

STAFF REPORT
Riverland Village Section One
Plat Book 27, Page 44

A request to modify conditions of a plat has been filed with the Planning and Development Management Division. This plat was filed into the public records of Broward County on September 21, 1951. The property address is 3391 SW 22nd Street and is located on the northeast corner of Southwest 34 Avenue and Southwest 22 Street, in the City of Fort Lauderdale.

This plat was recorded with notations requiring setbacks from plot lines. On August 24, 1955, a replat of the Riverland Village Section One plat was recorded into public records (Plat Book 38, Page 5) which removed several of the setback notations from a majority of the blocks, including a portion of Block 10; however, the replat omitted Lots 7 through 11 of Block 10. The applicant, owner of a portion of Lot 7, is requesting deletion of the notation requiring a 50-foot setback from the plat as it is no longer required and the existing single-family home encroaches into the 50-foot setback.

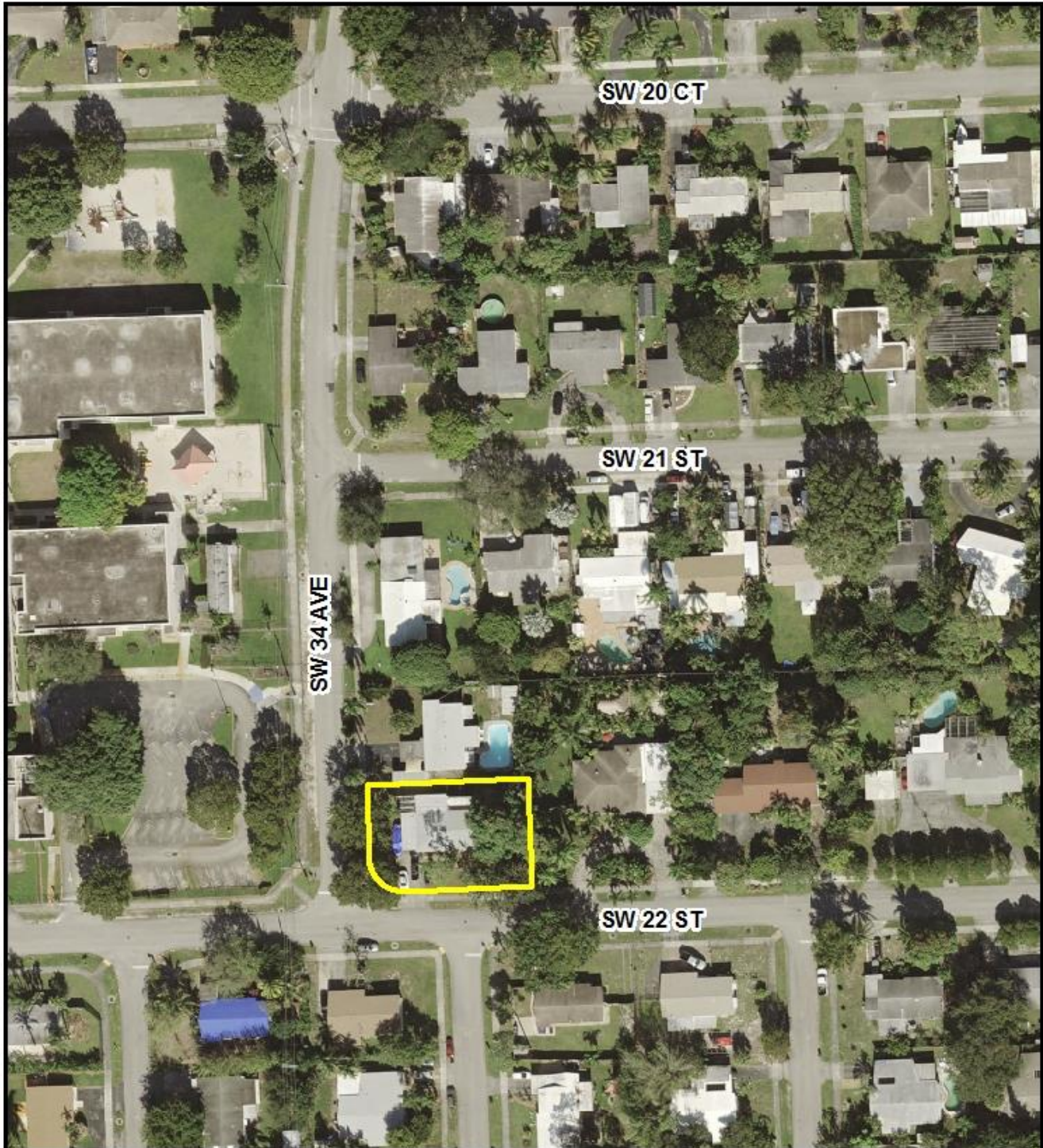
The attached correspondence from the City of Fort Lauderdale indicates no objection to this request.

