



# DEVELOPMENT REVIEW COMMITTEE (DRC) COMMENT REPORT

**MEETING DATE:** June 27, 2023

**PROPERTY OWNER /  
APPLICANT:** The Palms at River Oaks

**AGENT:** McLaughlin Engineering Company

**PROJECT NAME:** SW 23rd Court Vacation-of-Way

**CASE NUMBER:** UDP-V23002

**REQUEST:** Vacation of Right-of-Way: 12-foot Wide by 574-foot  
Long Portion of Right-of-Way

**LOCATION:** North of State Road 84, Street, west of SW 19th Avenue,  
south of SW 23rd Street and east of Interstate 95

**ZONING:** Residential Single Family and Cluster/Medium Density  
District (RC-15) and Residential Single Family and  
Cluster/Medium Density District (RD-15)

**LAND USE:** Medium Residential

**CASE PLANNER:** Tyler Laforme



**Case Number: UDP-V23002**

**CASE COMMENTS:**

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

1. Provide a signed and sealed survey showing all above ground improvements, underground utilities, topographical elevations within the limits of the rights-of-way being vacated.
2. Public Works staff has provided the following statement of objection to the vacation of this right-of-way. The right-of-way is needed for Public Works operation and maintenance crew access to the existing water service and meter in the River Oaks preserve. In addition, Stormwater Operation crew utilizes this access to the preserve via this right-of-way for stormwater management. Therefore, this application for a vacation of right-of-way does not follow Sec. 47-24.6.4. criteria.

ADVISORY: 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 right-of-way have been relocated or abandoned to the satisfaction of the respective utility owners.

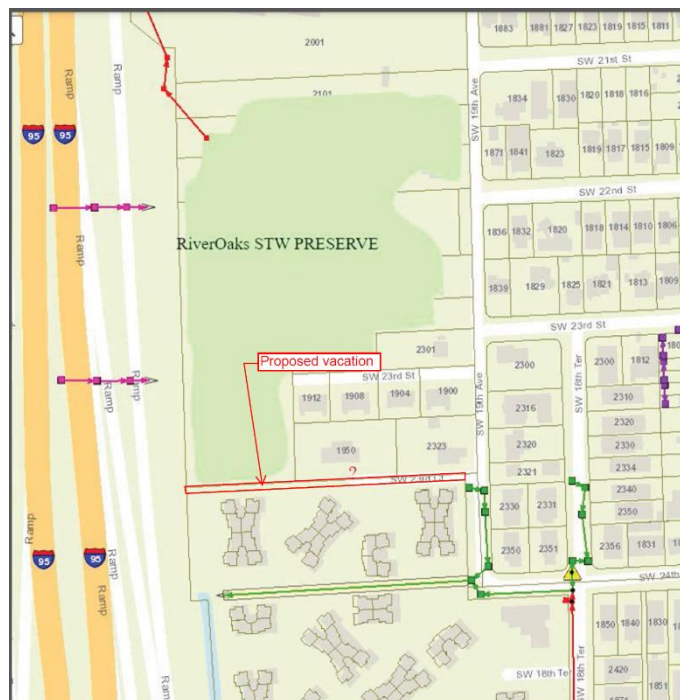
**Case Number:** UDP\_V23002

**CASE COMMENTS:**

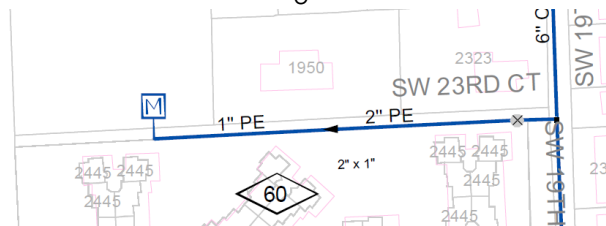
Please provide a response to the following:

1. Currently there is one (1) Stormwater Projects being constructed at this location and another that was completed in 2022.
  - a. P11868- Stormwater Improvements – River Oaks Pump Station
  - b. P11419-Stormwater Improvements-River Oaks Stormwater Preserve
2. This Right of Way could serve as possible drainage path for a future connection to the preserve, and the Osceola Canal (via a small crossing through the FDOT r/w) . The location is optimal for future stormwater expansions, if needed.
3. The Right of Way provides access to the southern tip of the preserve, and supports future plans to maintain this area, this location would be the best and shortest path.
4. There appears to be a water line within this Right of Way, are there plans to remove this utility of together?

