City Planning Division Case Report VAC26-000014

Review Date: October 1, 2026

Property Owners: Glenn A. Julius and Janet L Julius
1724 SW 28th Lane
Cape Coral, FL 33914

DKC Builders LLC
300 Walnut Drive
East Peoria, IL 61611

Authorized Rep.: Glenn Julius

Subject Properties: 1724 SW 28th Lane
Cape Coral, FL 33914
Unit 71 Block 4791 Lots 1-3, Cape Coral Subdivision
33-44-23-C3-04791.0010

2841 SW 17th Place
Cape Coral, FL 33914
Unit 71 Block 4790 Lots 41-42, Cape Coral Subdivision
33-44-23-C3-04790.0410

Request: Vacate 2,992.9 sq. ft. of street right-of-way (ROW) reserving underlying easements on a portion of SW 17th Place.

Prepared By: Patrick Carlton White, AICP, Principal Planner

Approved By: Mike Struve, AICP, Planning Team Coordinator

Recommendation: **Approval with conditions**

Background:

This vacation application was submitted by Glenn Julius who is the authorized representative of the owners of both subject properties. Per the application's Letter of Intent, the vacation is requested to accommodate a future seawall which will be located between the two subject properties. The construction of this seawall is necessary to eliminate erosion of the canal bank and the accretion of soil in the waterway.

The western property (at 1724 SW 28th Lane) is improved with a single-family home and marine improvements. The eastern property is vacant but has a seawall. Both properties have Single-Family Residential (R-1) Zoning and a Future Land Use Classification of Single-Family (SF). All sites within 500 feet of the subject sites share the same future land use and zoning classifications.

The easements underlying the vacated right-of-way area shall remain in place and are not affected by this proposed vacation. The lot lines will change, the two properties will be enlarged, however no structural improvement will be placed within the vacated area. This will allow the applicant to construct a seawall between the two subject properties while preserving the City's ability to access an existing wastewater pipe.

Analysis:

LDC, Section 3.4.5.B. state that applications for vacations shall be reviewed in accordance with the following criteria:

1. Whether the plat, easements, or rights-of-way are required by the City for any future transportation, access, water management, or public utility purposes.

   The ROW vacation will not eliminate or adversely affect access to either property. An adequate turning radius will remain in the hammerhead to allow vehicles to maneuver sufficiently at the end of the street.

   The City has a wastewater pipe traversing the Progress Canal and TECO has a gas line similarly crossing the canal. In order to preserve access to these facilities, the City is reserving the underlying easements within the vacated area. Additionally, conditions of approval are recommended to minimize risks to these facilities during future construction of the seawall.

2. Whether any required easements are necessary to accommodate the vacation of any plat, easement, or right-of-way.

   No new easements are proposed to be vacated.

3. If alternate routes are required or available that do not cause adverse impacts to surrounding areas.

   As this vacation applies only to a portion of the hammerhead street between the applicants' properties, the public will not be affected as the improved segment of SW 17th Place will remain and continue to function as designed. No alternate routes will be required, and this vacation will not have adverse impacts to the surrounding area.

4. If the closure of a right-of-way negatively affects areas utilized for vehicles to turn around and exit an area.

   The vacation will not impede the ability of vehicles, including fire and emergency management vehicles, to turn around and exit the area by using the existing, improved right-of-way.

5. Whether local utility providers have given consent to the vacation of the plat, easements, or rights-of-way. The local utility providers may require additional easements or relocation of existing utilities facilities to complete the vacation.

   All three utility providers have provided letters of no objection. Lumen and Comcast stipulated that if facilities are found or damaged within the vacated area as described, the owners will bear the cost of relocation and repair of said facilities.

Consistency with the Comprehensive Plan

The City lacks specific policies in the Comprehensive Plan for vacations involving residential-zoned lands.

This request is consistent with Policy 1.15 of the Future Land Use Element.

Policy 1.15: *Land development regulations adopted to implement this comprehensive plan will be based on, and will be*

consistent with, the standards for uses and densities/intensities as described in the following future land use classifications. In no case shall maximum densities allowable by the following classifications conflict with Policy 4.3.3 of the Conservation and Coastal Management Element regulating density of development within the Coastal High Hazard Area.

a. <u>Single Family Residential:</u> Sites of 10,000 square feet and greater, with densities not to exceed 4.4 units per acre.

This request is consistent with Policy 1.15 that identifies with R-1 District as being consistent with the Single Family FLUC. This request is consistent with Policy 1.15.a as both sites will be developed with a density less than the maximum 4.4 dwelling units per acre allowed within the Single Family FLUC; neither property shall exceed this maximum density.

Recommendation:

Staff recommends **approval with conditions** of the requested vacations.

<u>Conditions of Approval</u>

1. The vacation of the 2,992.9 sq.ft. of SW 17th Place right-of-way shall be consistent with that shown in the sketch and accompanying legal description prepared by Harris-Jorgensen, LLC, with a seal date of July 31, 2026, and labeled as Exhibit A.

2. A Subsurface Utility Engineering plan shall be prepared to determine the location and depth of the waste water main and the TECO gas main in the area of the Seawall and Deadman. This plan shall be submitted by the applicants, at the applicants' expense, with the seawall permit. Both the plan and seawall permit and shall be reviewed and approved at the sole discretion of the City.

3. No later than 12 months from the approval of this vacation request, the applicants shall have constructed a seawall within the vacated right-of-way area. The applicants may request one or more extensions to this time limitation that shall be reviewed by the Public Works Director. The Director may approve an extension provided good cause is demonstrated by the applicants. Approval of any requested extension shall be at the sole discretion of the Director.

4. Any proposed structural improvement within the vacated area, or either adjacent property must be at least seven feet from the wastewater main.

5. In the event utility facilities are found within the vacated area, the applicants shall be responsible for bearing the cost for relocating the facilities to a new easement at the sole discretion of the utility provider. Should any utility facilities be damaged during construction activities, the applicants shall bear the cost of repairing said facilities.

6. The Petitioners shall reimburse the City of Cape Coral the cost of recording this resolution with the office of the Lee County Clerk of Court.

7. The City shall record this resolution with the office of the Lee County Clerk of Court following the receipt of the recording fees from the Petitioners.

8. A violation of any condition of approval by either owner shall be enforceable by all remedies available to the City, including but not limited to, all code compliance procedures.

Staff Contact Information

Patrick Carlton White, AICP, Principal Planner
PH: 239-574-0605
Email: PWhite@CapeCoral.net

Exhibit A

SKETCH TO ACCOMPANY DESCRIPTION:
(PROPOSED) VACATION OF A PORTION OF:

A PORTION OF S.W. 17TH PLACE RIGHT OF WAY, CAPE CORAL UNIT 71,

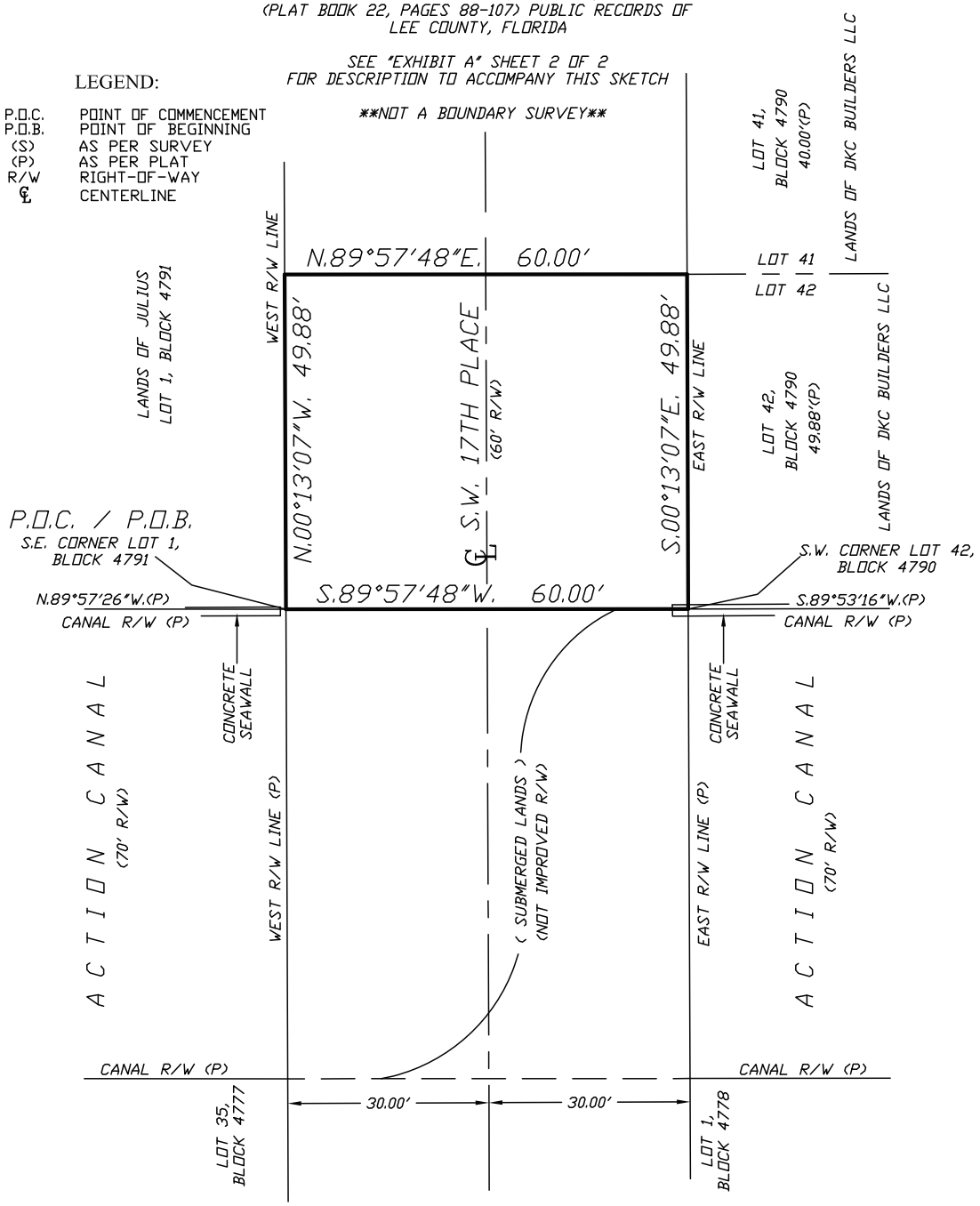
(PLAT BOOK 22, PAGES 88-107) PUBLIC RECORDS OF LEE COUNTY, FLORIDA

SEE "EXHIBIT A" SHEET 2 OF 2
FOR DESCRIPTION TO ACCOMPANY THIS SKETCH

NOT A BOUNDARY SURVEY

LEGEND:

P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
(S)	AS PER SURVEY
(P)	AS PER PLAT
R/W	RIGHT-OF-WAY
℄	CENTERLINE



SKETCH NOTES:

1. BASIS OF BEARING SHOWN HEREON TAKEN FROM THE WEST RIGHT-OF-WAY LINE OF S.W. 17TH PLACE, AS BEING N.00°13'07"W.
2. FIELD NOTES IN CAPE CORAL, BLOCK 4791.
3. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
4. THIS CERTIFICATION IS ONLY FOR LANDS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF TITLE, ZONING OR FREEDOM OF ENCUMBRANCES.
5. THIS SKETCH DOES NOT CONSTITUTE A TITLE OR EASEMENT SEARCH AND WAS BASED ON DESCRIPTION FURNISHED BY CLIENT AND/OR FOUND MONUMENTATION IN THE FIELD.
6. UNDERGROUND STRUCTURES AND UTILITIES, IF ANY, ARE NOT INCLUDED.
7. THIS MAP/PLAT IS CONSIDERED SIGNED USING A DIGITAL SEAL IN ACCORDANCE WITH THE APPLICABLE STATE LAWS AND STATUTES FS 668.001-006; FS 668.50; FS 472.025; 5J-17.062, FLORIDA ADMINISTRATIVE CODE, STATE OF FLORIDA.
8. ALL BEARINGS AND DISTANCES ARE PLAT AND MEASURED, UNLESS OTHERWISE SHOWN.
9. THIS SKETCH IS INTENDED TO BE VIEWED AS AN 8 ½ x 14", 20 SCALE DRAWING.

N

10 0 10 20 30

SCALE IN FEET

SHEET 1 OF 2

CC-U71-4791-ROW

HARRIS-JORGENSEN, LLC.
3048 DEL PRADO BLVD. S. #100
CAPE CORAL, FL. 33904
239-257-2624

"EXHIBIT A"

DESCRIPTION TO ACCOMPANY SKETCH
(PROPOSED) VACATION OF:

A PORTION OF S.W. 17TH PLACE RIGHT OF WAY, CAPE CORAL UNIT 71,

(PLAT BOOK 22, PAGES 88-107) PUBLIC RECORDS OF
LEE COUNTY, FLORIDA

SEE SHEET 1 OF 2
FOR SKETCH TO ACCOMPANY
THIS DESCRIPTION
NOT A BOUNDARY SURVEY

DESCRIPTION:
A PLOT OR PORTION OF S.W. 17TH PLACE RIGHT OF WAY, CAPE CORAL UNIT 71, AS RECORDED IN PLAT BOOK 22, PAGES 88-107, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, SAID PLOT OR PORTION BEING FURTHER DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 4791, OF SAID CAPE CORAL UNIT 71, FOR A POINT OF BEGINNING; THENCE RUN N.00°13'07"W. ALONG THE WEST RIGHT OF WAY LINE OF AFORESAID S.W. 17TH PLACE (60 FEET WIDE) FOR 49.88 FEET; THENCE RUN N.89°57'48"E. TO A POINT ALONG THE EAST RIGHT OF WAY LINE OF SAID S.W. 17TH PLACE (60 FEET WIDE) AND INTERSECTION OF THE COMMON CORNERS OF LOTS 41 AND 42, BLOCK 4790, SAID CAPE CORAL UNIT 71, FOR 60.00 FEET; THENCE RUN S.00°13'07"E. ALONG THE EAST RIGHT OF WAY LINE SAID S.W. 17TH PLACE (60 FEET WIDE) TO A POINT ALONG THE NORTH RIGHT OF WAY LINE OF ACTION CANAL AND THE SOUTHWEST CORNER OF SAID LOT 42, BLOCK 4790, CAPE CORAL UNIT 71, FOR 49.88 FEET; THENCE RUN S.89°57'48"W. TO THE AFORESAID SOUTHEAST CORNER OF LOT 1, BLOCK 4791, CAPE CORAL UNIT 71, FOR 60.00 FEET, TO THE POINT OF BEGINNING.

CONTAINING: 2,992.9 SQUARE FEET, MORE OR LESS.