Staff has reviewed this request and recommends **APPROVAL** subject to compliance with the standards and requirements of Chapter 5, Article IX, of the Broward County Code of Ordinances. In addition, this approval is subject to the Board authorizing the Mayor to sign an order approving this agenda item subject to staff findings, comments, and recommendations.

Finally, the applicant is advised that, in accordance with Section 125.022, Florida Statutes, the issuance of a development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

JWP

Continued



Commission District No. 7
Municipality: Fort Lauderdale
S/T/R: 18/50/42



3391 SW 22 ST
FORT LAUDERDALE



0 50 100 200 Feet

Prepared by: Planning and Development Management Division
Date Flown: January 2017



November 30, 2017

Thuy Turner, Planning Section Supervisor
Broward County Environmental Protection and Growth Management Department
1 North University Drive, Building A, Suite 102
Plantation, Florida 33324

RE: No Objection Letter – RIVERLAND VILLAGE, Section One PLAT
Lot 7, Block 10- 3391 SW 22nd Street

Dear Ms. Turner:

The City of Fort Lauderdale has received a request for a "No Objection" letter regarding a recorded plat "RIVERLAND VILLAGE, Section One" plat. The Plat thereof as recorded in Plat Book 27, page 44, of the Public Records of Broward County, Florida. The plat was recorded on the 21 day of September, 1951.

As shown on the recorded plat, a 50 feet setback line is depicted along the south boundary (SW 22nd Street) of Lot 7, Block 10 of the plat (attached). Through-out the plat additional setback lines are indicated from all ROW lines, perhaps with the intention of widening these ROW's. The exact reason for the additional setback lines is unknown. The original surveyor, John Brendla has since passed away.

In December of 1954, REPLAT OF A PORTION OF RIVERLAND VILLAGE, Section One plat was recorded and the additional setback lines were removed for blocks 1 through 20 (attached). There is a plat note stating all "Front" setbacks shall be 25 feet. In August of 1955, RIVERLAND VILLAGE, Section One plat was recorded and the additional setback lines were removed from Blocks 10 through 20 (attached). This revised plat is recorded as Plat Book 38, page 5, of the Public Records of Broward County, Florida.

The remaining Block 10 was not included in either of these plat revisions, however, as the additional setback line was removed from all lots and blocks in the original RIVERLAND VILLAGE, Section One plat it would stand to reason that it was not needed or no longer needed and hence removed from all properties.

In 1957, Broward County issued building permit #57-505 for the single family residence with a required setback of 25 feet from the south property line (SW 22nd Street). The required setback for properties zoned RS-6.85 is 25 feet from the front property line. At the time the dwelling was approved and permitted the required 25 foot setback was met. The folio number for the subject property is: 5042 18 06 0150.

