Cover: Deadline, Notes, and Fees
Page 1: Applicant Information Sheet
Page 2: Required Documentation / Submittal Checklist
Page 3: Other Property & Right-of-Way related items for discussion

EASEMENT: Submittals must be received by 4:00 PM each business day. Pursuant to Section 47-24.1(1), the Department will review all applications to determine completeness within five (5) business days. Applicants will be notified via email if plans do not meet the submittal requirements and if changes are required.

NOTE: Prior to formal submittal of applications, applicants are encouraged to schedule an appointment with Urban Design & Planning Division staff to obtain feedback regarding subject proposals, especially right-of-way vacation requests, as well as any other considerable development projects. The meetings provide an opportunity for applicants to obtain feedback and general direction, prior to expending significant effort on design and preparation of submittal documents.

Optional 15-minute time slots are available during DRC meetings for scheduling to applicants, to obtain signatures on completed DRC plans (including Pre-Planning and Zoning Board, Pre-City Commission and Final DRC plans) from all representatives at one time, in preference to scheduling individual appointments. Appointments are subject to availability. To make an appointment, please call 954-828-6331 latest by Friday at 12:00 noon prior to the meeting date.

Other Property & Right-of-Way related items for discussion: the application and submittal requirements are attached on the last page of this application.

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

Any agreement with the City of Fort Lauderdale and other parties, such as, but not limited to, license, encroachment, water and sanitary sewer agreements, shall be preceded by the execution and filing of the following application form and the payment with said application fee of $100.00, (Ordinance No. C-84-85), which shall be nonrefundable. This application must be presented and the fee paid before agreement is prepared or considered. If publication is necessary, applicant agrees to pay the cost of such publication.

☐ Easement Vacation $ 680.00
☐ Right-of-Way Vacation $ 780.00
☐ Agreements with the City * $ 100.00
☐ Other Property & Right-of-Way related items for discussion $ 100.00

* Any agreement with the City of Fort Lauderdale and other parties, such as, but not limited to, revocable license, encroachment, water and sanitary sewer agreements)
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.

### Case Number

### Date of complete submittal

### Property Owner's Name
AIDS HEALTHCARE FOUNDATION, INC. (Mark Dyer)

### 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
6255 W SUNSET DR 21st FLR, LOS ANGELES, CA 90028

### E-mail Address
Mark.Dyer@aidshealth.org

### Phone Number

### Proof of Ownership
- [ ] Warranty Deed
- [x] Tax Record

### Applicant / Agent's Name
Debbie M. Orshefsky-Holland & Knight

### Applicant / Agent's Signature

### Address, City, State, Zip
515 E. Las Olas Blvd, Suite 1200, Ft. Lauderdale FL 33301

### E-mail Address
Debbie.Orshefsky@khlaw.com

### Letter of Consent Submitted
provided

### Development / Project Name
UTILITY EASEMENT VACATION

### Development / Project Address
Existing: 409 SE 8th ST. New: 409 SE 8th ST.

### Legal Description
A portion of a utility easement as shown in parcels 'A' and 'B' of TRIO PLAT as recorded in plat book 153, page 38 of the public records of Broward County.

### Tax ID Folio Numbers
5042 10 1F 0020

### Request / Description of Project
VACATION OF (10') UTILITY EASEMENT

### Applicable ULDR Sections
SEC 47-24.7 VACATION OF EASEMENT; SEC 47-25.2 ADEQUACY

### Total Estimated Cost of Project
$ (including land costs)

### Current Land Use Designation
D-RAC

### Current Zoning Designation
RAC-CC

### Current Use of Property
SURFACE PARKING LOTS AND 3 RESIDENTIAL HOMES

### 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

---

**Applicant must indicate if/how the following provisions are met:**

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 realigned 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.
6. Applicants shall satisfactorily support vacation requests by addressing each point listed in Sections 47-24.6 and 47-24.7 of the city's Unified Land Development Regulations (ULDR) as applicable.

**TECO, Peoples Gas**
5101 NW 21st Avenue
Fort Lauderdale, FL 33308
(954) 456-3517, (954) 459-0804 fax

**BellSouth**
601 W. Sunrise Blvd., 2nd Floor
Plantation, FL 33322
(954) 478-2609

**Florida Power and Light**
Service Planning
5020 N.W. 19th St.
Fort Lauderdale, FL 33311
(954) 717-2057, (954) 717-2118 fax

**Comcast, Inc.**
2551 SW 145 Ave, Suite 200
Miramar, FL 33027
(954) 534-7417, (954) 534-7083 fax

Updated: 3/25/2013
An application for a vacation of an easement, a right-of-way or other public place(s) shall be reviewed in accordance with all applicable provisions of ULDR Sec. 47-24.6 Vacation of Rights-of-Way and/or Sec. 47-24.7 Vacation of Easement.

