



Legislation Details (With Text)

**File #:** ORD 2019-018      **Name:** Lyons Exchange Vacation of Easement Southern

**Type:** Ordinance      **Status:** Passed

**File created:** 6/13/2019      **In control:** City Commission

**On agenda:** 8/8/2019      **Final action:** 8/8/2019

**Title:** AN ORDINANCE VACATING, RELEASING, AND ABANDONING A UTILITY EASEMENT FOR THE PROJECT KNOWN AS LYONS EXCHANGE CENTER, GENERALLY LOCATED ON THE WEST SIDE OF LYONS ROAD AND NORTH OF THE SAWGRASS EXPRESSWAY, WITH SAID EASEMENT LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO. (QUASI-JUDICIAL) (SECOND PUBLIC HEARING)

**Sponsors:**

**Indexes:** Ordinance, Planning and Zoning, Vacation of Easement

**Code sections:**

**Attachments:** 1. ORDINANCE 2019-018-Lyons Exchange Southern Easement Vacation, 2. EXHIBIT A-Sketch & Legal-Lyons Exchange Southern Easement Vacation, 3. BACKUP-Aerial Photo-Lyons Exchange Southern Easement Vacation, 4. BACKUP-Exhibit-Lyons Exchange Southern Easement Vacation, 5. MINUTES-2019-0612 PZ Mtg

Date	Ver.	Action By	Action	Result
8/8/2019	1	City Commission		
7/11/2019	1	City Commission		

AGENDA ITEM REPORT

**TITLE:**

AN ORDINANCE VACATING, RELEASING, AND ABANDONING A UTILITY EASEMENT FOR THE PROJECT KNOWN AS LYONS EXCHANGE CENTER, GENERALLY LOCATED ON THE WEST SIDE OF LYONS ROAD AND NORTH OF THE SAWGRASS EXPRESSWAY, WITH SAID EASEMENT LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO. (QUASI-JUDICIAL) (SECOND PUBLIC HEARING)

**BACKGROUND:**

**This item was approved on First Reading at the July 11, 2019, City Commission Meeting.**

The applicant, Butters Acquisitions LLC, is seeking the vacation of a portion of a platted 10-foot utility easement along the south property line of "Parcel A" of the Springs-McKenzie Plat, generally located on the west side of Lyons Road and north of the Sawgrass Expressway.

Pursuant to Section 13-443(10)a., a landscape strip of at least ten (10) feet in width shall be provided to form a visual screen between the property and off-street parking. Per the City's Land Development Code, specifically engineering requirements, larger maturing landscape material may not be located within an easement. The applicant is seeking approval to vacate the platted 10' utility

easement along the south property line to provide the required 10' landscape strip.

**DISCUSSION:**

As required, the applicant has provided correspondence from affected utility companies, and has determined that only FPL service lines currently exist within the subject utility easement. The applicant has agreed to remove and relocate utility lines in accordance with utility requirements and new easements will be recorded as required and applicable.

**PUBLIC INVOLVEMENT:**

Per Section 13-36.2, property owners within 500 feet of the subject property were notified by mail of the vacation of easement request and invited to attend the City Commission meeting. One hundred and eighty-five notices were mailed on June 27, 2019. To date, staff has received two (2) public inquiries related to the project.

**RECOMMENDATION:**

The Planning and Zoning Board, at its June 12, 2019, meeting, recommended approval of this application subject to the condition that outstanding DRC comments remain effective throughout the development review process and must be addressed prior to issuance of a building permit. Outstanding DRC comments are included in the Planning and Zoning Board Agenda backup and are available online for review.

**FISCAL IMPACT:** N/A