: 18-014 SE 5TH
FB/PG:	N/A	CAD. FILE: F:\dwgs\ 18-jobs\18-014\ Sketch and Descriptions
DRAWN BY:	RM	DATE: 3/16/19
CKD. BY:	TD	PROJ. FILE: 18-014

DAVID &
GERCHAR,
SURVEYORS AND MAPPERS

12750 N.W. 40th Street, Bay I
Coral Springs, Florida 33065
(954) 340-4025 • email: tcd@davidandgerchar.com

SKETCH AND DESCRIPTION



N FEDERAL HIGHWAY (US#1 & N.E. 6TH AVENUE)
VARIABLE WIDTH R/W
(F.D.O.T. RIGHT-OF-WAY MAP SECTION 86020-2107 PG. 2 OF 12)

LEGEND:

- D. C. R. DADE COUNTY RECORDS
- P. D. C. POINT OF COMMENCEMENT
- P. D. B. POINT OF BEGINNING
- P. B. PLAT BOOK
- PG. PAGE
- ⊙ CENTERLINE
- R/W RIGHT-OF-WAY
- B. C. R. BROWARD COUNTY RECORDS

THIS IS NOT A SKETCH OF SURVEY

SHEET 2 OF 2

REVISIONS	DATE	BY	CKD

<p style="font-size: 1.2em; font-weight: bold;">PORTION OF N.E. 5TH TERRACE (TO BE VACATED)</p>	SCALE:	1" = 50'	JOB NO:	18-014 SE 5TH
	FB/PG:	N/A	CAD. FILE:	F:\dwgs\ 18-jobs\18-014\ Sketch and Descriptions
	DRAWN BY:	RM	DATE:	3/16/19
	CKD. BY:	TD	PROJ. FILE:	18-014
<p style="font-size: 1.5em; font-weight: bold;">DAVID & GERCHAR, INC.</p> <p style="font-weight: bold;">SURVEYORS AND MAPPERS</p> <p>12750 N.W. 40th Street, Bay 1 Coral Springs, Florida 33065 (954) 340-4025 • email: ted@davidandgerchar.com</p>				

March 12, 2019

FLAGLER SIXTH, LLC
1535 SE 17TH ST #107
FORT LAUDERDALE, FL 33316

To Whom It May Concern:

Please accept this letter as authorization for Flynn Engineering Services, P.A. to serve as agent for the Development Review Committee (DRC), Planning & Zoning Board and any other governmental approvals related thereto for the properties located at:

513-517 NE 6TH ST, FORT LAUDERDALE, FL 33304 (FOLIO # 4942 34 07 5010)
600 NE 5TH AVE, FORT LAUDERDALE FL 33304 (FOLIO # 4942 34 07 5020)
610 NE 5TH AVE, FORT LAUDERDALE FL 33304 (FOLIO # 4942 34 07 5030)
616-620 NE 5TH AVE, FORT LAUDERDALE FL 33304 (FOLIO # 4942 34 07 5040)
634-636 NE 5TH AVE #1-2, FORT LAUDERDALE FL 33304 (FOLIO # 4942 34 07 5090)
627 N FED HIGHWAY, FORT LAUDERDALE FL 33304 (FOLIO # 4942 34 07 4860)
633 NE 5TH TERRACE, FORT LAUDERDALE FL 33304 (FOLIO # 4942 34 07 4880)
645 N FED HIGHWAY, FORT LAUDERDALE FL 33304 (FOLIO # 4942 34 07 4870)
NE 5TH TERRACE, FORT LAUDERDALE FL 33304 (FOLIO # 4942 34 07 4940)
623/609 NE 5TH TERRACE, FORT LAUDERDALE, FL 33304 (FOLIO # 4942 34 07 4950)
NE 7TH STREET, FORT LAUDERDALE FL 33304 (FOLIO # 4942 34 07 4871)
500 NE 7TH STREET, FORT LAUDERDALE FL 33304 (FOLIO # 4942 34 07 5100)

Sincerely,



Charles Ladd

STATE OF FLORIDA)
) SS
COUNTY OF Broward)

The foregoing instrument was acknowledged before me this 10th day of April, 2019, by Charles Ladd, as Owner of the property. He is personally known to me and who did not take an oath.





Notary Public

My Commission Expires:

June 27, 2019

DRC – Right-of-Way Vacation Narrative
Portion of NE 5th Terrace, Fort Lauderdale FL

The applicant would like to request the vacation of a portion of the NE 5th Terrace. Specifically, that portion of northeast 5th terrace, also known as 18th street, lying 300.00 feet south of northeast 7th street, also known as avenue b, and adjacent to lots 1 through 12, block 314 and lots 37 through 48, block 313, Progresso, according to the plat thereof, as recorded in plat book 2, page 18, of the public records of Miami-Dade County, Florida. Said lands situate lying and being in The City of Fort Lauderdale, Broward County, Florida. Containing 12,000 square feet more or less.