- Completed application (all pages filled out as applicable)
- Proof of ownership (warranty deed or tax record), including corporation documents if applicable. Proof of ownership by Title Co. or written Attorney's opinion within the last 30 days.
- Property owners signature and/or agent letter signed by the property owner.
- Traffic study for projects that meet the top threshold (see Sec. 47-24 or contact DRC Engineering Rep.)
- Color photographs of the entire property and all surrounding properties, dated and labeled and identified as to orientation.
- One (1) original set, signed and sealed at 24" x 36"
- Six (6) copies sets, with plans at 11" x 17"
- One (1) electronic version of complete application and plans in PDF format

**NOTE:** For initial submittal one signed and sealed set is required. Copied sets will be requested after completion review. If the development site is separated by a public right-of-way including alley or alley reservations, a separate application must be completed for each parcel.

- Narrative describing project specifics, to include: architectural style and important design elements, utilities affected and the plan to address them, trash disposal system, security/gating system, hours of operation, etc. Narrative response referencing all applicable sections of the ULDR, with point-by-point responses of how project complies with criteria. Narratives must be on letterhead, dated, and with author indicated.
- Cover sheet including project name and table of contents.
- 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.
- Current survey(s) of property, signed and sealed, showing existing conditions. The survey should consist of the proposed project site alone excluding adjacent properties or portions of lands not included in the proposal. A current certified boundary survey (within last 6 months) is required for “agreements with City of Fort Lauderdale applications”.
- 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 of easement or ROW proposed to be vacated (must be prepared by Engineer or Surveyor).

- All plans and documents must be bound, stapled and folded to 8 1/2" x 11";
- All copy sets must be clear and legible and should include any graphic material in color;
- Civil Engineering plans are only required if Final-DRS signoff. Contact DRS Engineering Representative for details.

---

### Applicant’s Affidavit
I acknowledge that the Required Documentation and Technical Specifications of the application are met:

<table>
<thead>
<tr>
<th>Print Name</th>
<th>Debbie M. Orzechowski</th>
</tr>
</thead>
<tbody>
<tr>
<td>Signature</td>
<td></td>
</tr>
<tr>
<td>Date</td>
<td>May 24, 2019</td>
</tr>
</tbody>
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### Staff Intake Review
For Urban Design & Planning Division use only:

<table>
<thead>
<tr>
<th>Date</th>
<th>Received By</th>
<th>Tech. Specs Reviewed By</th>
<th>Case No.</th>
</tr>
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</table>
Project: HHF Utility Easement Vacation  
Site Address: 409 SE 8th Street, Fort Lauderdale, FL  
Request: 10’ UTILITY Easement Vacation  

May 24, 2019

10’ UTILITY EASEMENT VACATION
Project Narrative

A DRC easement application is being submitted to request a vacation of a 10’ utility easement. We have collected letters of ‘NO OBJECTION’ from the utility companies with the understanding that any public utilities located within that portion of easement will be at the cost of the Applicant. The Applicant will be submitting a subsequent DRC Site Plan application to develop a multi-story mixed use building within proximity of the requested easement to be vacated.

Respectfully,

Flynn Engineering Services, P.A.
**Property Assessment Values**

<table>
<thead>
<tr>
<th>Year</th>
<th>Land</th>
<th>Building / Improvement</th>
<th>Just / Market Value</th>
<th>Assessed / SOH Value</th>
<th>Tax</th>
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**2019 Exemptions and Taxable Values by Taxing Authority**

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<th>Exempt Type</th>
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**Sales History**

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<td>WD*</td>
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* denotes Multi-Parcel Sale (See Deed)

**Land Calculations**

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**Special Assessments**

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<th>Storm</th>
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</tbody>
</table>
May 24, 2019

Project: HHF Utility Easement Vacation
Address: 409 SE 8th Street - Ft. Lauderdale

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.
   Response: The Applicant has taken this comment under advisement.

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: N/A – Utility Easement

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 (2 1/2) inches of runoff from the impervious surface whichever is greater.
   Response: N/A – Utility Easement

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 well field 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: There are no environmentally sensitive lands on this site.

E. **Fire protection.** Fire protection service shall be adequate to protect people and property in the proposed development. Adequate water supply, fire hydrants, fire apparatus and facilities shall be provided in accordance with the Florida Building Code, South Florida Fire Code and other accepted applicable fire and safety standards.
   Response: N/A – Utility Easement
Response: N/A – Utility Easement

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: N/A – Utility Easement

H. *Potable water.*
   1. Adequate potable water service shall be provided for the needs of the proposed development. The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of potable water systems in accordance with city engineering standards, the Florida Building Code, and applicable health and environmental regulations. The existing water treatment facilities and systems shall have sufficient capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which potable water treatment capacity has been reserved. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended from time to time. Improvements to the potable water service and system shall be made in accordance with city engineering standards and other accepted applicable engineering standards.