PHILLIP M MOULD
LICENSE NUMBER
No. LS6515
STATE OF FLORIDA
PROFESSIONAL SURVEYOR AND MAPPER

Phillip Mould
2026.07.31
08:17:24
-04'00'

PHILLIP M. MOULD
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA - LS6515
7-30-2026

CC-U71-4791-ROW

HARRIS-JORGENSEN, LLC.
3048 DEL PRADO BLVD. S. #100
CAPE CORAL, FL. 33904
239-257-2624

DEPARTMENT OF DEVELOPMENT SERVICES
CITY PLANNING DIVISION

For Internal Use Only

Case_____

Date_____

Tel. (239) 574-0553
Fax (239) 574-0591
P.O. Box 150027
Cape Coral, FL 33915-0027

VACATIONS OF A PLAT, EASEMENTS, AND RIGHT-OF-WAY APPLICATION

VACATIONS REQUIREMENTS

PRE-APPLICATION MEETING REQUIRED: *Before submitting a vacation application with the city, applicants are required to request and participate in a pre-application meeting with Planning staff. New vacation applications will not be accepted until a meeting with staff has been held.*

1. ☐ Application, Acknowledgement Form, Authorization to Represent.
   - All forms must be filled out completely and legible.
   - All forms must be signed by the property owner(s) and must be notarized.
   - If the owner does not own the property in his/her personal name (e.g. LLC, trust, etc.), the owner must sign all applicable forms in his/her corporate capacity.
   - If the authorized representative is an attorney, the application and the Acknowledgement Form may be signed by the attorney, and an Authorization to Represent Property Owner Form is not required.
2. ☐ Letter of intent clearly identifying the request and why the vacation is sought.
3. ☐ Proof of title to the tract or parcel of land covered by the plat or, of the plat of which vacation is sought.
4. ☐ Letters of approval from the following utility companies:

LCEC (Electric)	Century Link (Telephone)	Comcast (Cable)
Steve Sousa	Bill Paul	Christopher Plank
Right-of-Way Agent	Network Infrastructure Services	Construction Specialist II
PO Box 3455 North Ft Myers, FL 33918-3455	8441 Littleton Rd. North Fort Myers, FL 33903	12600 Westlinks Drive Ste. 4 Fort Myers, FL 33913
steve.sousa@lcec.net	William.d.paul@centurylink.com	Christopher_Plank@Comcast.com
PH: (239) 656-2228	PH: (727) 449-3544	PH: (574) 808-8943

5. ☐ Sketches and legal descriptions of the area proposed to be vacated.
6. ☐ If there are any deed restrictions on the property, a copy of the restrictions will be required.
7. ☐ Certified topographic survey (done within the past six months, and showing all pavement, utility and drainage features in said area, including but not limited to water, sewer and irrigation lines and manholes; power, cable and utility lines and poles; catch basins, inlets, pipes, and swales. In the case where no features exist, a signed, sealed and dated certification by a Florida registered Professional Engineer can be submitted which certifies that there are no such roadway, utility or drainage features within the limits of and adjacent to the proposed vacated area.
8. ☐ Any additional required supporting documents.
9. ☐ Refer to LDC, Section 3.4.5 for information on regulations concerning vacations.

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VACATIONS OF PLAT REQUEST TO THE HEARING EXAMINER AND CITY COUNCIL

FEE: $843.00 – In addition to the application fee, all required advertising costs are to be paid by the applicant (ORD 39-03, Sec. 5.4) Advertising costs must be paid prior to public hearing otherwise the case may be continued to a future hearing date.

If the vacation is approved, the applicant shall be responsible for reimbursing the City to record the final resolution or ordinance with the Lee County Clerk of Court. Until these fees are paid, restrictions on the issuance of any City permits will remain on the affected property that will prevent the City from issuing any applicable building permits, site plans, or certificates of occupancy for any property covered by the resolution or ordinance.

PROPERTY INFORMATION

Project Name: _____

Location/Address 1724 SW 28th Lane Cape Coral, Fl 33914

Strap Number _____ Unit____ Block _____ Lot (s)_____

Strap Number _____ Unit____ Block _____ Lot (s)_____

Plat Book_____ Page_____ Future Land Use_____ Current Zoning_____

PROPERTY OWNER (S) INFORMATION

Owner Glenn + Janet Julius Address 1724 SW 28th Lane

Phone 317 796 1880 City Cape Coral.

Email gajulius@yahoo.com State Florida Zip 33914

Owner Keith + Donna Craig Address 2841 SW 17th Place

Phone 309-303-0363 City Cape Coral

Email djhomes19@gmail.com State Florida Zip 33914

APPLICANT INFORMATION (If different from owner)

Applicant Glenn Julius Address 1724 SW 28th Lane

Phone 317 796 1880 City Cape Coral

Email gajulius@yahoo.com State Florida Zip 33914

AUTHORIZED REPRESENTATIVE INFORMATION (If Applicable)

Representative_____ Address_____

Phone_____ City_____

Email_____ State _____Zip_____

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If the owner does not own the property in his/her personal name, the owner must sign all applicable forms in his/her corporate capacity.

(SIGNATURE MUST BE NOTARIZED)

The owner of this property, or the applicant agrees to conform to all applicable laws of the City of Cape Coral and to all applicable Federal, State, and County laws and certifies that all information supplied is correct to the best of their knowledge.

CORPORATION/COMPANY NAME (IF APPLICABLE)

Glenn Julius
OWNER'S NAME (TYPE OR PRINT)

OWNER'S SIGNATURE

Janet Julius
OWNER'S NAME (TYPE OR PRINT)

OWNER'S SIGNATURE

APPLICANT NAME (TYPE OR PRINT)

APPLICANT SIGNATURE

I have read and understand the above instructions. Hearing date(s) will be confirmed when I receive a copy of the Notice of Public Hearing stipulating the day and time of any applicable hearings.

STATE OF Florida

COUNTY OF Lee

Sworn to (or affirmed) and subscribe before me, by means of ☑ physical presence or ☐ online notarization, on this 10th day of December, 2025 by Glenn Julius & Janet Julius know is personally known to me or produced Indiana Driver License Florida Driver License as identification.

Exp Date: Dec. 26, 2026 Commission Number: HH344294

DIANE ESPEJO
Notary Public - State of Florida
Commission # HH 344294
My Comm. Expires Dec 26, 2026

Signature of Notary Public:

Printed Name of Notary Public: Diane Espejo

DEPARTMENT OF DEVELOPMENT SERVICES
CITY PLANNING DIVISION

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Fax (239) 574-0591
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Cape Coral, FL 33915-0027

AUTHORIZATION TO REPRESENT PROPERTY OWNER(S)

PLEASE BE ADVISED THAT Glenn Julius
(Name of person giving presentation)

IS AUTHORIZED TO REPRESENT ME IN THE REQUEST BEFORE THE HEARING EXAMINER AND CITY COUNCIL FOR:

_____
(Type of Public Hearing, PUD, Rezone, Special Exception, Vacation of Plat, Variance, etc.)

UNIT_____ BLOCK_____ LOT(S) ✓ SUBDIVISION _____

OR LEGAL DESCRIPTION SW 17Th Place (south end)

LOCATED IN THE CITY OF CAPE CORAL, COUNTY OF LEE, FLORIDA.

Glenn Julius
PROPERTY OWNER (Please Print)

PROPERTY OWNER (Signature & title)

Janet Julius
PROPERTY OWNER (Please Print)

PROPERTY OWNER (Signature & title)

STATE OF Florida

COUNTY OF Lee

Sworn to (or affirmed) and subscribe before me, by means of ☑ physical presence or ☐ online notarization, on this 10th day of December, 2025 by Glenn Julius & Janet Julius know is personally known to me or produced Indiana Drivers License Florida Drivers License as identification.

