



# DEVELOPMENT REVIEW COMMITTEE (DRC) COMMENT REPORT

**MEETING DATE:** February 8, 2022

**PROPERTY OWNER /  
APPLICANT:** BJK Ventures, LLC.

**AGENT:** Stephanie Toothaker, Esq.

**CASE NUMBER:** UDP-V22001

**REQUEST:** Right-of-Way Vacation: 80-Foot Wide by 400-Foot  
Long Portion of Flagler Avenue

**LOCATION:** North of SW 17th Street, South of SW 16th Street, west  
of SW 1st Avenue and east of Florida East Coast  
Railroad

**ZONING:** South Regional Activity Center-South Andrews east  
District (SRAC-Sae)

**LAND USE:** South Andrews Regional Activity Center

**CASE PLANNER:** Adam Schnell



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**CASE COMMENTS:**

Please provide a written response to each of the following comments:

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).
2. Demonstrate compliance with Adequacy Review requirements per ULDR Sections 47-25.2.C (Drainage facilities) and 47-25.2.L (Stormwater), that the Rights-of-Way area to be considered for vacation will not adversely affect adjacent streets and properties.
3. Please note that a 36-inch storm pipe exists within the entire Flagler Avenue corridor between SW 16 Street and SW 17 Street. Additionally, an 8-inch gravity sewer exists within the northernmost 160 ft of the proposed vacation. Please modify the plans to illustrate the referenced infrastructure. Additional comments from Public Works may be forthcoming due to these utility locations.
4. Provide a signed and sealed boundary and topographic survey showing all above ground improvements, utilities, rights of way dimensions and all easements. This survey shall be based on a Standard Title Commitment issued by a title insurer licensed to do business in Florida or an Opinion of Title issued by an attorney admitted to the Florida Bar.
5. Provide copy of latest corresponding Site Plan, so that it can be reviewed for consistency. Confirm that limits of proposed Easement vacation are consistent with Site Plan.
6. Please contact City's Public Works Department, Rick Johnson at [rjohnson@fortlauderdale.gov](mailto:rjohnson@fortlauderdale.gov) or 954-828-7809 for water and sewer utilities, and Elkin Diaz at 954-828-6539 or [ediaz@fortlauderdale.gov](mailto:ediaz@fortlauderdale.gov) for stormwater infrastructure, to verify and determine whether there are any public utilities present within the Rights-of-Way 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.
7. Provide letters from all franchise utility providers, including Public Works as appropriate, demonstrating their interests in maintaining or no objection to the vacation of this Rights-of-Way; the letters should specifically state whether or not the franchise utility providers have existing facilities within the Rights-of-Way vacation area that will need to be relocated or abandoned.
8. Submit a stamped copy of the surveyor's sketch and legal description to the City's Surveyor for his review and approval of the Rights-of-Way to be considered for vacation.
9. Provide written authorization/ concurrence from all property owners adjacent to the right of way to be vacated (including Florida East Coast Railway).
10. 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 Rights-of-Way have been relocated or abandoned to the satisfaction of the respective utility owners.



11. FPL, AT&T, and Comcast may have facilities within the right-of-way. Please be advised that prior to Engineer 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.
12. Please be advised that additional Easements may need to be dedicated to the City resulting from the Vacation of Rights-of-Way approval process, including Utility Easement(s) that allow the City perpetual maintenance access to existing public sewer, storm drain, and water infrastructure, and Access Easement(s) that mitigate an otherwise dead-end Alley condition.

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/engineering-forms-and-info> (under 'Engineering Forms' and 'Dedicated Public Rights of Way and Easements') or click on <http://www.fortlauderdale.gov/home/showdocument?id=1558>.

13. Satellite imagery shows existing concrete poles, overhead wires, and fencing located within the area to be vacated; relocated facilities shall require inspection and approval by the applicable franchise utility owner prior to issuance of City Engineer's certificate.
14. Additional comments may be forthcoming.