   2. *Potable water facilities.*
      a. If the system is tied into the city treatment facility, the available capacity shall be determined by subtracting committed capacity and present flow from design capacity. If there is available capacity, the city shall determine the impact of the proposed development utilizing Table 3, Water and Wastewater, on file with the department.
      b. If there is adequate capacity available in the city treatment plant to serve the proposed development, the city shall reserve the necessary capacity to serve the development.
      c. Where the county is the projected service provider, a similar written assurance will be required.

Response: N/A – Utility Easement

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: N/A – Utility Easement

J. Schools. For all residential plats, the applicant shall contribute to school facilities in accordance with the Broward County Land Development Code and shall provide documentation to the city that such contribution has been satisfied.

Response: N/A – Utility Easement

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: N/A – Utility Easement

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: N/A – Utility Easement

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.

Response: N/A – Utility Easement

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 FDOT traffic engineering standards and plans as applicable.

Response: N/A – Utility 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: N/A – Utility Easement

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 (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 (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 traffic ways 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 traffic ways.

      iii. If traffic generated by the proposed development requires any modification of existing or programmed components of the regional or local traffic ways, 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: N/A – Utility Easement
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 & accepted applicable traffic engineering standards.
   **Response:** N/A – Utility Easement

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:** N/A – Utility Easement

7. **Primary arterial street frontage.** Where a proposed development abuts a primary arterial street either existing or proposed in the traffic ways plan, the development review committee (DRC) may require marginal access street, reverse frontage with screen planting contained in a non-access reservation along the rear property line, deep lots with or without rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to assure separation of through and level traffic.
   **Response:** Acknowledged.

8. **Other roadway improvements.** Roadways adjustments, traffic control devices, mechanisms, and access restrictions may be required to control traffic flow or divert traffic, as needed to reduce or eliminate development generated traffic.
   **Response:** Acknowledged.

9. **Street trees.** In order to provide for adequate landscaping along streets within the city, street trees shall be required along the length of the property abutting a street. A minimum of fifty percent (50%) of the required street trees shall be shade trees, and the remaining street trees may be provided as flowering or palm trees. These percentages may be varied based on existing or proposed physical conditions which may prevent the ability to comply with the street tree requirements of this subsection. The street trees shall be planted at a minimum height and size in accordance with the requirements of Section 47-21, Landscape and Tree Preservation Requirements, except in the downtown RAC districts the requirements of Sec. 47-13.20.H.8 shall apply. The location and number of street trees shall be determined by the department based on the height, bulk, mass and design of the structures on the site and the proposed development’s compatibility to surrounding properties. The requirements for street trees, as provided herein, may be located within the public right-of-way as approved by the entity with jurisdiction over the abutting right-of-way.
   **Response:** N/A – Utility Easement

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: N/A – Utility Easement

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: Acknowledged.

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: There are no structures within the easement, and the property itself has not been identified as having 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: N/A. Project is not located east of the Intracoastal Waterway.

Respectfully,

Flynn Engineering Services, P.A.
May 24, 2019

Project: HFH 10’ Utility Easement Vacation
Address: 409 SE 8th Street - Ft. Lauderdale

Sec. 47-24.7 - Vacation of easement.

A. Vacation of easement (city commission).

1. Applicant. The applicant shall be the owner of property subject to public easement sought to be vacated or the city.
   RESPONSE: The Applicant owns the property subject to the utility easement to be vacated.

2. Application. An application for a vacation of easement shall be made to the department, and shall include a legal description of the easement or portion thereof proposed to be vacated and written consent executed by every utility company with existing utilities or a right to locate such utilities within the easement.
   RESPONSE: The Applicant will comply as applicable. See utility letters of ‘NO OBJECTION’ and sketch & legal description both attached.

3. Review process.
   a. An application shall be submitted to the development review committee for review to consider if the application meets the criteria for a vacation of easement.
   b. The DRC shall prepare a report to be included with the application regarding existing utilities within the easement and whether the criteria have been met.
   c. The DRC shall forward its recommendation for a vacation of an easement to the city commission.
   d. During a regular public meeting, the city commission consider the application and the record and recommendations forwarded by the DRC and shall hear public comment on the application.
   e. If the city commission determines that the application meets the criteria for vacation, the city commission shall approve the vacation. If the city commission determines that the proposed development or use does not meet the criteria, the city commission shall deny the vacation.
   f. Approval of a vacation of an easement shall be by resolution adopted by the city commission.
   RESPONSE: The Applicant will comply as applicable.

