



# Broward County

## Legislation Details (With Text)

**File #:** 20-1813      **Version:** 1

**Status:** Agenda Ready

**In control:** PUBLIC HEARING

**On agenda:** 12/8/2020      **Final action:** 12/8/2020

**Title:** MOTION TO ADOPT Resolution No. 2020-758 to vacate a ten-foot utility easement, lying within Lots 2 and 3, Block 6 of the Silver Shores Section of Lauderdale by the Sea Unit A, as recorded in Plat Book 28, Page 39 of the Public Records of Broward County, Florida, located at 236 and 238 Garden Court in the Town of Lauderdale by the Sea; Petitioners: 230 Tropical Shores Development, Llc. & Charles M. Kelsey III Revocable Trust; Agent: Hunter I. Sundberg, Mombach, Boyle, Hardin & Simmons, P.A.; Application for Vacation and Abandonment: 2019-V-16. (Commission District 4)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit 1 - Application, 2. Exhibit 2 - Resolution Adopting Vacation, 3. Exhibit 3 - Notice of Adoption, 4. Exhibit 4 - Location Map

Date	Ver.	Action By	Action	Result
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### **Broward County Commission Regular Meeting**

**Director's Name:** Leonard Vialpando

**Department:** Environmental Protection

**Division:** Planning & Development Management

### Information

#### Requested Action

MOTION TO ADOPT Resolution No. 2020-758 to vacate a ten-foot utility easement, lying within Lots 2 and 3, Block 6 of the Silver Shores Section of Lauderdale by the Sea Unit A, as recorded in Plat Book 28, Page 39 of the Public Records of Broward County, Florida, located at 236 and 238 Garden Court in the Town of Lauderdale by the Sea; Petitioners: 230 Tropical Shores Development, Llc. & Charles M. Kelsey III Revocable Trust; Agent: Hunter I. Sundberg, Mombach, Boyle, Hardin & Simmons, P.A.; Application for Vacation and Abandonment: 2019-V-16. **(Commission District 4)**

#### Why Action is Necessary

Board approval is required to vacate plats, easements and rights-of-way pursuant to Chapter 5, Article IX of the Broward County Code of Ordinances.

#### What Action Accomplishes

Provides the property owner with clear unencumbered title to the lands in the areas affected by this vacation.

#### Is this Action Goal Related

No

#### Previous Action Taken

At its meeting on November 10, 2020 (Agenda Item No. 22), the Board directed the County Administrator to publish notice of this public hearing.

**Summary Explanation/Background**

THE ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT AND THE PLANNING AND DEVELOPMENT MANAGEMENT DIVISION RECOMMEND APPROVAL OF THE ABOVE MOTION.

The Planning and Development Management Division has received a request to vacate a ten-foot utility easement, lying within Lots 2 and 3, Block 6 of the Silver Shores Section of Lauderdale by the Sea Unit A, as recorded in Plat Book 28, Page 39 of the Public Records of Broward County, Florida, located at 236 and 238 Garden Court in the Town of Lauderdale by the Sea. Vacating this utility easement will provide clear and unencumbered title to the property owner.

The Town of Lauderdale by the Sea adopted Resolution No. 2019-12 on May 14, 2019 granting approval of the abandonment and vacation of the ten-foot utility easement. Review of this application by the applicable reviewing agencies indicates that there is no objection to the abandonment and vacation of the subject easement.

This vacation application has been reviewed and approved as to form by the Office of the County Attorney, see Exhibit 1.

**Source of Additional Information**

Josie P. Sesodia, AICP, Director, Planning and Development Management Division, 954-357-6602

**Fiscal Impact**

**Fiscal Impact/Cost Summary**

No fiscal impact.