The City of Fort Lauderdale would support a plat amendment to remove the 50 foot setback line from Lots 7 through 11 of Block 10. If you have any questions or require additional information, please feel free to contact Yvonne Redding, Planner at 954-828-6495 or at yredding@fortlauderdale.gov.

Sincerely,


Mohammed Malik, Zoning Administrator
Department of Sustainable Development

Cc: Yvonne Redding, Planner

Board of County Commissioners, Broward County, Florida
Environmental Protection and Growth Management Department
Planning and Development Management Division



**Application to Change or Waive Requirements
of the Broward County Land Development Code**

INSTRUCTIONS

This form is used to apply for changes or waivers to requirements of development permit applications processed under the Broward County Land Development Code. These include changes or waivers to the following:

ROADWAY RELATED

1. Non-Vehicular Access Lines
2. Roadway Improvements (such as turn lanes, busbays traffic signals, etc.)
3. Right-of-Way Dedications
4. Sidewalks and Paved Access
5. Design Criteria

NON-ROADWAY RELATED

6. Design Criteria
7. Waste Water Disposal/Source of Potable Water
8. Fire Protection
9. Parks and/or School Dedications
10. Impact/Concurrency Fee(s)
11. Environmental Impact Report
- 12 Other Changes

For your application to be officially accepted for processing and scheduled for a County Commission meeting, you must complete this application in full. The owner/agent certification (on the reverse side of this form) must be signed and notarized with the appropriate documentation attached. Please type this application or print legibly in **black ink**.

PROJECT INFORMATION

Plat/Site Plan Name RIVERLAND VILLAGE SEC 1

Plat/Site Plan Number _____ Plat Book - Page 27-44 (If recorded)

Owner/Applicant ADRIANA PETERS Phone 954) 600 1882

Address 4580 BIDDLEFORD AVE #32 City W.P.A. State FL Zip Code 33417

Owner's E-mail Address ADRIAPETERS@GMAIL.COM Fax # _____

Agent _____ Phone _____

Contact Person ANDRES GUTIERREZ

Address 1223 15th AVE N City LAWRENCEVILLE State FL Zip Code 33460

Agent's E-mail Address ANGUSGUT@YAHOO.COM Fax # _____

PROPOSED CHANGES

Use this space below to provide the following information and clearly describe the proposed changes you are requesting. If you are requesting changes to a specific staff recommendation(s) listed in a Development Review Report, please specify the staff recommendation number(s). If you are requesting a waiver or variation of a provision of the Land Development Code, please cite the specific section(s).

Staff Recommendation No(s) _____

Land Development Code citation(s) _____

Have you contacted anyone in County Government regarding this request? Yes No

If yes, indicate name(s), department and date JEFF DAY, PLANNING II /

Narrative explaining proposed changes in detail including the desired result and justification for the request (attach additional sheet if necessary):

A 50 FEET SET BACK NEEDS TO BE REMOVED

Please see the reverse side of this form for Required Documentation and Owner/Agent Certification

REQUIRED DOCUMENTATION: Submit one (1) original of each document and electronic copy of each item listed below. Each document listed below must also be submitted electronically as a separate pdf on a CD, flash drive, etc.

All requests listed on this application must include the following documents:

- Letter from the applicable municipality, dated within six (6) months of this application, stating the city's position on this request.
- Approved or recorded plat (a survey and site plan may be accepted for single family and duplex applications. Please consult with Planning and Development Management Division staff).
- A check for the application fees (if applicable) made payable to: Broward County Board of County Commissioners. Please consult the Development Permit Application Fee Schedule.

For ROADWAY RELATED items (1 through 5) listed under INSTRUCTIONS on Page 1 of this form, the following additional documents are also required:

- The proposed site plan (2 original) which shows, at a minimum, the on-site traffic circulation system, adjacent roadway details, and the location of all existing and proposed driveway(s). The site plan must provide relevant dimensions and must be drawn to scale.
- Signed and sealed drawings (2 original) clearly illustrating the proposed change(s). The drawings must provide relevant dimensions and must be drawn to scale.
- A valid Pre-Application approval letter from the Florida Department of Transportation is required for all roadway and/or access related applications which abut a Trafficway that is functionally classified as a State Road. This requirement includes the creation or amendment of vehicular access and/or any improvements requiring permits from the State.