4. Criteria. An application for a vacation of an easement shall also be reviewed in accordance with the following criteria:
   a. The easement is no longer needed for public purposes.
   RESPONSE: The 10’ utility easement will be relocated on-site, as needed for the utility companies. The Applicant is working with the utility providers.
b. All utilities located within the easement 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 portion of the easement area is maintained; or an easement in a different location has been provided by the utility facilities by the owner to the satisfaction of the city; or any combination of same.

RESPONSE: The Applicant is working with the utility providers to re-route any existing utilities. See attached letters of ‘NO OBJECTION’ provided by the utility companies.

5. Appeal. If an application for vacation is denied by the city commission, the applicant may appeal the decision in accordance with the procedures provided in Section 47-26B, Appeals.

RESPONSE: The Applicant has taken this comment under advisement.

6. Effect upon approval. The resolution approving a vacation of easement shall be recorded in the public records of the county within thirty (30) days after adoption. The resolution may provide for the retention of a utility or other type of easement needed by the city, and may have a delayed effective date in order that any necessary conditions relating to the vacation may be made.

RESPONSE: The Applicant has taken this comment under advisement.

Respectfully,

Flynn Engineering Services, P.A.
"EXHIBIT A"

SKETCH AND LEGAL DESCRIPTION

TO VACATE A PORTION OF A PLATTED 10' UTILITY EASEMENT

THIS IS NOT A SURVEY

GRAPHIC SCALE

60'  0'  60'  120'

SCALE: 1 INCH = 60 FEET

SEE PAGE 2 FOR DESCRIPTION
DESCRIPTION

A PORTION OF A 10-FOOT WIDE UTILITY EASEMENT AS SHOWN IN PARCELS "A" AND "B" OF "TRIO PLAT", AS RECORDED IN PLAT BOOK 153, PAGE 38 OF THE PUBLIC RECORDS OF Broward County, Florida, More Particularly Described As, Beginning at the Northwest Corner of Said Parcel B, Thence Run N. 2° 09' 41" W. Along the West Line of Said Parcel "A" for 119.82 Feet; Thence Run N. 43° 02' 49" E. For 35.48 Feet; Thence Run N. 88° 15' 19" E. Along the North Line of Said Parcel "A" for 69.82 Feet; Thence Run S. 2° 09' 41" E. for 10.00 Feet; Thence Run S. 88° 15' 19" W. Along the South Line of Said 10-FOOT WIDE UTILITY EASEMENT for 65.73 Feet; Thence Run S. 43° 02' 49" W. for 27.16 Feet; Thence Run S. 2° 09' 41" E. Along the East Line of Said 10-FOOT WIDE UTILITY EASEMENT for 110.73 Feet; Thence Run N. 88° 15' 28" E. Along the North Line of Said 10-FOOT WIDE UTILITY EASEMENT for 85.00 Feet; Thence Run S. 2° 09' 41" E. for 5.00 Feet; Thence Run N. 88° 15' 28" E. Along the North Line of the South 5 Feet of Said 10-FOOT WIDE UTILITY EASEMENT for 100.00 Feet; Thence Run S. 2° 09' 41" E. Along the East Line of Said Parcel "A" for 5.00 Feet; Thence Run S. 88° 15' 28" W. Along the South Line of Said 10-FOOT WIDE UTILITY EASEMENT for 185.00 Feet; Thence Run S. 2° 09' 41" E. Along the East Line of Said 10-FOOT WIDE UTILITY EASEMENT for 120.96 Feet; Thence Run S. 46° 57' 01" E. For 19.94 Feet; Thence Run N. 88° 15' 38" E. Along the North Line of Said 10-FOOT WIDE UTILITY EASEMENT for 120.95 Feet; Thence Run S. 2° 09' 41" E. Along the East Line of Said Parcel "A" for 10.00 Feet; Thence Run S. 88° 15' 38" W. Along the South Lines of Said Parcels "A" and "B" for 125.15 Feet; Thence Run N. 46° 57' 01" W. For 28.18 Feet; Thence Run N. 2° 09' 41" W. Along the West Line of Said Parcel "B" for 130.15 Feet to the Point of Beginning; Said Lands Situate, Lying and Being in the city of Fort Lauderdale, Broward County, Florida, and Containing 6,270 SQUARE FEET.

SEE PAGE 1 FOR SKETCH OF DESCRIPTION

I CERTIFY THAT THIS SKETCH AND LEGAL DESCRIPTION MEET THE STANDARDS OF PRACTICE SET FORTH PURSUANT TO SECTION 472.027, FLORIDA STATUTES, BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.050 THROUGH 5J-17.052 OF THE FLORIDA ADMINISTRATIVE CODE.

