



# DEVELOPMENT REVIEW COMMITTEE (DRC) COMMENT REPORT

**MEETING DATE:** January 26, 2021

**PROPERTY OWNER:** Edwin Canales and Pedro Del Rio

**APPLICANT/AGENT:** Stephanie Toothaker, Esq.

**PROJECT NAME:** 1013 Ponce de Leon Easement Vacation

**CASE NUMBER:** UDP-EV20001

**REQUEST:** Vacation of Easement Review: 20-Foot Wide Utility Easement

**LOCATION:** 1013 Ponce de Leon Drive

**ZONING:** Residential Single Family/Low Medium Density (RS-8)

**LAND USE:** Low-Medium Residential

**CASE PLANNER:** Nick Kalargyros



Case Number: UDP-EV20001

**CASE COMMENTS:**

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

1. Demonstrate compliance with Adequacy Review requirements per ULDR Sections 47-25.2.C (Drainage facilities) and 47-25.2.L (Stormwater), that the easement area to be considered for vacation will not adversely affect adjacent streets and properties.
2. 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.
3. 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 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.
4. Provide letters from all franchise utility providers, including Public Works as appropriate (i.e. if easement being vacated is public), demonstrating their interests in maintaining or no objection to the vacation of this Easement; the letters should specifically state whether or not the franchise utility providers have existing facilities within the Easement vacation area that will need to be relocated or abandoned.
5. 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.
6. 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.
7. 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.



Case Number: UDP-EV20001

**CASE COMMENTS:**

1. No comments.



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CASE COMMENTS:

Please provide a response to the following:

- 1) The applicant is strongly encouraged to contact all neighborhood associations located within three hundred feet (300)' of the development site, to advise of this proposal (a map and listing of all neighborhood associations are listed on the City's website).
2) The proposed project requires review approval by the City Commission. A separate application and fee are required for City Commission review.
3) Signoffs from the City Surveyor and the Urban Design Engineer will be required prior to City Commission submittal. The signoff for the City Surveyor will be routed by Planning Staff.
4) Letters must be provided from Florida Power & Light, AT&T, Comcast Cable, TECO Gas and 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 City Commission. If any facilities need to be relocated, plans satisfactory to that agency must be approved prior to City Commission submittal.

Contact Information for utilities is as follows:

AT&T

Dyke Tittle
954-577-5602
dt5431@att.com

Florida Power and Light (FP&L)

Lucas Cornish
954-717-2062
Lucas.Cornish@fpl.com

City of Fort Lauderdale, Public Works Department

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

TECO Peoples Gas

David Rivera
954-453-0794
DRRivera@tecoenergy.com

Comcast

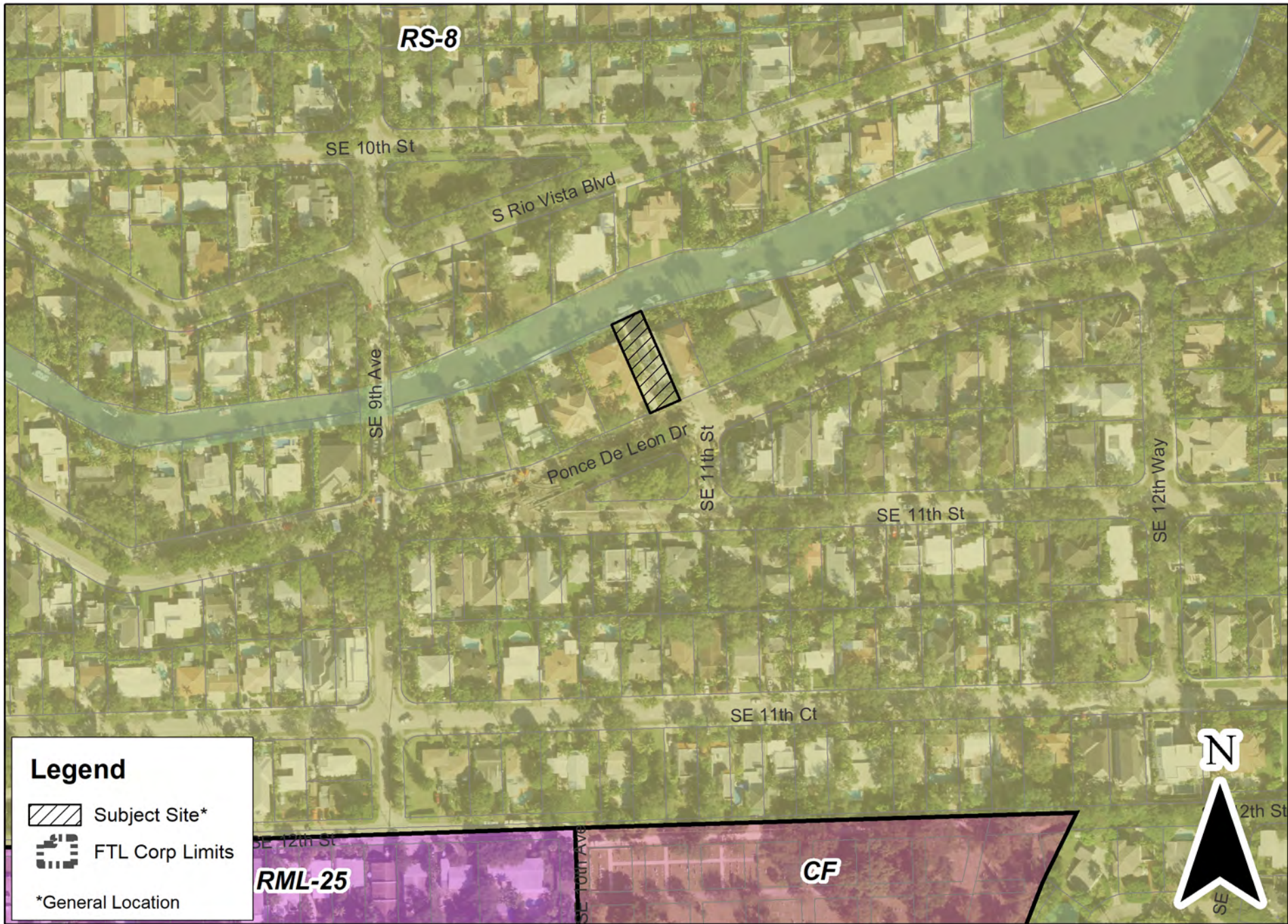
Leonard Maxwell-Newbold
954-447-8405
leonard\_maxwell-newbold@comcast.com

- 5) The resolution approving the vacation of easement shall be recorded in the public records of Broward County within (30) days after adoption.

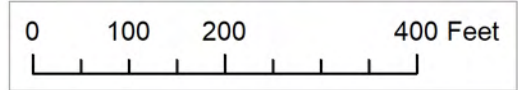
GENERAL COMMENT

- 6) Be advised that pursuant to State Statute, Section 166.033, states that development permits which require a quasi-judicial or public hearing decision must be complete within 180 days unless an extension of time is mutually agreed upon between the City and the applicant.
7) The following easement documents must be reviewed and approved by City Staff prior to final approval:
a. Attorney's Opinion of Title
b. Easement Deed
c. Survey, Sketch and Legal Description
d. Joinder, Consent, and Partial Release by Mortgagee/Lien Holder

The instructions and templates for these documents may be found at https://www.fortlauderdale.gov/departments/sustainable-development/building-services/engineering-forms-and-info listed under the topic "Dedicated Public Rights of Way and Easements." Please submit these documents electronically to Caroline Yeakel at CYeakel@fortlauderdale.gov.



# UDP-S20011



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Graphic Scale