For NON-ROADWAY RELATED items (6 through 12) listed under INSTRUCTIONS on Page 1 of this form, please consult with Planning and Development Management staff to determine any additional required documentation.

OWNER/AGENT CERTIFICATION

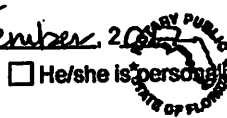
State of FLORIDA

County of BROWARD.

This is to certify that I am the owner/agent of the property described in this application and that all information supplied herein are true and correct to the best of my knowledge. By signing this application, owner/agent specifically agrees to allow access to the described property at reasonable times by County personnel for the purpose of verification of information provided by owner/agent.

Signature of owner/agent Adriana Jimenez

Sworn and subscribed to before me this 30 day of November, 2017
by Adriana Jimenez



Jacklyn Davis
Notary Public
State of Florida
My Commission Expires 1/28/2020
Commission No. FF 955581

Has presented Florida DL

Signature of Notary Public Jacklyn Davis

Type or Print Name Adrian Jacklyn Davis

FOR PLANNING AND DEVELOPMENT MANAGEMENT DIVISION USE ONLY

Title _____ Application Date 12/01/17 Acceptance Date 12/04/17

Comments Due 12/18/17 C.C. Mtg. Date _____ Fee \$ 770.00

Report Due 12/26/17 Adjacent City _____

Plats Site Plans/Drawings City Letter FDOT Letter

Other (Describe) Survey

Title of Request Setback requirement removal - Modify other Non-Roadway Related Conditions

Distribute to: Engineering Traffic Engineering Mass Transit

Other _____ Other _____

Comments _____

Received by Kay

Turner, Thuy

From: andres gutierrez <anroguza@yahoo.com>
Sent: Thursday, November 30, 2017 5:26 PM
To: Turner, Thuy
Cc: Sandi Downs Keesling; Adriana Jimenez Esposa De Ricardo Jimenez
Subject: 3391 SW 22nd st

Hello Thuy,

My name is Andres Gutierrez, I am Adriana Peters' realtor, who owns the property located at 3391 SW 22nd St, Ft Lauderdale 33312.

The reason why I am writing you this letter today is because the Platt on the property mentioned above was

divided before 1957 on the south lot / section ONE 27 -44 B LOT 7 S 80 BLK 10. there an existing 50 feet

setback line that goes through the existing 1957 residence.

we are requesting the 50' setback to be removed to so buyer can obtain legal title insurance and bring the

property to be in legal compliance.

Sandi Downs, a police officer for the city of Ft Lauderdale, who is the selling agent and mother of the buyer for

this property has spent plenty time (Nov 15 - 22) to try to solve this matter. In addition, Jeff Day (Planning),

David " DG" Mc Guire (Engineering), Howard Clarke (Planning) and You (Twee Turner)