PREPARED BY HARLEY GREENE
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA LICENSE NUMBER 3707
19208 NORTHEAST 25TH AVENUE #301
AVENTURA, FLORIDA 33180-3217
954 522-0193 (BROWARD)
305 932-2843 (MIAMI-DADE)
harleygreene@comcast.net

HARLEY GREENE
FLORIDA LICENSE NUMBER 3707
DATE MARCH 11, 2019
March 19th 2019

Sarah Owen DelNegri
Flynn Engineering Services, P.A
241 Commercial Blvd,
Lauderdale-By-The-Sea, Florida 33308

Subject: No Objection Letter for vacation 10' Utility Easement, City of Fort Lauderdale, AIDS HEALTH FOUNDATION (AHF) AT 409 SE 8TH AT FES #18-1448.00

Dear Ms. DelNegri:

ATT does not object to your request for an easement vacation of 10' easement at the property described in the attached page 2. Applicants property is at 409 SE 8th ST and legally described as TRIO PLAT 153-38 B POR OF PAR A & ALL OF PAR C DESC AS:COMM AT THE NE COR OF PAR A, W 156 TO POB, S 145,W 95, N 119.82,NE 35.48, E 69.82 TO POB, TOG WITH PAR B, & LOTS 10 THRU.

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

Engineering Design
March 4, 2019

Re: 10’ Utility Easement Vacation
409 SE 8th St, Fort Lauderdale, FL

To Whom It May Concern,

Thank you for contacting TECO-Peoples Gas Company regarding a vacation of utility easement. As per your request we understand the area being vacated includes: ‘the 10’ utility easement as shown on TRIO PLAT, recorded in Plat Book 153, Page 38 of the public records of Broward County, FL’.

TECO-Peoples Gas has NO OBJECTION to vacate the utility easement for the site located at 409 SE 8th Street in Fort Lauderdale, FL. After reviewing the documents you provided, TECO-PGS does have facilities in the area, but this vacation WILL NOT affect their function.

Sincerely,

[Signature]

Joan Domning
TECO, Peoples Gas
8416 Palm River Road
Tampa, FL 33619
813-275-3783 / JDomning@tecoenergy.com
March 12, 2019

Sarah Owen DelNegri, P.A.
Flynn Engineering Services, P.A.
241 Commercial Blvd.
Lauderdale-by-the-Sea, FL 33308

RE: 10' Utility Easement Vacation, 409 SE 8th Street, Fort Lauderdale, FES #18-1448.01

Dear Ms. DelNegri,

This letter is in response to your request for a no objection letter regarding the proposed 10' utility easement vacation as described in the easement exhibit provided and shown on TRIO PLAT, recorded in Plat Book 153, Page 38 of the public records of Broward County, FL.

Based on review the document provided and our assessment of City records, it appears there are no City facilities located within the 10' utility easement. The City of Fort Lauderdale has No Objection to the proposed vacation of the 10' utility easement.

The vacation is conditioned upon the relocation, removal, or proper abandonment of any facilities found. Any relocation, removal, or abandonment of the 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,

[Signature]

Rick Johnson
Utilities Distribution and Collection Systems Manager
949 NW 36th Street, Fort Lauderdale, Florida, 33309
Ph: 954-828-7809 | email: rjohnson@fortlauderdale.gov
Friday, December 14, 2018

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

RE: Letter of No Objection / 409 SE 8th St, Fort Lauderdale FL
Partial vacation of an existing 10' utility easement
City of Fort Lauderdale
Comcast muid_9798_B

Dear Mr. Isaac

In reviewing your request as ref. above, ...

Comcast has no objection to the partial vacation of an existing 10' utility easement.
Please Note: Comcast has existing facilities within this footprint.

Should it be necessary for the Comcast facilities to be relocated the developer shall incur the total cost and or expenses associated with this subject forced relocation effort.

Should you have any further question, please feel free to call me at 1-754-221-1254 or e-mail at Leonard_Maxwell-Newbold@cable.comcast.com

Sincerely,

Leonard Maxwell-Newbold

Digitally signed by Leonard Maxwell-Newbold
Date: 2018.12.14 08:58:35 -05'00'

Leonard Maxwell-Newbold
Regional Permit Administrator
Comcast / Southern Division ( RDC )
12/14/2018 8:58:03 AM

Cc:
File
From: Marc Isaac <marc@FlynnEngineering.com>
Sent: Friday, December 14, 2018 8:14 AM
To: Maxwell-Newbold, Leonard <leonard_maxwell-newbold@cable.comcast.com>
Subject: [EXTERNAL] FW: No Objection Letter Request - 409 SE 8th St, Fort Lauderdale FL

Regards,

Marc Isaac
Flynn Engineering Services, P.A.
241 Commercial Blvd.
Hi Sarah,

Please see my previous reply which I’ve re-attached to this email. The same letter initially provided still stands.