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**CASE COMMENTS:**

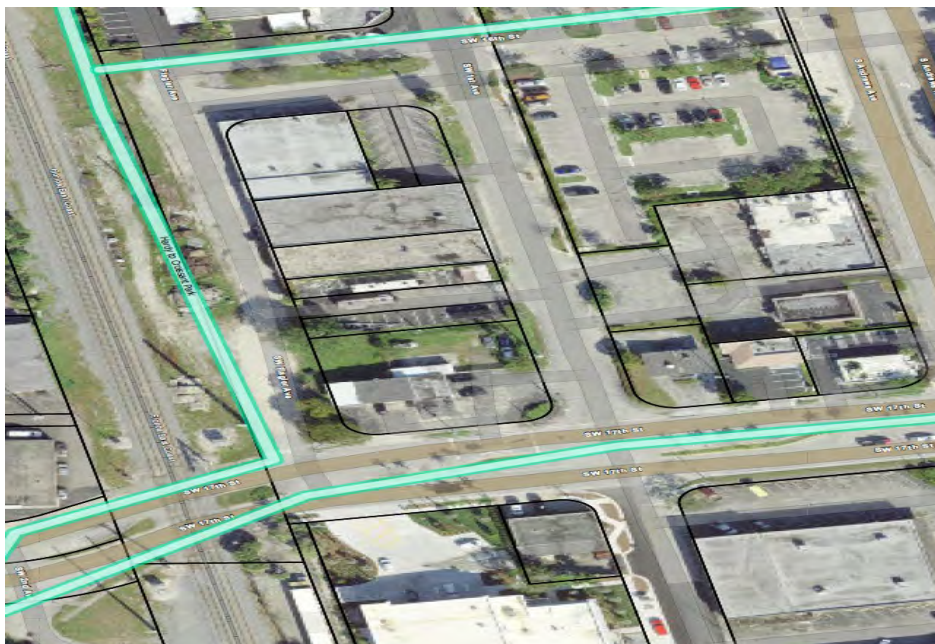
1. Comments will be forthcoming.

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**CASE COMMENTS:**

Please provide a response to the following:

1. The applicant is strongly encouraged to contact neighbors adjacent to, as well as condominium and neighborhood associations located within three hundred feet (300') of the development site, to advise of this proposal (a map and listing of officially-recognized neighborhood associations is provided on the City's website: <http://www.fortlauderdale.gov/neighborhoods/index.htm>). Please provide acknowledgement and/or documentation of any public outreach.
2. The proposed project requires review and recommendation by the Planning and Zoning Board and approval by the City Commission. An updated application and fee are required for Planning and Zoning Board review, and an updated submittal is required for City Commission review. The applicant is responsible for all public notice requirements (Section 47-27).
  - a. Sign notice. Sign notice shall be given prior to the public hearing before the planning and zoning board.
  - b. Public participation meetings and notification requirements shall be adhered to, and affidavits shall be submitted: <https://www.fortlauderdale.gov/home/showdocument?id=8639>
  - c. Prior to the public hearing before the Planning and Zoning Board, mail notice shall be given to the owners of lands abutting a street or public place to be vacated and the owners of lands within three hundred (300) feet of those lands at least ten (10) days prior to the date set for public hearing.
3. Signoff from the City Surveyor will be required prior to City Commission submittal. The signoff for the City Surveyor will be routed by Engineering Staff.
4. Per the LauderTrail Master Plan's intended route the right-of-way may be utilized for public purpose and the proposed vacation may adversely impact pedestrian access. Discussions between the Applicant, TAM, and Planning will be required. Reference the image below, provided by TAM for the approximate location of the LauderTrail, that is subject to change.





5. Letters must be provided from the following utility companies: AT&T, Comcast Cable, Florida Power & Light, TECO Gas 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**

Greg Kessell, Design Manager  
(561) 699-8478  
[G30576@att.com](mailto:G30576@att.com)

**City of Fort Lauderdale, Public Works Department**

Igor Vassiliev, Project Manager II  
(954) 828-5862  
[ivassiliev@fortlauderdale.gov](mailto:ivassiliev@fortlauderdale.gov)

**Comcast**

Patesha Johnson, Permit Coordinator  
(754) 221-1339  
[Patesha\\_Johnson@comcast.com](mailto:Patesha_Johnson@comcast.com)

**Florida Power & Light (FP&L)**

Mark Morkos, Mike Keightley, Senior  
Engineer II Engineer  
(954) 717-2138 (954) 956-2019  
[Mark.Morkos@fpl.com](mailto:Mark.Morkos@fpl.com) [Mike.S.Keightley@fpl.com](mailto:Mike.S.Keightley@fpl.com)  
[m](#)