Sec. 47-24.6 – Vacation of rights-of-way

Criteria. An application for a vacation of a right-of-way or other public place shall be reviewed in accordance with the following criteria:

- a. The right-of-way or other public place is no longer needed for public purposes; and
RESPONSE: This portion of NE 5th Terrace abuts the applicant's property on both the west and east sides of the street. As part of the vacation process for this portion of the right-of-way (ROW), we will be providing a new access drive approximately 9' to the west of the current ROW and dedicating a new 22' access & utility easement.
- b. Alternate routes if needed are available which do not cause adverse impacts to surrounding areas; and
RESPONSE: It is not anticipated that the vacation of the ROW will cause any adverse impacts to the circulation of the surrounding areas. A new east to west access drive is proposed, which will provide a mid-block connection between the project site and the new development to the west. As part of the vacation of the exiting ROW portion a relocation plan is in place to shift the street approximately 9' to the west of the current location. A 22' access and utility easement will be dedicated over the relocated row portion.
- c. The closure of a right-of-way provides safe areas for vehicles to turn around and exit the area; and
RESPONSE: This vacation will not impose any adverse effects to the current flow of traffic in the area.

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

RESPONSE: Currently no pedestrian facilities are present along this portion of the ROW. Significant pedestrian improvement are proposed both surrounding and within the project area.

- 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: See the no objection letters attached from all public and private utility providers. As is customary, the applicant will relocate any facilities and dedicate any applicable easements at their expense.

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.
- 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 ROW vacation does not interfere with the City's communication network.
- 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: The project will comply.
- 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: The proposed ROW vacation does not impact environmentally sensitive lands.

- 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: Fire apparatus access will be maintained by an access easement.

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.

RESPONSE: N/A for ROW vacation.

- 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: The project will comply.

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.

RESPONSE: A utility & access easement will be provided to maintain existing and proposed utilities.

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: Please see the no objection letter from the city's public works department provided. If required, the applicant will relocate any city utilities within the current ROW and dedicate any new easements.

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.

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: Please see the no objection letter from the city's public works department provided. A new access & utility easement will be provided, and if required the applicant will relocate any existing utilities within the current ROW.

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: No impact to schools is anticipated as part of the ROW vacation.

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: No impact to solid waste is anticipated as part of the ROW vacation.

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: No stormwater facilities are currently present within the ROW portion to be vacated. All applicable stormwater permits will be obtained with the redevelopment of the site.

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 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.

RESPONSE: The proposed ROW vacation will provide no adverse impact to the regional transportation network. The access will be maintained by an access easement.

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.

RESPONSE: A traffic impact statement will be provided in conjunction with all applicable right-of-way easement dedications.

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 ($\frac{1}{2}$) 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 ($\frac{1}{2}$) 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: Please see the traffic impact statement provided.

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: N/A

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: Currently no pedestrian facilities are present along this portion of the ROW. Significant pedestrian improvements are proposed to the east and west of the current right-of-way portion to be vacated.

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.

such other treatment as may be necessary for adequate protection of residential properties and to assure separation of through and level traffic.

RESPONSE: N/A for ROW vacation.

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: Signage and pavement marking improvements will be provided as applicable.

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 are planned with the project and will comply where applicable.

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: The existing sanitary sewer facilities available to the project site are to be utilized, and upgraded if the public works dept deems it necessary. Applicable capital expansion fees will be paid at time of building permit.

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

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 site has not been identified as having any archaeological or historical significance.

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

RESPONSE: Not applicable. The easement is located west (inland) of the Intracoastal Waterway.

Respectfully,



Flynn Engineering Services, P.A.



CITY OF FORT LAUDERDALE PUBLIC NOTICE

PLANNING AND ZONING BOARD MEETING

DATE: SEPTEMBER 18, 2019
TIME: 6:00 P.M.
CASE: V19005
REQUEST: VACATION OF 40 FOOT x 300 FOOT RIGHT-OF-WAY



LOCATION: CITY COMMISSION CHAMBERS
 CITY HALL, 100 N ANDREWS AVENUE

INFORMATION: CONTACT (954) 828-6520
<http://www.fortlauderdale.gov>



This Notice is the property of the City of Fort Lauderdale. In accordance with City's Code of Ordinances Section 16-29, It shall be unlawful for any person to injure, cut, break or destroy in any manner any building or other thing belonging to or under the control of the City. Persons marring or removing the Notice may be subject to fine and/or imprisonment.