Thank you,

Troy Lewis
Florida Power & Light Co.
Associate Engineer
Wingate Service Center
954-717-2057
Troy.Lewis@FPL.com

Visit the new FPL Project Portal at FPL.com/construction to manage your FPL Residential and Commercial construction projects. Get information on construction services and project types, apply for your construction project, track project milestones, manage your project team and more.

CAUTION - EXTERNAL EMAIL

Troy,

Just checking that this is on your ‘TO DO’ list.

Thank you,

Sarah Owen DelNegri
Flynn Engineering Services, P.A.

241 Commercial Blvd.
Lauderdale-By-The-Sea, FL 33308
954.522.1004 (Voice)
954.522.7630 (Fax)
www.flynnengineering.com
December 13, 2018

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

RE: Easement Vacation at 409 SE 8th ST, Fort Lauderdale, FL 33316

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 $2,000; 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.

Yours truly,

Troy Lewis
Associate Engineer
VIEW NORTH, SHOWING THE EXISTING PROPERTY FROM SE 4th AVE.
VIEW EAST, SHOWING THE EXISTING PROPERTY FROM SE 8th ST.
VIEW NORTHEAST, SHOWING THE EXISTING PROPERTY FROM SE 8th ST.
VIEW SOUTHEAST, SHOWING THE EXISTING PROPERTY FROM SE 7th ST.
PROJECT:
Utility Easement Vacation
409 SE 8th Street, Fort Lauderdale

CC SHEET INDEX
SURVEY
PLAT - TRIO PLAT
PLAT - HOAG'S SUBDIVISION
AERIAL
SKETCH & LEGAL DESCRIPTION
X1 EASEMENT EXHIBIT
A PORTION OF A 10-FOOT WIDE UTILITY EASEMENT AS SHOWN IN PARCELS "A" AND "B" OF "TRIO PLAT", AS RECORDED IN PLAT BOOK 153, PAGE 38 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER OF SAID PARCEL B, THENCE RUN N. 2° 09' 41" W. ALONG THE WEST LINE OF SAID PARCEL "A" FOR 119.82 FEET; THENCE RUN N. 43' 02' 49" E. FOR 35.48 FEET; THENCE RUN N. 88° 15' 19" E. ALONG THE NORTH LINE OF SAID PARCEL "A" FOR 69.82 FEET; THENCE RUN S. 2° 09' 41" E. FOR 10.00 FEET; THENCE RUN S. 88° 15' 19" W. ALONG THE SOUTH LINE OF SAID 10-FOOT WIDE UTILITY EASEMENT FOR 65.73 FEET; THENCE RUN S. 43' 02' 49" W. FOR 27.16 FEET; THENCE RUN S. 2° 09' 41" E. ALONG THE EAST LINE OF SAID 10-FOOT WIDE UTILITY EASEMENT FOR 110.73 FEET; THENCE RUN N. 88° 15' 28" E. ALONG THE NORTH LINE OF SAID 10-FOOT WIDE UTILITY EASEMENT FOR 85.00 FEET; THENCE RUN S. 2° 09' 41" E. FOR 5.00 FEET; THENCE RUN N. 88° 15' 28" E. ALONG THE NORTH LINE OF THE SOUTH 5 FEET OF SAID 10-FOOT WIDE UTILITY EASEMENT FOR 100.00 FEET; THENCE RUN S. 2° 09' 41" E. ALONG THE EAST LINE OF SAID PARCEL "A" FOR 5.00 FEET; THENCE RUN S. 88° 15' 28" W. ALONG THE SOUTH LINE OF SAID 10-FOOT WIDE UTILITY EASEMENT FOR 185.00 FEET; THENCE RUN S. 2° 09' 41" E. ALONG THE EAST LINE OF SAID 10-FOOT WIDE UTILITY EASEMENT FOR 120.96 FEET; THENCE RUN S. 46° 57' 01" E. FOR 19.94 FEET; THENCE RUN N. 88° 15' 38" E. ALONG THE NORTH LINE OF SAID 10-FOOT WIDE UTILITY EASEMENT FOR 120.95 FEET; THENCE RUN S. 2° 09' 41" E. ALONG THE EAST LINE OF SAID PARCEL "A" FOR 10.00 FEET; THENCE RUN S. 88° 15' 38" W. ALONG THE SOUTH LINES OF SAID PARCELS "A" AND "B" FOR 125.15 FEET; THENCE RUN N. 46° 57' 01" W. FOR 28.18 FEET; THENCE RUN N. 2° 09' 41" W. ALONG THE WEST LINE OF SAID PARCEL "B" FOR 130.15 FEET TO THE POINT OF BEGINNING; SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND CONTAINING 6,270 SQUARE FEET.

