

## Legislation Text

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**File #:** LN-613, **Version:** 1

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### PLANNING AND ZONING BOARD

Meeting Date: JUNE 26, 2024

### 2001 N ANDREWS AVE EASEMENT ABANDONMENT

**Request:** Easement Abandonment  
**P&Z#** 24-27000001  
**Owner:** Conti Florida Properties LLC  
**Project Location:** 2001 N Andrews Ave  
**Folio Number:** 484227260041, 484227260040, 484227260061  
**Land Use Designation:** Industrial  
**Zoning District:** I-1 (General Industrial)  
**Commission District:** 4 (Beverly Perkins)  
**Agent:** Matthew Wojciechowski (561-684-6141 / mwojciechowski@SNlandpaln.com)  
**Project Planner:** Maggie Barszewski (954-786-7921 / maggie.barszewski@copbfl.com)

#### Summary:

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 Street and NW 18 Street. In the portion of the easement to be abandoned, there is an existing force main & 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 use building without being encumbered by the 30-foot width of this easement.

#### REVIEW AND SUMMARY

A. The following Service Providers commented on this request:

Code Compliance:	No Objection
Fire Department:	No Objection
Public Works Department:	No Objection
Development Services:	No Objection
Utilities Department:	No Objection with conditions
FP&L:	No Objection
AT&T:	No Objection
FDOT	Not Applicable
TECO Gas:	No Objection
Comcast Cable:	No Objection

B. Development Services Department staff submits the following factual information which is relevant to this abandonment request:

1. The property is located on the west side of North Andrews Avenue, in the block between NW 22 Street and NW 18 Street.
2. The Applicant's request is necessary in order to develop the property without being encumbered by the 30-foot width of the easement.

C. Review Standards

Section 155.2431 D. 1. & 2. states that an application for vacation or abandonment of a public right-of-way or easement shall be approved only on a finding that all of the following standards are met:

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

D. Staff Analysis

All of the service providers have stated they have no objection to this request, however, the City Utility Department requires an agreement to replace and relocate the existing force main and sanitary sewer line. They also are requiring an agreement with the neighboring property owner adjacent to the west to establish the sanitary sewer line as private.

The conditions required by the Utility Department must be met prior to City Commission consideration for the abandonment to meet the standards of Section 155.2431D.1. & 2. Staff recommends approval of this request with these conditions.

**DEPARTMENT RECOMMENDATION**

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.