DIANE ESPEJO
Notary Public - State of Florida
Commission # HH 344294
My Comm. Expires Dec 26, 2026

Exp Date: Dec 26, 2026 Commission Number: HH344294

Signature of Notary Public:

Printed Name of Notary Public: Diane Espejo

Note: Please list all owners. If a corporation, please supply the City Planning Division with a copy of corporation papers.

DEPARTMENT OF DEVELOPMENT SERVICES
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ACKNOWLEDGEMENT FORM

I have read and understand the above instructions. Hearing date(s) will be confirmed when I receive a copy of the Notice of Public Hearing stipulating the day and time of any applicable hearings.

I acknowledge that I, or my representative, must attend any applicable meetings scheduled for the Hearing Examiner and City Council.

I will have the opportunity at the hearing to present information pertaining to my request that may not be included in my application.

I understand any decision rendered by the CITY shall be subject to a thirty (30) day appeal period. Any work performed within the thirty (30) day time frame or during the APPEAL process will be completed at the applicant's risk.

I understand I am responsible for all fees, including advertising and recording costs. All fees are to be submitted to the City of Cape Coral with the application.

By submitting this application, I acknowledge and agree that I am authorizing the City of Cape Coral to inspect the subject property and to gain access to the subject property for inspection purposes reasonably related to this application and/or the permit for which I am applying.

I hereby acknowledge that I have read and understood the above affidavit on the 10 Day of December, 2025.

_____ Glenn Julius
CORPORATION/COMPANY NAME OWNER'S NAME (TYPE or PRINT)

Glenn Julius
OWNER'S SIGNATURE

STATE OF Florida

COUNTY OF Lee

Sworn to (or affirmed) and subscribe before me, by means of ☑ physical presence or ☐ online notarization, on this 10th day of December, 2025 by Glenn Julius, know is personally known to me or produced Florida Drivers License as identification.

Exp Date: Dec 26, 2026 Commission Number: HH344294

DIANE ESPEJO
Notary Public - State of Florida
Commission # HH 344294
My Comm. Expires Dec 26, 2026

Signature of Notary Public: Diane Espejo

Printed Name of Notary Public: Diane Espejo

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DOCUMENTARY EVIDENCE (LDC, Section 3.1.11F.6)

A copy of all documentary evidence shall be made available to the decision-making body or the Hearing Examiner and to staff no later than three business days prior to the hearing of the application. This requirement includes information that the applicant intends to present at public hearing.

I have read the above requirement and agree to comply with this provision.

Glenn Julius
OWNER/APPLICANT
(PLEASE TYPE OR PRINT)

OWNER/APPLICANT SIGNATURE

(SIGNATURE MUST BE NOTARIZED)

STATE OF Florida

COUNTY OF Lee

Sworn to (or affirmed) and subscribe before me, by means of ☑ physical presence or ☐ online notarization, on this 10th day of December, 2025 by Glenn Julius, know is personally known to me or produced Florida Driver License as identification.

DIANE ESPEJO
Notary Public - State of Florida
Commission # HH 344294
My Comm. Expires Dec 26, 2026

Exp Date: Dec. 26, 2026 Commission Number: HH344294

Signature of Notary Public:

Printed Name of Notary Public: Diane Espejo

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Vacations of Plats, Easements, and Right-of-Way Regulations

Section 3.4.5. Vacations of Plats, Easements, and Rights-of-way.

The purpose and intent of this section is to provide procedures for City Council to vacate rights-of-way, easements, and plats pursuant to authority granted under Florida law. The City Council may adopt ordinances vacating plats in whole or in part of subdivisions within the corporate limits of the city, returning the property covered by such plats either in whole or in part into acreage for the purpose of taxation, or vacating public rights-of-way, public easements, or other property in response to applications filed from adjoining property owners.

A. General.

1. The city may retain an easement for utilities or drainage over any vacated right-of-way and that no use may be made of vacated right-of-way which will be inconsistent with or interfere with the retained easement. The party seeking vacation of a plat, city street, alley, canal, other right-of-way, public easement, or other property must shows or submit the following:

    a. Petitioner has color of title to the tract or parcel of land covered by the plat or portion of 1796 the plat of which vacation is sought, unless the petitioner is the City of Cape Coral;
    b. Letter of approval from Lee County Electric Cooperative, Inc.;
    c. Letter of approval from affected telephone companies;
    d. Letter of approval from affected cable companies; and
    e. Letter of approval from any other affected utility companies (e.g., water, sewer);

2. Applicants requesting to vacate rights-of-way or easements shall provide a recent boundary survey or survey sketch of the property prepared by a registered surveyor showing the area to be vacated and provide a complete legal description(s). The survey or sketch shall show all pavement and all utility and drainage facilities, including water, sewer, cable lines, utility poles, swales, ditches, manholes, and catch basins. Separate drawings and legal descriptions are required for each vacation area when right-of-way and easement configurations differ.

B. Standards and Criteria. Applications for vacations shall be reviewed in accordance with the following criteria:

1. Whether the plat, easements, or rights-of-way are required by the City for any future transportation, access, water management, or public utility purposes.
2. Whether the plat, easements, or rights-of-way are required by the City for any future transportation, access, water management, or public utility purposes.

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3. Whether any required easements are necessary to accommodate the vacation of any plat, easement, or right-of-way.
4. If alternate routes are required or available that do not cause adverse impacts to surrounding areas.
5. Whether local utility providers have given consent to the vacation of the plat, easements, or rights-of-way. The local utility providers may require additional easements or relocation of existing utilities facilities to complete the vacation.

C. Additional Procedures and Noticing Requirements. In addition to the standard notice requirements required by this Code, the following additional notice requirements apply for vacations:

1. Specific notice requirements for vacations. Public hearing notices to vacate a plat or portion thereof shall be published once a week for two consecutive weeks, the first publication being not less than two weeks prior to the date of public hearing on the petition.
2. If the parcel to be vacated includes an alley, all property owners serviced by the alley and all property owners serviced by a connecting alley shall be noticed.
3. Adoption and recording of resolution and ordinance. After public hearing, the City Council may approve an application for a vacation if it determines there is no reasonably foreseeable public use for the vacated area. Approval of a vacation shall be by resolution or ordinance. The City may retain easements for utilities or drainage in and upon the vacated area. Upon adoption of the resolution vacating the plat or portion thereof, the City Clerk shall furnish to the petitioner a certified copy thereof and the petitioner shall cause the same to be recorded in the public records of the county and shall return a copy, showing the recording information, to the Department of Community Development.
4. Effect. The adoption and recording of a vacation shall have the effect of vacating all streets and alleys and city-owned easements shown on the portion of the plat so vacated, unless the resolution or ordinance specifically reserved unto the city such city-owned easements or such streets or alleys. If public rights-of-way are vacated, the resolution or ordinance shall specify whether or not easements are reserved therein for utilities and drainage. The resolution or ordinance shall not have the effect of vacating any public canal shown on the portion of the plat vacated, unless the resolution or ordinance specifically so provides.
5. Petitioner's responsibility. The city, City Council, and all officers, employees, and agents thereof shall not assume any responsibility or liability for any matters and things to be done or completed by the petitioner pursuant to the provisions hereof. It is recognized that this procedure may affect substantial interests in real property and other proprietary rights, and the petitioner shall assume full and complete responsibility for compliance with the requirements of law and these procedures in connection with or arising out of any vacation proceedings instituted by the petitioner.