SEE PAGE 1 FOR SKETCH OF DESCRIPTION

I CERTIFY THAT THIS SKETCH AND LEGAL DESCRIPTION MEET THE STANDARDS OF PRACTICE SET FORTH PURSUANT TO SECTION 472.027, FLORIDA STATUTES, BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.050 THROUGH 5J-17.052 OF THE FLORIDA ADMINISTRATIVE CODE.

PREPARED BY HARLEY GREENE
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA LICENSE NUMBER 3707
19208 NORTHEAST 25TH AVENUE #301
AVENTURA, FLORIDA 33180-3217
954 522-0193 (BROWARD)
305 932-2843 (MIAMI-DADE)
harleygreene@comcast.net

HARLEY GREENE
FLORIDA LICENSE NUMBER 3707
DATE MARCH 11, 2019
Project:        HHF Utility Easement Vacation  
Site Address:  409 SE 8th Street, Fort Lauderdale, FL 
Request:       10' UTILITY Easement Vacation  

May 24, 2019

10' UTILITY EASEMENT VACATION
Project Narrative

A DRC easement application is being submitted to request a vacation of a 10’ utility easement. We have collected letters of ‘NO OBJECTION’ from the utility companies with the understanding that any public utilities located within that portion of easement will be at the cost of the Applicant. The Applicant will be submitting a subsequent DRC Site Plan application to develop a multi-story mixed use building within proximity of the requested easement to be vacated.

Respectfully,

Flynn Engineering Services, P.A.
Site Address: 409 SE 8 STREET, FORT LAUDERDALE FL 33316
ID #: 5042 10 1F 0020
Property Owner: AIDS HEALTHCARE FOUNDATION INC
Mailing Address: 6255 W SUNSET DR 21ST FLR LOS ANGELES CA 90028
Mileage: 0312
Use: 28

Abbr Legal Description: TRIO PLAT 153-38 B POR OF PAR A & ALL OF PAR C DESC AS:COMM AT THE NE COR OF PAR A, W 156 TO POB, S 145,W 95, N 119.82,NE 35.48, E 69.82 TO POB, TOG WITH PAR B, & LOTS 10 THRU 13 OF HOAGS SUB LOT 2,3 BLK 58 FT LAUDERDALE 2-10 B

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).

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2019 Exemptions and Taxable Values by Taxing Authority

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* Denotes Multi-Parcel Sale (See Deed)

Land Calculations

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</table>
May 24. 2019

Project: HCF Utility Easement Vacation
Address: 409 SE 8th Street - Ft. Lauderdale

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.
   Response: The Applicant has taken this comment under advisement.

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: N/A – Utility Easement

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 (2 1/2) inches of runoff from the impervious surface whichever is greater.
   Response: N/A – Utility Easement

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 well field 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: There are no environmentally sensitive lands on this site.

E. **Fire protection.** Fire protection service shall be adequate to protect people and property in the proposed development. Adequate water supply, fire hydrants, fire apparatus and facilities shall be provided in accordance with the Florida Building Code, South Florida Fire Code and other accepted applicable fire and safety standards.
   Response: N/A – Utility Easement
F. **Parks and open space.** New ordinance adopted in June 2006.
Response: N/A – Utility Easement

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: N/A – Utility Easement

H. **Potable water.**
   1. Adequate potable water service shall be provided for the needs of the proposed development. The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of potable water systems in accordance with city engineering standards, the Florida Building Code, and applicable health and environmental regulations. The existing water treatment facilities and systems shall have sufficient capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which potable water treatment capacity has been reserved. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended from time to time. Improvements to the potable water service and system shall be made in accordance with city engineering standards and other accepted applicable engineering standards.
   2. **Potable water facilities.**
      a. If the system is tied into the city treatment facility, the available capacity shall be determined by subtracting committed capacity and present flow from design capacity. If there is available capacity, the city shall determine the impact of the proposed development utilizing Table 3, Water and Wastewater, on file with the department.
      b. If there is adequate capacity available in the city treatment plant to serve the proposed development, the city shall reserve the necessary capacity to serve the development.
      c. Where the county is the projected service provider, a similar written assurance will be required.
Response: N/A – Utility Easement

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: N/A – Utility Easement

J. Schools. For all residential plats, the applicant shall contribute to school facilities in accordance with the Broward County Land Development Code and shall provide documentation to the city that such contribution has been satisfied.

Response: N/A – Utility Easement

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: N/A – Utility Easement

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: N/A – Utility Easement

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.

Response: N/A – Utility Easement

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 FDOT traffic engineering standards and plans as applicable.

