

## 1<sup>st</sup> Draft Minutes

Wednesday, August 24, 2022

6:00 PM

(1:59:45)

4. [LN-317](#)

**CAPTIVA COVE III ABANDONMENT**

**Request:** Abandonment  
**P&Z#** 22-27000005  
**Owner:** Aloha Pompano, LLC  
**Project Location:** 740 SW 11 St  
**Folio Number:** 494202030130  
**Land Use Designation:** MH (Medium -High 16-25 DU/AC) & Commercial  
**Zoning District:** M45 (Multi-Family Residences -45) & B3 (General Business)  
**Agent:** Michael Amodio  
**Project Planner:** Maggie Barszewski

Ms. Maggie Barszewski, Planner, stated this is an easement abandonment request for a 3-foot wide Utility easement. The easement runs north/south on a parcel of land located at 740 SW 11th Street. The easement is shown on the face of the Amended Plat of Fairview. There are no utilities located within the easement. The abandonment will allow for the construction of Building #1 as part of the Captiva Cove Phase III Project. The site plan for this project is currently under review. Three of the required service provider letters have yet to be submitted for this request. Therefore a condition is suggested by staff to require these prior to a Commission meeting. The review standards for an abandonment are:

1. The easement is not now, or in the foreseeable future, of any benefit to the city or its inhabitants; and
2. The abandonment is consistent with the comprehensive plan.

Staff has determined that the above review standards have been met and therefore provides the following alternative motions for the Board's review.

- Alternative Motion 1:  
Recommend approval to the City Commission with the following one condition, as the Board finds that the easement abandonment meets the standards of Section 155.2431D.1 :  
The Applicant shall provide the Letters of No Objection from FP&L, AT&T and Teco Gas prior to the City Commission hearing.
- Alternative Motion 2:

Table this abandonment request to allow time for the Applicant to address any objections raised.

- Alternative Motion 3:  
Recommend denial to the City Commission as the Board finds that the easement serves a public purpose and should not be abandoned.

Staff recommends alternative motion number 1.

**MOTION** by Tobi Aycock and seconded by Carla Coleman that the Board finds that competent, substantial evidence has been presented satisfying the review criteria for the Captiva Cove III Abandonment, and move approval of the item, subject to conditions contained in the staff report. All voted in favor. The motion was approved.

DRAFT