1 & 2



3



**Case Number: UDP-V23002**

**CASE COMMENTS:**

Please provide a response to the following:

1. Pursuant to the State Statute 166.033(1) applications must be deemed approved, approved with conditions, or denied within 180 days, December 2, 2023, for applications subject to a quasi-judicial hearing or a public hearing, unless a mutually agreed upon time extension is established between the City and the applicant or a waiver to the timeline is submitting to the City. Note, the applicant did submit a waiver to the timeline requirements.
2. The proposed request requires review and recommendation by the Planning and Zoning Board (PZB) and approval by the City Commission. Separate fees are required for both PZB review and City Commission review. The applicant is responsible for all public notice requirements pursuant to Section 47-27.
3. Pursuant to Public Participation requirements of Unified Land Development Regulations (ULDR), Sections 47-24.1.F.14 and 47-27.4.A.2.c, the applicant must complete the following:
  - a. Prior to submittal of an application to the Planning and Zoning Board (PZB), the applicant shall:
    - i. Provide notice via e-mail and regular mail to the 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 meeting (a listing of officially-recognized neighborhood associations is provided on the City of Fort Lauderdale website: <http://www.fortlauderdale.gov/neighbors/civic-associations>); and,
    - ii. Provide notice via mailed letter to property owners whose real property is located 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 meeting.
  - b. The applicant shall conduct the public participation meeting(s) a minimum of 30 days prior to the PZB. This date and location of the meeting are 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. A minimum of ten (10) days prior to the PZB meeting, the applicant shall execute and submit an affidavit of proof of public notice to the Department.
4. 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 Engineering staff.
5. SW 23<sup>rd</sup> Court is listed as City owned property not specifically right-of-way which will impact this application. Staff will provide more information and additional comments regarding this matter may be forthcoming.
6. Letters must be provided from the following utility companies: The City of Fort Lauderdale Public Works Department no objection letter was not provided. Letter must be provided in order to proceed to planning and Zoning Board. Contact Information is follows:

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

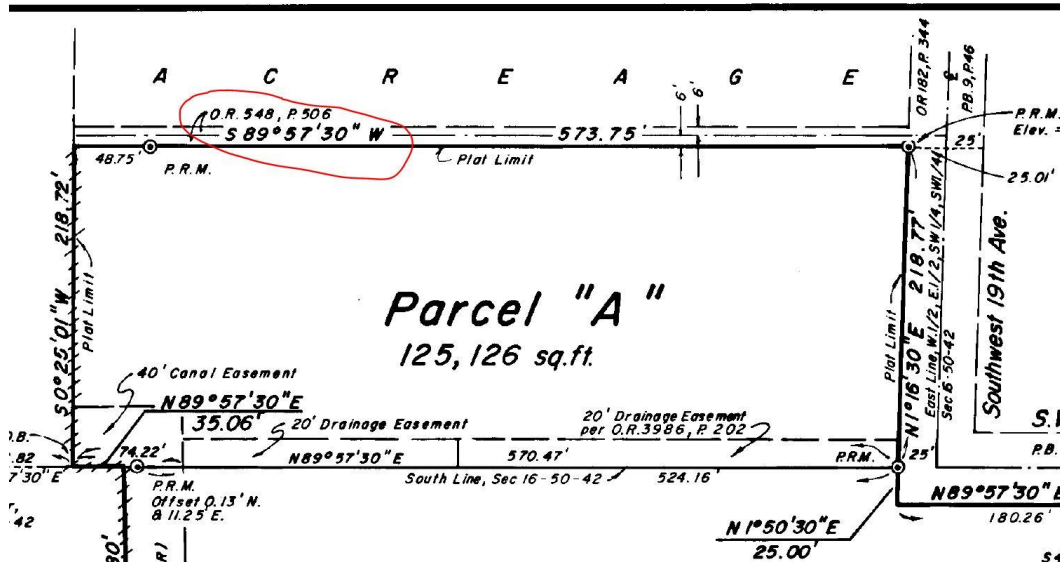
Igor Vassiliev, Project Manager II

(954) 828-5862

[ivassiliev@fortlauderdale.gov](mailto:ivassiliev@fortlauderdale.gov)



7. Provide the City with a copy of the plat recorded under O.R. 548, P. 506 as the City owns six feet of the southern portion of SW 23<sup>rd</sup> Court and it is unclear it was dedicated. See image below.



8. The resolution approving the vacation of easement shall be recorded in the public records of Broward County within (30) days after adoption.
9. Provide documentation from the adjacent property owners stating no objection to the vacation request and also whether ownership is desired of such land once the area is vacated. Note, vacated land reverts back to the owners adjacent to the vacated area.

**GENERAL COMMENT**

Please consider the following prior to submittal for Planning and Zoning Board review:

1. Provide a written response to all Development Review Committee comments within 180 days.
2. An additional follow-up coordination meeting is required to review 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 revisions and/or to obtain a signature routing stamp.
3. Additional comments may be forthcoming at the Development Review Committee meeting.



# UDP-V23002 - SW23rd Court ROW Vacation