**Peoples Gas**

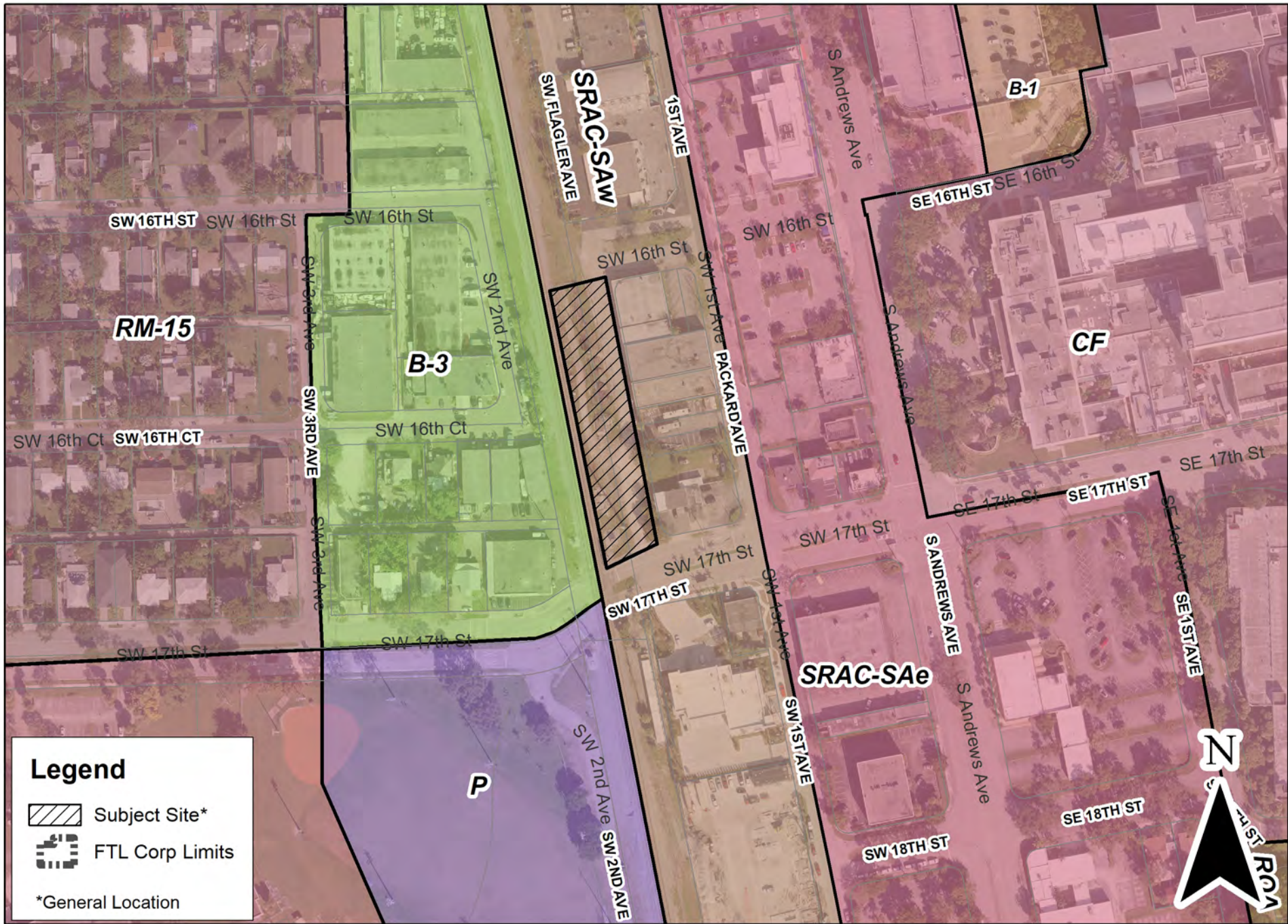
Joan Domning, Specialist  
(813) 275-3783  
[JDomning@tecoenergy.com](mailto:JDomning@tecoenergy.com)

**GENERAL COMMENTS**

The following comments are for informational purposes.

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





# UDP-V22001