Cape Coral FLORIDA
DEPARTMENT OF DEVELOPMENT SERVICES
CITY PLANNING DIVISION

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Cape Coral, FL 33915-0027

AUTHORIZATION TO REPRESENT PROPERTY OWNER(S)

PLEASE BE ADVISED THAT Glenn Julius
(Name of person giving presentation)

IS AUTHORIZED TO REPRESENT ME IN THE REQUEST BEFORE THE HEARING EXAMINER AND CITY COUNCIL FOR:
VACATION of PLAT
(Type of Public Hearing, PUD, Rezone, Special Exception, Vacation of Plat, Variance, etc.)

UNIT ✓ BLOCK _____ LOT(S) _____ SUBDIVISION _____

OR LEGAL DESCRIPTION: Cape Coral UNIT 71 BLK. 4790 PB22 PG90 Lots 41 + 42

LOCATED IN THE CITY OF CAPE CORAL, COUNTY OF LEE, FLORIDA.

PATRICK Keith Craig
PROPERTY OWNER (Please Print)

Patrick Keith Craig
PROPERTY OWNER (Signature & ~~title~~)

Donna Jones Craig
PROPERTY OWNER (Please Print)

Donna Jones Craig, Manager
PROPERTY OWNER (Signature & title)

STATE OF ILLINOIS
COUNTY OF Tazewell

Sworn to (or affirmed) and subscribe before me, by means of ☑ physical presence or ☐ online notarization, on this 18th day of December, ~~2020~~ 2025 by Patrick & Donna Craig, know is personally known to me or produced _____ as identification.

Exp Date: 9/28/2027 Commission Number: 978823

JAN ELLEN FANDEL
OFFICIAL SEAL
NOTARY PUBLIC STATE OF ILLINOIS
Notary Public - State of Illinois
Commission No. 978823
My Commission Expires September 28, 2027

Signature of Notary Public: _____

Printed Name of Notary Public: Jan Ellen Fandel

Note: Please list all owners. If a corporation, please supply the City Planning Division with a copy of corporation papers.

Cape Coral FLORIDA
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If the owner does not own the property in his/her personal name, the owner must sign all applicable forms in his/her corporate capacity.

(SIGNATURE MUST BE NOTARIZED)

The owner of this property, or the applicant agrees to conform to all applicable laws of the City of Cape Coral and to all applicable Federal, State, and County laws and certifies that all information supplied is correct to the best of their knowledge.

DKC Builders LLC
CORPORATION/COMPANY NAME (IF APPLICABLE)

Patrick Keith Craig
OWNER'S NAME (TYPE OR PRINT)

x Patrick Keith Craig
OWNER'S SIGNATURE

Donna Jones Craig
OWNER'S NAME (TYPE OR PRINT)

Donna Jones Craig
OWNER'S SIGNATURE

APPLICANT NAME (TYPE OR PRINT)

APPLICANT SIGNATURE

I have read and understand the above instructions. Hearing date(s) will be confirmed when I receive a copy of the Notice of Public Hearing stipulating the day and time of any applicable hearings.

STATE OF Illinois

COUNTY OF Tazewell

Sworn to (or affirmed) and subscribe before me, by means of ☐ physical presence or ☐ online notarization, on this 18 day of Dec, ~~2020~~ 2025 by Donna & Patrick Craig, know is personally known to me or produced _____ as identification.

Exp Date: 9/28/2027 Commission Number: 978823

JAN ELLEN FANDEL
OFFICIAL SEAL
Notary Public - State of Illinois
Commission No. 978823
My Commission Expires September 28, 2027

Signature of Notary Public:

Printed Name of Notary Public: Jan Ellen Fandel

Cape Coral FLORIDA
DEPARTMENT OF DEVELOPMENT SERVICES
CITY PLANNING DIVISION

Tel. (239) 574-0553
Fax (239) 574-0591
P.O. Box 150027
Cape Coral, FL 33915-0027

ACKNOWLEDGEMENT FORM

I have read and understand the above instructions. Hearing date(s) will be confirmed when I receive a copy of the Notice of Public Hearing stipulating the day and time of any applicable hearings.

I acknowledge that I, or my representative, must attend any applicable meetings scheduled for the Hearing Examiner and City Council.

I will have the opportunity at the hearing to present information pertaining to my request that may not be included in my application.

I understand any decision rendered by the CITY shall be subject to a thirty (30) day appeal period. Any work performed within the thirty (30) day time frame or during the APPEAL process will be completed at the applicant's risk.

I understand I am responsible for all fees, including advertising and recording costs. All fees are to be submitted to the City of Cape Coral with the application.

By submitting this application, I acknowledge and agree that I am authorizing the City of Cape Coral to inspect the subject property and to gain access to the subject property for inspection purposes reasonably related to this application and/or the permit for which I am applying.

I hereby acknowledge that I have read and understood the above affidavit on the 18 Day of December, 2025.

DKC Builders LLC
CORPORATION/COMPANY NAME

Patrick Keith Craig
OWNER'S NAME (TYPE or PRINT)

x Patrick Keith Craig
OWNER'S SIGNATURE

STATE OF ILLINOIS

COUNTY OF Tazewell

Sworn to (or affirmed) and subscribe before me, by means of ☑ physical presence or ☐ online notarization, on this 18th day of December, 2025 by Patrick Craig, know is personally known to me or produced _____ as identification.

JAN ELLEN FANDEL
OFFICIAL SEAL
Notary Public - State of Illinois
Commission No. 978823
My Commission Expires September 28, 2027

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Cape Coral, FL 33915-0027

DOCUMENTARY EVIDENCE (LDC, Section 3.1.11F.6)

A copy of all documentary evidence shall be made available to the decision-making body or the Hearing Examiner and to staff no later than three business days prior to the hearing of the application. This requirement includes information that the applicant intends to present at public hearing.

I have read the above requirement and agree to comply with this provision.

PATRICK KEITH CRAIG
OWNER/APPLICANT
(PLEASE TYPE OR PRINT)

Patrick Keith Craig
OWNER/APPLICANT SIGNATURE

(SIGNATURE MUST BE NOTARIZED)

STATE OF ILLINOIS

COUNTY OF Tazewell

Sworn to (or affirmed) and subscribe before me, by means of ☑ physical presence or ☐ online notarization, on this 18th day of December, ~~2020~~ 2025 by Patrick Craig, know is personally known to me or produced _____ as identification.

Exp Date: 9/28/27 Commission Number: 978823

Signature of Notary Public:

Printed Name of Notary Public: Jan Ellen Fandel

JAN ELLEN FANDEL
OFFICIAL SEAL
Notary Public - State of Illinois
Commission No. 978823
My Commission Expires September 28, 2027

Glenn & Janet Julius

1724 SW 28th Lane
Cape Coral, FL 33914
Phone: 317-796-1880
Email: gajulius@yahoo.com

July 30, 2026

City of Cape Coral
1015 Cultural Park Boulevard
Cape Coral, FL 33990

Subject: Letter of Intent to Acquire Vacated City Property

Dear Sir or Madam,

We, Glenn and Janet Julius, owners of the property located at 1724 SW 28th Lane, Cape Coral, Florida 33914, hereby submit this Letter of Intent expressing our interest in acquiring the City-owned parcel located between our property and 2841 SW 17th Place.

We understand that the City intends to vacate this parcel and allow its conveyance to adjacent property owners. We are interested in acquiring the parcel and incorporating it into our existing waterfront property. As part of our plans, we intend to install a 60-foot seawall and complete landscaping improvements that will enhance the appearance, functionality, and overall value of the property and the surrounding neighborhood.

We recognize that utility, drainage, access, and other easements may affect the property and hereby affirm our intent to comply with all applicable City of Cape Coral ordinances, regulations, and requirements relating to such easements. We will ensure that all improvements are designed and maintained in accordance with applicable laws and restrictions.

