

## 2. [LN-613](#)

### 2001 N ANDREWS AVE EASEMENT ABANDONMENT

<b>Request:</b>	Easement Abandonment
<b>P&amp;Z#</b>	24-27000001
<b>Owner:</b>	Conti Florida Properties LLC
<b>Project Location:</b>	2001 N Andrews Ave
<b>Folio Number:</b>	484227260041, 484227260040, 484227260061
<b>Land Use Designation:</b>	Industrial
<b>Zoning District:</b>	I-1 (General Industrial)
<b>Commission District:</b>	4 (Beverly Perkins)
<b>Agent:</b>	Matthew Wojciechowski
<b>Project Planner:</b>	Maggie Barszewski

Ms. Jean Dolan, Principal Planner, introduced herself to the Board. She stated this is a request to abandon the southern 15-feet of a 30-foot-wide utility easement by Applicant, Matthew Wojciechowski, of Schmidt & Nichols, Inc., on behalf of the owner, Conti Florida Properties, LLC. The easement is recorded in a separate instrument from the Plat (Instrument ORB 10532, PG 47) and is located on the west side of North Andrews Avenue, in the block between NW 22<sup>nd</sup> Street and NW 18<sup>th</sup> Street. In the portion of the easement to be abandoned, there is an existing force main and sanitary sewer line that the applicant has agreed to move into the portion of the easement that will remain. The owner wants to construct a 58,657 square foot industrial building without being encumbered by the 30-foot easement.

Given the information provided to the Board, staff provides the following alternative motions for the Board's consideration.

#### **I- Approve with conditions**

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

1. The applicant provides an agreement to replace and relocate the existing force main and sanitary sewer line; and
2. The applicant provides an agreement with the neighboring property owner adjacent to the west to establish the sanitary sewer line as private.

#### **II- Table**

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 number I.

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

Assistant City Attorney Saunders explained the agreement is private between the two entities, but must be approved by the City.

Vice Chair Coleman requested to add language to the second condition which requires the agreement be approved by the City.

Chair Stacer asked if the sewer is currently public. Ms. Dolan affirmed.

Mr. Hartsell asked if it is prudent to proceed before an agreement is approved. Assistant City Attorney Saunders responded that it is not the City's role to dictate the agreement, but the City is a beneficiary of the agreement and aims to protect its interests.

Mr. Matthew Wojciechowski, 1551 N Flagler Dr Ste 102, West Palm Beach, on behalf of the applicant, introduced himself to the Board. He corrected the new owner and applicant and informed they agree to the conditions.

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

**MOTION** by Carla Coleman and seconded by Richard Dally 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 two conditions provided by staff. All voted in favor. The motion was approved.

(1:11:28)  
PM.