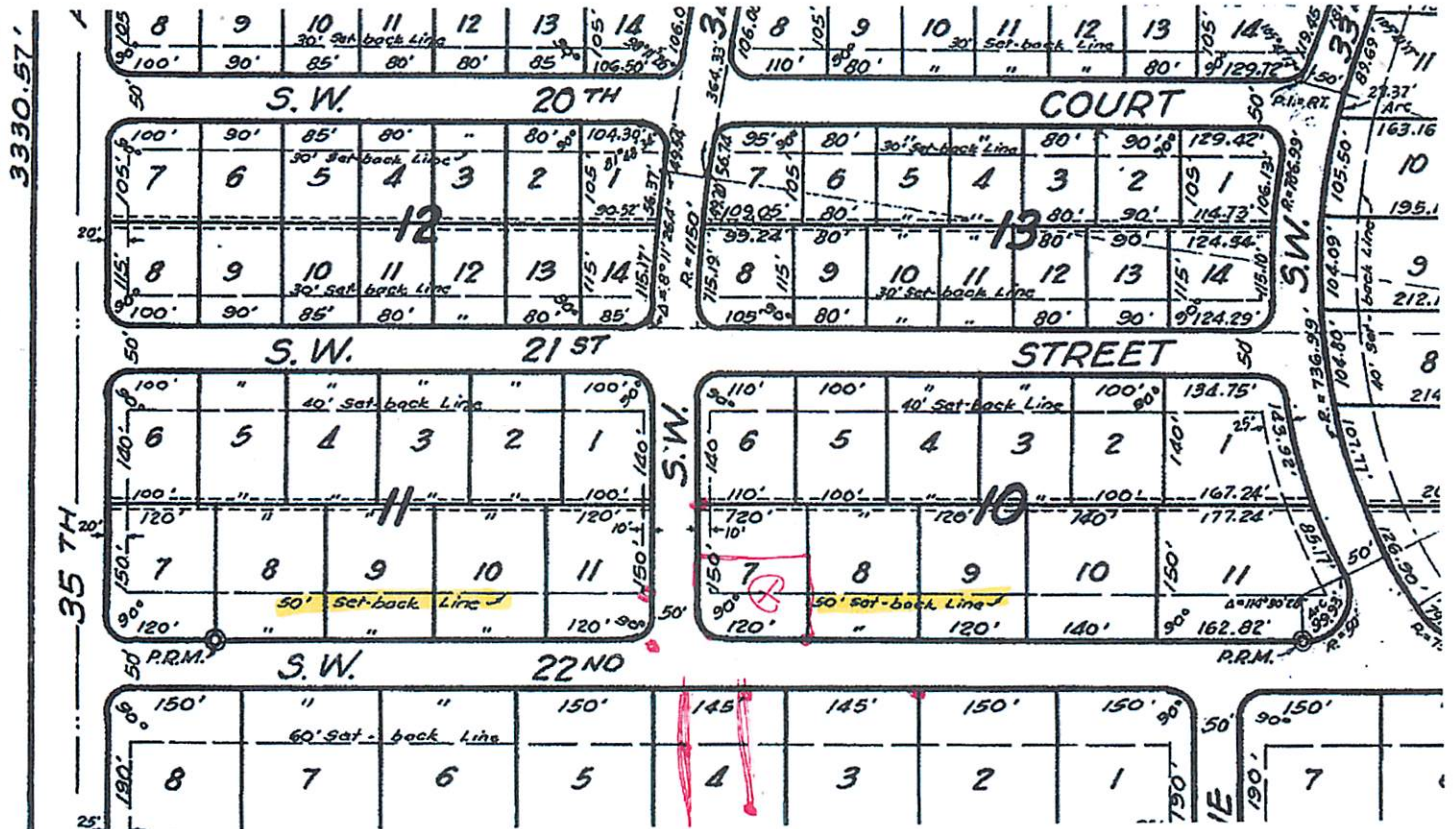
have tried to help us solved this issue.

It will be greatly appreciated if you could help us find the solution

Thank you

Andres Gutierrez

Partnership Realty



1150 E. ATLANTIC BLVD.
POMPANO BEACH
FLORIDA 33060

ACCURATE LAND SURVEYORS, INC.
L.B. #3635

TEL. (954) 782-1441
FAX. (954) 782-1442

SHEET 1 OF 2

TYPE OF SURVEY: BOUNDARY

JOB NUMBER: SU-17-3685

LEGAL DESCRIPTION:

THE SOUTH EIGHTY FEET (S 80') OF LOT SEVEN (7), BLOCK TEN (10) OF RIVERLAND VILLAGE SECTION ONE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 27, PAGE 44, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