We have no intention of constructing any buildings, structures, or other developments on the property. Our sole purpose in acquiring the parcel is to maintain and enhance the area through the installation of a 60-foot seawall, landscaping improvements, and ongoing property maintenance. These improvements will benefit both our property and the surrounding neighborhood.

We appreciate the City's consideration of our request and look forward to working cooperatively through the process.

Thank you for your consideration.

Sincerely,
Glenn and Janet Julius

November 19th 2025

Attn: Glenn Julius

RE- Letter of No Objection- 1724 SW 28th Ln. Cape Coral FL 33914

Dear Glenn Julius,

Thank you for contacting Comcast regarding your proposed vacation. This is to inform you that Comcast does not have facilities within the site's development area and Comcast has no objection to the vacation, providing that any of Comcast facilities that are in need of being relocated be paid for by the customer and Comcast is granted new easements.

It is the intent and understanding of Comcast that this vacation shall not reduce our rights to any other existing easement or rights we have on this site or in the area. This vacation response is submitted WITH THE STIPULATION that If Comcast facilities are found and/or damaged within the area as described, the applicant will bear the cost of repairs or relocation of said facilities.

If you have any further questions or concerns, please do not hesitate to contact me at (574) 808-8943.

Sincerely,

Christopher Plank
Construction Manager SWFL

12600 Westlinks Dr. Suite #4
Fort Myers, FL 33913
574-808-8943
Christopher_Plank@Comcast.com

LCEC
PEOPLE. POWER. POSSIBILITIES.

Lee County Electric Cooperative, Inc.
Post Office Box 3455
North Fort Myers, FL 33918-3455
(239) 656-2300 ▪ Fax (239) 995-7904
www.lcec.net

November 20, 2025

Glenn Julius
1724 SW 28th Lane
Cape Coral, FL 33914

Re: Letter of Review and Recommendation to Vacation of Public Utility Easements located at the dead end of SW 17th Place, Cape Coral, FL 33914 meeting the Action Canal, adjoining the parcel of **1724 SW 28th Lane, Cape Coral, FL 33914: STRAP: 33-44-23-C3-04791.0010**
Owners of Record: Glenn and Janet Julius

We received your petition asking LCEC for a letter to vacate the public utility easements of record for the purpose of building a seawall and beautification of the location.

We have reviewed your request, with the submitted related documents, and our internal files. LCEC has **No Objection** to the requested vacation of the easements.

Please be advised, that should there be any substantial changes to the plans as submitted, LCEC reserves its rights to additional, and further review and comment with additional conditions, if necessary, consistent with its findings. Should no definitive action, no approval, by local jurisdiction be received by the petitioner, this letter will terminate within one year from the date listed above. This letter is not assignable to a third party and is non-recordable. This letter will become immediately void upon recordation.

Should there be any questions please call me at 239-656-2228, or, if you prefer, I may be reached by email at Steve.Sousa@lcec.net.

Very truly yours,

Steve Sousa
Right of Way Agent

LEE COUNTY ELECTRIC COOPERATIVE, INC.

RE: 401239535

2/6/26

Glenn Julius
1724 SW 28TH Lane
Cape Coral, Florida 33914

No Reservations/No Objection

SUBJECT: Vacation of a Portion of Right-of-Way - S.W. 17th PL, Cape Coral Unit 71
APN: 334423C3047900410

To Whom It May Concern:

CENTURYLINK OF FLORIDA, INC. d/b/a CENTURYLINK ("CenturyLink") has reviewed the request for the subject vacation and has determined that it has no objections with respect to the areas proposed for vacation as shown and/or described on Exhibit "A", said Exhibit "A" attached hereto and incorporated by this reference.

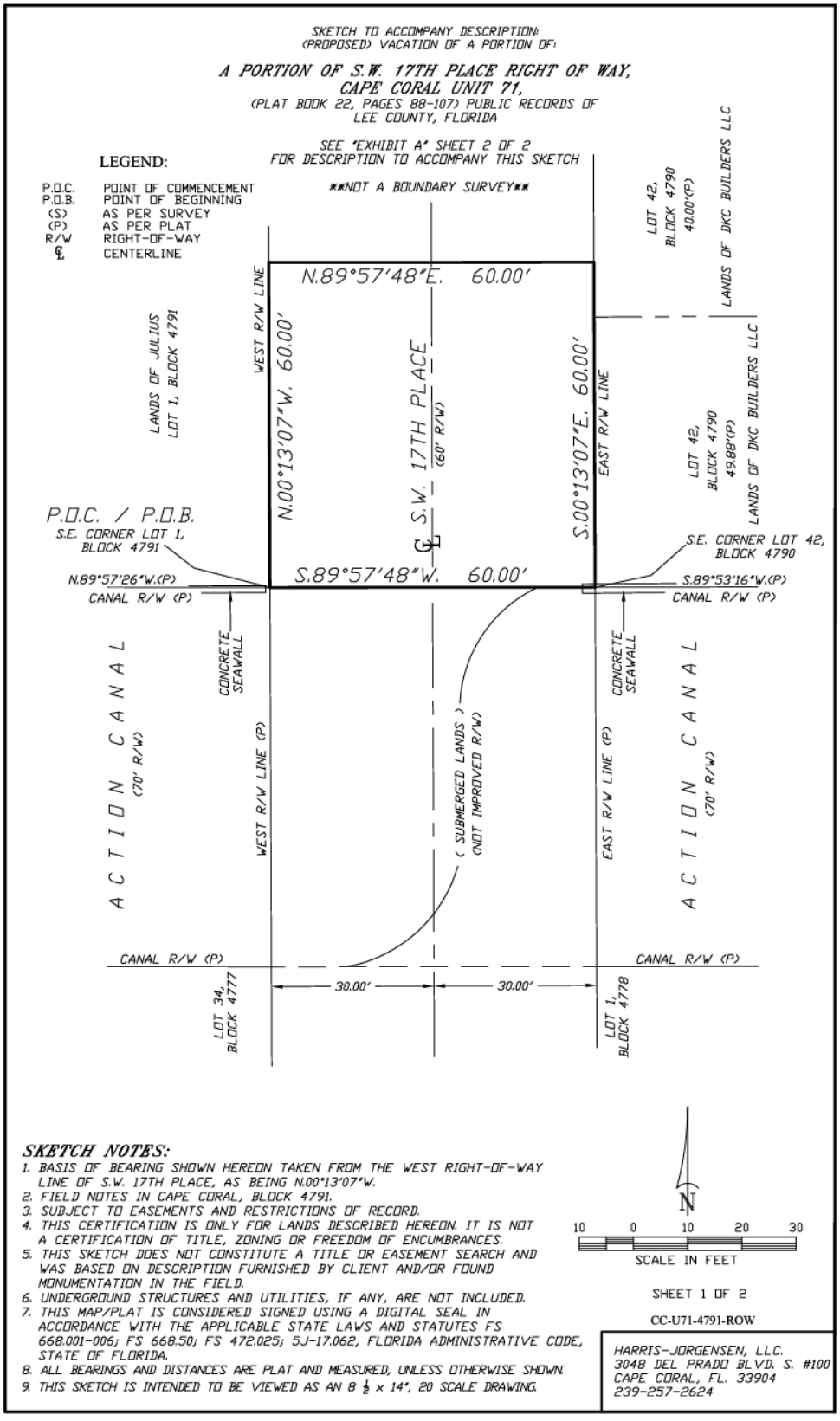
It is the intent and understanding of CenturyLink that this Vacation shall not reduce our rights to any other existing easement or rights we have on this site or in the area.

