

## Minutes

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Wednesday, February 22, 2023

6:00 PM

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### 2. [LN-404](#) Easement Abandonment

**Request:** Easement Abandonment

**P&Z#** 23-27000001

**Owner:** Aviara Corporate Park LLC

**Project Location:** 1350 NW 31 Ave

**Folio Number:** 4842-33-68-0020

**Land Use Designation:** Commercial

**Zoning District:** B-3 (General Commercial)

**Agent:** Matt Edge

**Project Planner:** Maggie Barszewski

Ms. Maggie Barszewski, Project Planner, introduced herself to the Board and stated this is a request to abandon a 10-foot-wide utility easement, by Matt Edge of Craven Thompson & Associates on behalf of Aviara Corporate Park, LLC. The easement is illustrated on the face of the Lanier Plat, Plat Book 180, Page 182. This is a perimeter utility easement located at 1350 NW 31 Avenue, which lies on the east side of NW 31st Avenue, approximately 350 feet south of Dr. Martin Luther King, Jr. Blvd. There are no utility assets within the easement. A McDonald's establishment had recently been torn down on the site and the owner wants to redevelop the property without being encumbered by this easement.

Given the information provided to the Board, staff provides the following alternative motions for the Board's review:

Alternative Motion I – With Conditions

Recommend approval to the City Commission as the Board finds that the easement abandonment meets the standards of Section 155.2431.D.1. & 2. With the following condition:

1. The Applicant provides the outstanding letters of no objection.

Alternative Motion II

Table this abandonment request to allow time for the Applicant to address any objections raised by the affected parties or to get additional information.

Staff recommends Alternative Motion I.

Chair Stacer asked the Board if there were any questions for staff.

Matt Edge (3563 NW 53<sup>rd</sup> Avenue, Fort Lauderdale) introduced himself on behalf of the applicant and stated he was available to answer questions. He noted they have no objection to the one staff condition.

Chair Stacer opened the public hearing. No one came forth to speak. Chair Stacer closed the public hearing.

(42:57)

**MOTION** by Joan Kovac and seconded by Richard Klosiewicz that the Board finds that competent, substantial evidence has been presented for the easement abandonment that satisfies the review criteria, and move approval of the item, subject to the one condition provided by staff. All voted in favor. The motion was approved.