ADDRESS: 3391 SW 22ND STREET FORT LAUDERDALE, FL 33312

FLOOD ZONE: X(0.2%)
BASE FLOOD ELEVATION: N/A
CONTROL PANEL NUMBER: 125165-0552-H
EFFECTIVE: 8/18/2014 REVISED: 8/18/2014

LOWEST FLOOR ELEVATION: N/A
GARAGE FLOOR ELEVATION: N/A
LOWEST ADJACENT GRADE : N/A
HIGHEST ADJACENT GRADE : N/A

REFERENCE BENCH MARK: N/A

CERTIFY TO:

1. RYAN CHRISTOPHER DOWN
2. PARAMOUNT RESIDENTIAL MORTGAGE GROUP, INC.
3. CHICAGO TITLE INSURANCE COMPANY
4. CHICAGO TITLE INSURANCE AGENCY, INC.
- 5.
- 6.

EASEMENTS ACCORDING TO THE AFORESAID PLAT:
NONE

ABOVE GROUND ENCROACHMENTS ACCORDING TO THE AFORESAID PLAT:
RESIDENCE IN SOUTHERN 60' BUILDING SETBACK LINE.
DRIVEWAY IN ROAD RIGHT-OF-WAY ALONG THE SOUTH BOUNDARY.

NOTICE:

THIS SURVEY IS MADE FOR MORTGAGE AND TITLE PURPOSES ONLY AND SHOULD NOT BE USED FOR DESIGN OR CONSTRUCTION PURPOSES.

NOTES:

1. THIS SURVEY CONSISTS OF A MAP AND A TEXT REPORT. ONE IS NOT VALID WITHOUT THE OTHER.
2. OWNERSHIP OF FENCE AND WALLS IF ANY, NOT DETERMINED.
3. THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE CERTIFIED HEREON. TO BE VALID ONE YEAR FROM THE DATE OF SURVEY AS SHOWN HEREON.

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LEGEND OF ABBREVIATIONS:

ELEVATIONS BASED ON NGVD 1988
 S.F.P.C. - SURVEY FEET
 P.C.P. - PERMANENT CONTROL POINT
 P.B.C.R. - PALM BEACH COUNTY RECORDS
 P. - PLAT
 N.B. & C.B. - NAD 83
 P.O.C. - POINT OF COMMENCEMENT
 P.O.R. - POINT OF REVISION
 A.C. - AIR CORNER
 P.C. - PEG
 C.M.T. - CONCRETE MASONRY TOWER
 F.P.L. - FLORIDA POWER & LIGHT
 ELEV. - ELEVATION
 M.S. - MANSION
 EASEM. - EASEMENT
 ELEC. - ELECTRIC
 MANT. - MAINTENANCE
 B.C.R. - BROWARD COUNTY RECORDS
 D.C.R. - DADE COUNTY RECORDS
 P.B. - PLAT BOOK
 O.R.B. - OFFICIAL RECORDS BOOK
 P.F. - FINISHED FLOOR
 EIGH. - EIGHTH
 THROUGH - THROUGH
 C.I.P. - CURB LINE FENCE
 W.F. - WOOD FENCE
 B.S. - BULLSEYE
 A.D. - ASSUMED DATUM
 S.P. - SINK PIPE
 S.R. - SINK ROAD
 G. - GARAGE
 C.L. - CENTERLINE
 R.C. - REINFORCED CONCRETE
 L.P. - LIGHT POLE
 U.L. - UTILITY (ELECTRIC)
 G.B. - GARAGE BASEMENT
 A.E. - ANCHOR EASEMENT
 P.R.M. - PERMANENT REFERENCE MONUMENT
 W.F. - WOOD FENCE
 S.A.M.V. - SOUTH AMERICAN VERTICAL DATUM 1988

BROWARD COUNTY NAVD1988