This vacation response is submitted WITH THE STIPULATION that if CenturyLink facilities are found and/or damaged within the vacated area as described, the Applicant will bear the cost of relocation and repair of said facilities. If you have any questions, please contact Kenley Kohutek at 361-210-0121, Kenley.Kohutek@lumen.com, or nre.easement@lumen.com.

Sincerely yours,

Kenley Kohutek
Network Infrastructure Services
Lumen
P868577

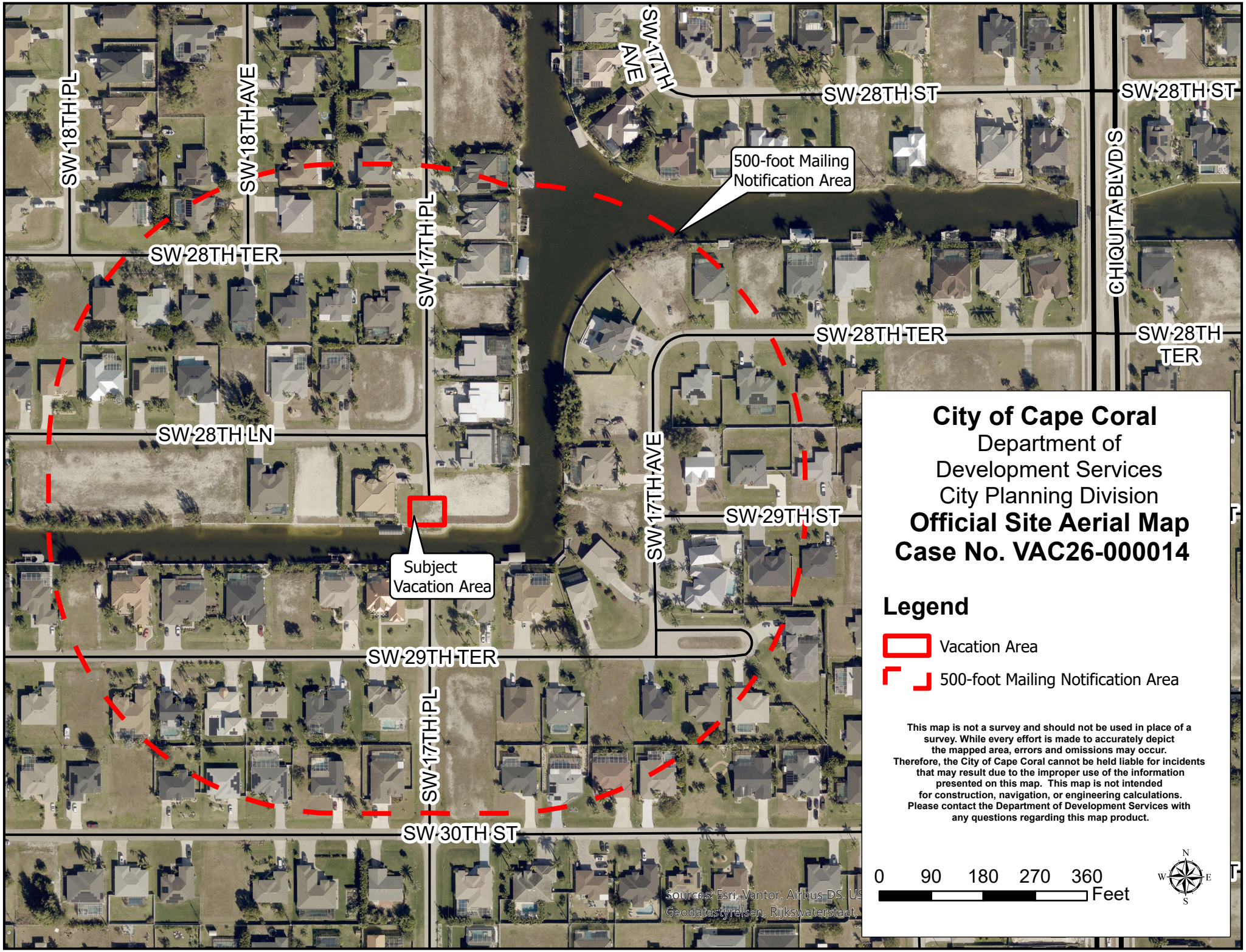
EXHIBIT A



SKETCH NOTES:

1. BASIS OF BEARING SHOWN HEREON TAKEN FROM THE WEST RIGHT-OF-WAY LINE OF S.W. 17TH PLACE, AS BEING N.00°13'07"W.
2. FIELD NOTES IN CAPE CORAL, BLOCK 4791.
3. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
4. THIS CERTIFICATION IS ONLY FOR LANDS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF TITLE, ZONING OR FREEDOM OF ENCUMBRANCES.
5. THIS SKETCH DOES NOT CONSTITUTE A TITLE OR EASEMENT SEARCH AND WAS BASED ON DESCRIPTION FURNISHED BY CLIENT AND/OR FOUND MONUMENTATION IN THE FIELD.
6. UNDERGROUND STRUCTURES AND UTILITIES, IF ANY, ARE NOT INCLUDED.
7. THIS MAP/PLAT IS CONSIDERED SIGNED USING A DIGITAL SEAL IN ACCORDANCE WITH THE APPLICABLE STATE LAWS AND STATUTES FS 668.001-006; FS 668.50; FS 472.025; 5J-17.062, FLORIDA ADMINISTRATIVE CODE, STATE OF FLORIDA.
8. ALL BEARINGS AND DISTANCES ARE PLAT AND MEASURED, UNLESS OTHERWISE SHOWN.
9. THIS SKETCH IS INTENDED TO BE VIEWED AS AN 8 ½ x 14", 20 SCALE DRAWING.