Response: N/A – Utility 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:** N/A – Utility Easement

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 (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 (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 traffic ways 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 traffic ways.

      iii. If traffic generated by the proposed development requires any modification of existing or programmed components of the regional or local traffic ways, 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:** N/A – Utility Easement
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 & accepted applicable traffic engineering standards.

   **Response:** N/A – Utility Easement

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:** N/A – Utility Easement

7. **Primary arterial street frontage.** Where a proposed development abuts a primary arterial street either existing or proposed in the traffic ways plan, the development review committee (DRC) may require marginal access street, reverse frontage with screen planting contained in a non-access reservation along the rear property line, deep lots with or without rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to assure separation of through and level traffic.

   **Response:** Acknowledged.

8. **Other roadway improvements.** Roadways adjustments, traffic control devices, mechanisms, and access restrictions may be required to control traffic flow or divert traffic, as needed to reduce or eliminate development generated traffic.

   **Response:** Acknowledged.

9. **Street trees.** In order to provide for adequate landscaping along streets within the city, street trees shall be required along the length of the property abutting a street. A minimum of fifty percent (50%) of the required street trees shall be shade trees, and the remaining street trees may be provided as flowering or palm trees. These percentages may be varied based on existing or proposed physical conditions which may prevent the ability to comply with the street tree requirements of this subsection. The street trees shall be planted at a minimum height and size in accordance with the requirements of Section 47-21, Landscape and Tree Preservation Requirements, except in the downtown RAC districts the requirements of Sec. 47-13.20.H.8 shall apply. The location and number of street trees shall be determined by the department based on the height, bulk, mass and design of the structures on the site and the proposed development’s compatibility to surrounding properties. The requirements for street trees, as provided herein, may be located within the public right-of-way as approved by the entity with jurisdiction over the abutting right-of-way.

   **Response:** N/A – Utility Easement

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: N/A – Utility Easement

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: Acknowledged.

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: There are no structures within the easement, and the property itself has not been identified as having 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: N/A. Project is not located east of the Intracoastal Waterway.

Respectfully,

Flynn Engineering Services, P.A.
May 24, 2019

Project: HFH 10’ Utility Easement Vacation
Address: 409 SE 8th Street - Ft. Lauderdale

Sec. 47-24.7 - Vacation of easement.

A. Vacation of easement (city commission).

1. Applicant. The applicant shall be the owner of property subject to public easement sought to be vacated or the city.
   RESPONSE: The Applicant owns the property subject to the utility easement to be vacated.

2. Application. An application for a vacation of easement shall be made to the department, and shall include a legal description of the easement or portion thereof proposed to be vacated and written consent executed by every utility company with existing utilities or a right to locate such utilities within the easement.
   RESPONSE: The Applicant will comply as applicable. See utility letters of ‘NO OBJECTION’ and sketch & legal description both attached.

3. Review process.
   a. An application shall be submitted to the development review committee for review to consider if the application meets the criteria for a vacation of easement.
   b. The DRC shall prepare a report to be included with the application regarding existing utilities within the easement and whether the criteria have been met.
   c. The DRC shall forward its recommendation for a vacation of an easement to the city commission.
   d. During a regular public meeting, the city commission consider the application and the record and recommendations forwarded by the DRC and shall hear public comment on the application.
   e. If the city commission determines that the application meets the criteria for vacation, the city commission shall approve the vacation. If the city commission determines that the proposed development or use does not meet the criteria, the city commission shall deny the vacation.
   f. Approval of a vacation of an easement shall be by resolution adopted by the city commission.
   RESPONSE: The Applicant will comply as applicable.

4. Criteria. An application for a vacation of an easement shall also be reviewed in accordance with the following criteria:
   a. The easement is no longer needed for public purposes.
   RESPONSE: The 10’ utility easement will be relocated on-site, as needed for the utility companies. The Applicant is working with the utility providers.
b. All utilities located within the easement 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 portion of the easement area is maintained; or an easement in a different location has been provided by the utility facilities by the owner to the satisfaction of the city; or any combination of same.

RESPONSE: The Applicant is working with the utility providers to re-route any existing utilities. See attached letters of 'NO OBJECTION' provided by the utility companies.

5. Appeal. If an application for vacation is denied by the city commission, the applicant may appeal the decision in accordance with the procedures provided in Section 47-26B, Appeals.

RESPONSE: The Applicant has taken this comment under advisement.

6. Effect upon approval. The resolution approving a vacation of easement shall be recorded in the public records of the county within thirty (30) days after adoption. The resolution may provide for the retention of a utility or other type of easement needed by the city, and may have a delayed effective date in order that any necessary conditions relating to the vacation may be made.

RESPONSE: The Applicant has taken this comment under advisement.

Respectfully,

Flynn Engineering Services, P.A.