HARRIS-JORGENSEN, LLC.
3048 DEL PRADO BLVD. S. #100
CAPE CORAL, FL. 33904
239-257-2624



City of Cape Coral

Department of
Development Services
City Planning Division

Official Site Aerial Map
Case No. VAC26-000014

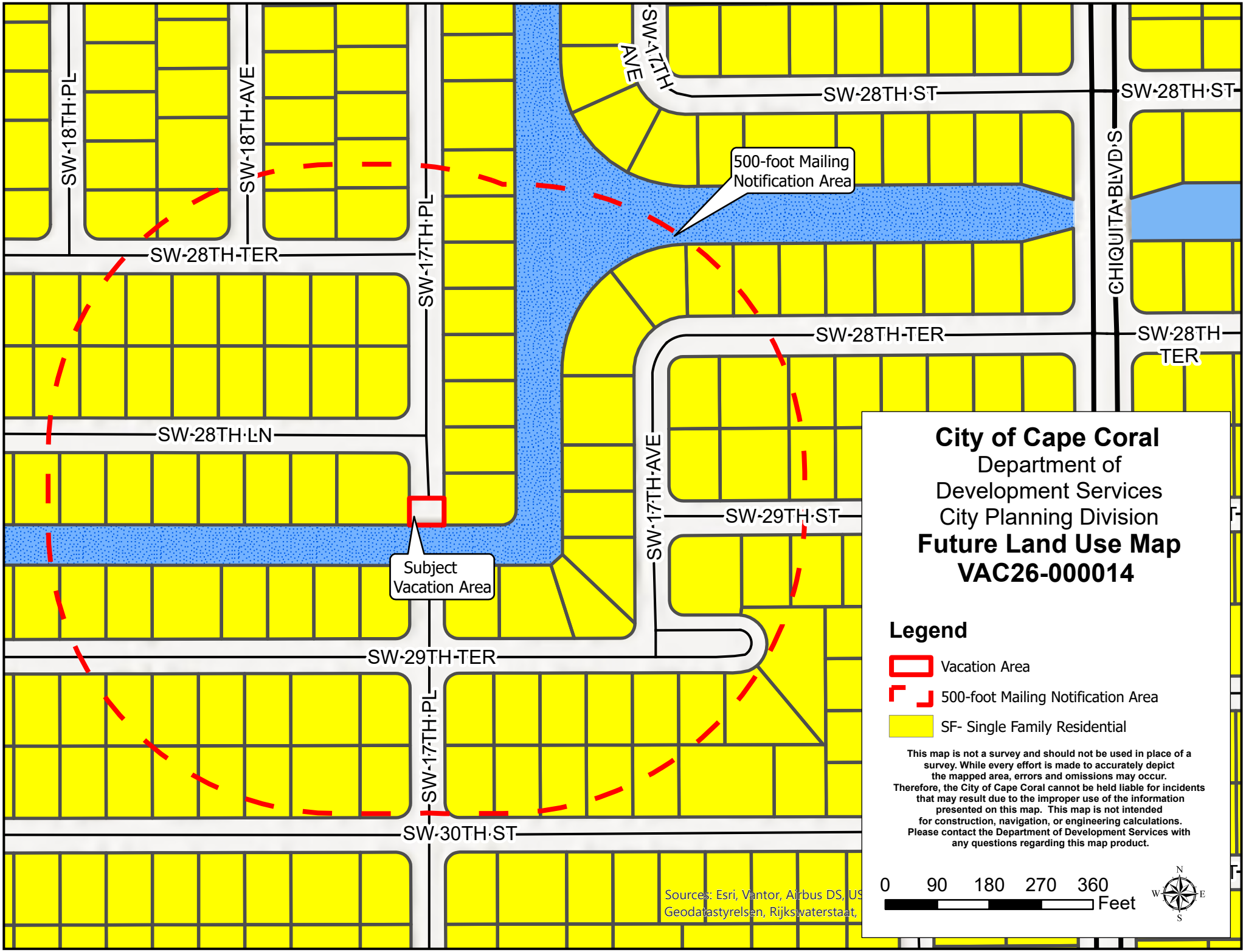
Legend

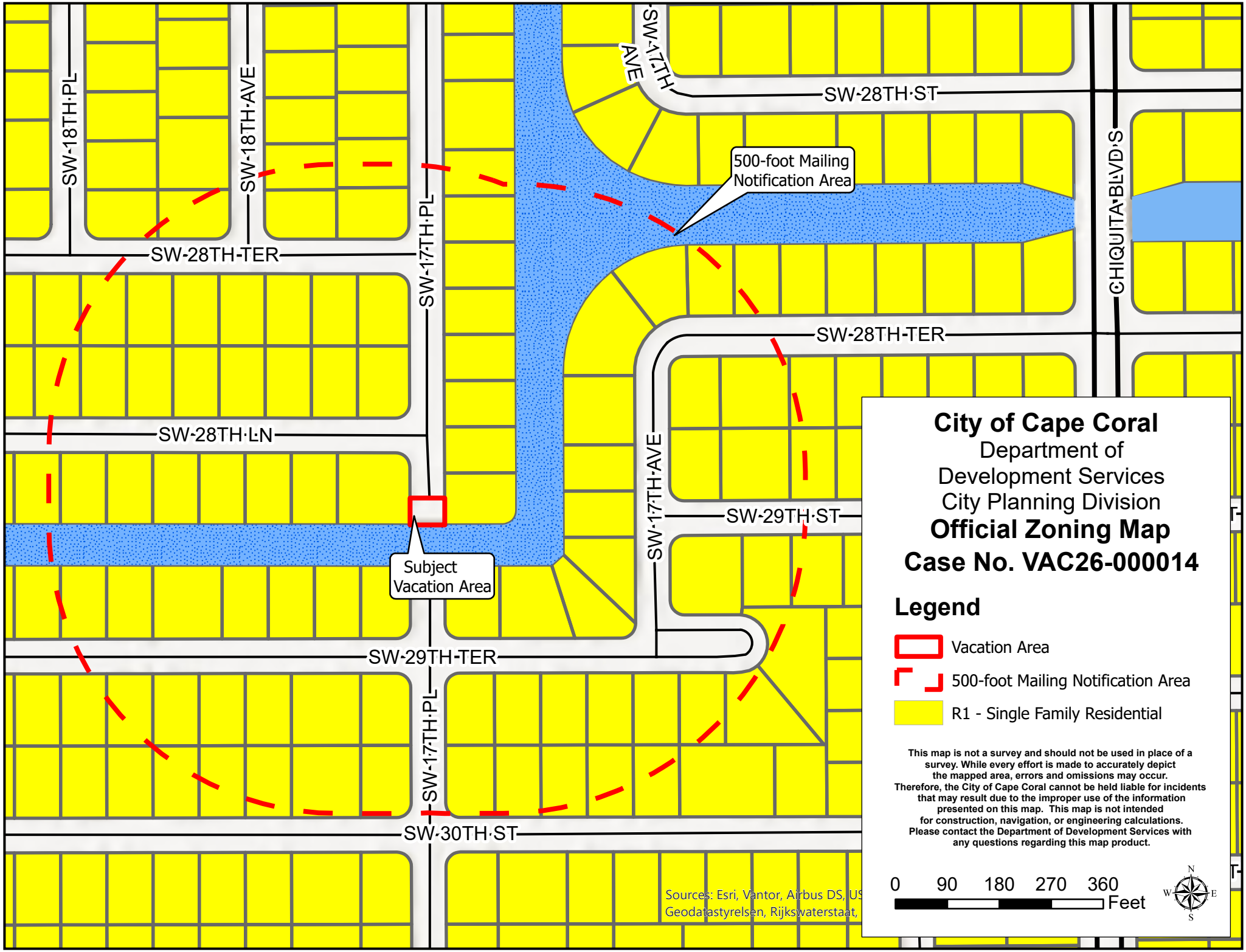
- Vacation Area
- 500-foot Mailing Notification Area

This map is not a survey and should not be used in place of a survey. While every effort is made to accurately depict the mapped area, errors and omissions may occur. Therefore, the City of Cape Coral cannot be held liable for incidents that may result due to the improper use of the information presented on this map. This map is not intended for construction, navigation, or engineering calculations. Please contact the Department of Development Services with any questions regarding this map product.

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SW-28TH-TER
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SW-28TH-LN
SW-17TH-AVE
SW-29TH-ST
Subject Vacation Area
SW-29TH-TER
SW-17TH-PL
SW-30TH-ST
City of Cape Coral
Department of Development Services
City Planning Division
Future Land Use Map
VAC26-000014
Legend
Vacation Area
500-foot Mailing Notification Area
SF- Single Family Residential
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Sources: Esri, Vantor, Airbus DS, US
Geodatastyrelsen, Rijkswaterstaat,


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SW-29TH-ST
SW-29TH-TER
SW-30TH-ST
CHIQUITA-BLVD-S
500-foot Mailing Notification Area
Subject Vacation Area
City of Cape Coral
Department of Development Services
City Planning Division
Official Zoning Map
Case No. VAC26-000014
Legend
Vacation Area
500-foot Mailing Notification Area
R1 - Single Family Residential
This map is not a survey and should not be used in place of a survey. While every effort is made to accurately depict the mapped area, errors and omissions may occur. Therefore, the City of Cape Coral cannot be held liable for incidents that may result due to the improper use of the information presented on this map. This map is not intended for construction, navigation, or engineering calculations. Please contact the Department of Development Services with any questions regarding this map product.
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Sources: Esri, Vantor, Airbus DS, US
Geodatastyrelsen, Rijkswaterstaat,